

## **SUBSTITUTE MOTION**

***(NEW LANGUAGE IN ITALICS & BOLD. OLD LANGUAGE STRICKEN OUT.***

### Second Reading

Subject: Resolution No. 96-23A1

#### **In Support of a Comprehensive School Climate, Restorative Justice, and Alternatives to Suspensions/Expulsions**

- Commissioners Jane Kim, Sandy Fewer, and Kim-Shree Maufas

**WHEREAS:** In June 2005, the Board of Education adopted Resolution No. 55-24A5, "In Support of Equitable and Fair School Discipline Practices," to ensure equity and fairness in all aspects of the District's work with students, which included the cultivation of improved, positive school climates through fair, respectful, effective approaches to discipline, and

**WHEREAS:** The Coalition for Fair and Caring Schools (FairCare) and the SFUSD's Discipline Taskforce has brought education stakeholders (administrators, principals, parents, teachers, students, and community based organizations) together to ensure that the Equitable and Fair School Discipline Practices resolution (No. 55-24A5) becomes a reality by providing guidance and oversight for the Student handbook provisions as well as assisting SFUSD and its schools in the development of:

- Alternatives to suspensions & expulsions,
- Analyze data related to school referrals on a quarterly basis to identify those students and teachers who need assistance with discipline,
- Provide professional development to assist school staff,
- Seek resources, to provide training to support staff and students for any schools experiencing high rates of suspension and/ or expulsion; and

**WHEREAS:** The Taskforce recommendations in May 2006, 2007 and 2008 highlight the ongoing need for:

- Professional Development,
- District Policy & Priority,
- Data Collection/Accountability,
- *Identification of current data being collected and recommend additional surveys/data's to be collected and analysis*
- *Timeline for implementation plan*
- *Budget and potential resources*
- ~~That the work of the Task Force partner with central office accountability for the implementation of related policies; and~~

**WHEREAS:** Primarily, the Discipline Taskforce recommends an accelerated "culture shift" in the way the district, system-side, approaches solutions to the student discipline problems in our schools; and

**WHEREAS:** *The Board of Education is committed to creating and supporting a "culture shift" in the way the district, systematically, develops solutions to the student discipline challenges in our schools and to focusing on student strengths and abilities; and*

**WHEREAS:** California Education Code Section 48900.5 provides that “Suspension shall be imposed only when other means of correction fail to bring about proper conduct,” with the exception that principals *may* suspend for a first offense for a violation of offenses listed in Education Code Section 48900 (a)-(e), or if the conduct is such that the pupil’s presence causes a danger to persons or property or threatens to disrupt the instructional process; and

**WHEREAS:** California Education Code Section 48915(c) requires an immediate suspension and expulsion referral for any student that commits specific offenses, and Section 48915(a) requires an expulsion referral for specific additional offenses *unless* the principal or Superintendent determines that expulsion is inappropriate based on the particular circumstances; and

**WHEREAS:** The Board recognizes that the Equitable and Fair School Discipline Practices resolution is not being utilized to the fullest extent possible, in order to reduce the overall numbers of suspensions and expulsions within the District, and to address the disproportionate numbers of African-American, *Latino and Pacific Islander* students who are suspended in the District; and

**WHEREAS:** ~~Although several SFUSD Middle Schools have adopted Peer Courts programs and other alternative methods as a means of offering alternatives to suspensions/expulsions, there still remains an overwhelming need for further reform to address the alarming rise in the suspension/expulsion rates for SFUSD since the 2005 adoption of the Equitable and Fair School Discipline Practices resolution with the added intention to reduce the predictive power of demographics, particularly, in the area of student discipline; and~~ *Although multiple strategies are being implemented as pilots including but not limited to: Peer Courts programs, Safe School Ambassadors program and other alternative methods as a means of offering alternatives to suspensions/expulsions, there still remains an overwhelming need for further reform to address the alarming rise in the suspension/expulsion rates; and*

**WHEREAS:** This policy would also work to address the three main goals & objectives from Beyond the Talk: the 2008 SFUSD Strategic Plan:

- Goal 1: Access and Equity – Make Social Justice A Reality and to diminish the historic power of demographics.
- Goal 2: Student Achievement – Engage High Achieving and Joyful Learners to ensure the opportunity to have authentic learning for every student.
- Goal 3: Accountability – Keep Our Promises to Students & Families to create the culture of service and support: and

**THEREFORE BE IT RESOLVED:**

That the Board of Education *of the San Francisco Unified School District hereby adopts the following Resolution to create a School Climate-Restorative Justice Framework and Implementation Plan for SFUSD that will address all components cited above* Restorative Justice Framework (RJF), which includes a working definition of ~~“Alternatives To Suspension & Expulsion” (ATSE)~~ *and policy components in Appendix A; and the programmatic implementation goals (Appendix B) of the RJF in SFUSD* to address the Fair Care/Discipline Taskforce diagnosed and Board agreed upon ~~“behavior management and discipline outcomes crisis”~~ for our students’ overall school climates; and

**BE IT FURTHER RESOLVED:**

That the Board of Education changes the name of ~~“SFUSD Discipline Taskforce”~~ *dissolves* the “SFUSD Discipline Taskforce” *and creates a new “Restorative Justice and School Climate Taskforce”* reflecting the committee’s with an updated charge to advise the Board of Education and the Superintendent *in designing, implementing and evaluating a student discipline framework based on restorative justice* which reduces student suspensions, increases student attendance and creates school climates that support joyful learners; *and* on how to reduce student suspensions, help increase student attendance in schools, examine other school climate data in order to move SFUSD swiftly towards having equitable and fair school discipline policies and practices for all students; and

**FURTHER BE IT RESOLVED:**

*That the new taskforce will be comprised of students, parents, school site staff members and other stakeholders; and*

**BE IT FURTHER RESOLVED:**

~~That the Board of Education requires that every school submit a school-wide climate plan or student discipline plan which details their ATSE model and is aligned to their balance scorecard as part of their site planning process; and~~

**BE IT FURTHER RESOLVED:**

The Board of Education requests the Superintendent and/or their Designee to review this information to monitor the compliance with this resolution, and to prepare a public report ~~at the end of the 2009-2010 school year~~ that includes an implementation plan for expansion of ATSE in the 2010-11 school year and beyond, for the entire Board of Education. *ensure that a comprehensive plan and timeline is developed by June 2010, and that the BOE receives quarterly progress reports to ensure timelines and outcomes are met and to review ongoing suspension and expulsion data with an anticipated beginning implementation in the 2010-2011 school year.*

*SUBSTITUTE MOTION New language in bold & italics. Old language strikethrough*  
**Restorative Justice and Fair & Caring Schools Resolution**  
**APPENDIX A**

Policy Component #1 -

The Restorative Justice Framework (RJF) & Alternatives To Suspensions & Expulsions (or "ATSE", as described below in Policy Components 2 through 7) shall be implemented and integrated throughout Middle Schools *and targeted Elementary and High Schools* ~~as a pilot program in the 2009-2010~~ 2010-2011 *school year*. It is the Board's intention that ATSE will be expanded throughout the various divisions (CDC, ES, HS, and Continuation/Alternative HS Programs) in subsequent years, ~~e.g., 2010-11, 2011-12, etc.~~ to build the culture of fair and caring schools in SFUSD. The Superintendent or Designee will outline an implementation plan *and timeline* for this expansion at *by* the end of the 2009-2010 school year.

Policy Component #2 -

The first year (~~2009-2010~~ 2010-2011) shall begin at all SFUSD middle schools *and targeted Elementary and High Schools*, considered to be our most vulnerable population, which would give students an opportunity to participate in restorative justice programs such as Peer Courts and/or other available alternatives to suspension and expulsion as the means of addressing all disciplinary offenses (as described in more detail in Policy Component #5), unless suspension and/or expulsion are required by law.

Policy Component #3 -

The participation in Peer Courts must be voluntary, and will require the written consent of the student who committed the offense (harm) as well as the victim(s) (person or community harmed), and each student's parent/guardian (in order to maximize accountability impact).

Policy Component #4 -

If such permission is not obtained from all required parties within a timely manner to keep campus safe from the offense, the principal shall utilize other alternatives to suspension and/or expulsion that are available at their school site, including but not limited to community service.

Policy Component #5 -

Suspensions and expulsions may be utilized only in the following circumstances: (1) if required by law (Education Code Section 48915(a), (c)), (2) if a student refuses to participate in Peer Courts and/or another alternative program (or does not get the required victim or parent/guardian consent) and/or fails to participate in any other available alternatives to suspension or expulsion, (3) if the student's conduct continues despite at least three repeated attempts to utilize alternatives to suspension and expulsion; and (4) if the principal determines that the student's continued presence at the school creates a danger to persons or property or threatens to disrupt the instructional process.

Policy Component #6 -

If suspension and/or expulsion (for example) is necessary for one of the aforementioned reasons as stated above, one or more of the four reasons must be identified to justify the suspension/expulsion, and specific facts must be provided that support the justification.

Policy Component #7 -

The SFUSD suspension and expulsion referral forms shall be revised to include a section that records the justification for suspension/expulsion based on one or more of the four circumstances discussed in Policy Component #6.

~~Policy Component #8 -~~

~~Classroom management, student discipline, affective communication, and relationship building will be incorporated into professional development for all staff.~~

Policy Component #9 - 8

Professional Development period(s) will include training in conflict resolution, de-escalation skills, ~~an understanding of the current discipline policy and this New Restorative Justice Framework and Alternatives to Suspension and Expulsion policy. and if at all possible~~ one of the first professional development days (at the start of the school year) focuses on de-escalation and working with children in crisis.

Policy Component #10 - 9

Schools sites need to *will* collect school behavior, *attendance and achievement* data, especially, regarding "lost" instructional minutes due to student behavior, tardiness, and attendance *suspension and expulsion*. This includes hall time, time in the office (not in conversation with an adult, ATSE or peer mediation process), formal and informal suspensions (early release due to disruption or inappropriate behavior, in-house suspensions, etc.) including *and* demographic and classroom specific data. ~~and not be penalized for honest reporting.~~

Policy Component #11 - 10

Data will be reported monthly to the Pupil Services Executive Director *Associate Superintendents of Support Services, LEAD and Academics and Professional Development* who will work with the Academic Professional Development Department and the *Restorative Justice and School Climate Taskforce* to prepare a detailed and disaggregated data report quarterly to the Superintendent.

Policy Component #12 - 11

The *Restorative Justice and School Climate Taskforce* will continue to monitor, evaluate and make recommendations about the implementation of the RJF and ATSE in SFUSD to the Executive Director of Pupil Services and Academic Professional Development.

Policy Component #13 - 12

Superintendent along with the Executive Directors of Academic Professional Development and Pupil Services shall to work with the *Restorative Justice and School Climate Taskforce* to pilot *innovative* a school climate specialist intervention (see Appendix B) programs ~~at three schools from~~ at each division identified by the Superintendent to address the urgent and ongoing crisis of high suspension and expulsions.

*SUBSTITUTE MOTION New language in bold & italics. Old language stricken-out.*  
**Restorative Justice and Fair & Caring Schools Resolution**  
**APPENDIX B**

School Climate Specialist Program (background and recommendations):

School climate is a known factor that impacts the health and well-being of the school community. ~~When the school climate is negative it contributes to the achievement gap, truancy, and educator turnover/burnout,~~

~~The current SFUSD Discipline Taskforce (soon to be renamed School Climate Taskforce) cannot overstate the crisis that currently exists in our schools. Growing numbers of suspensions and expulsions, a lack of common best practices in dealing with student discipline, and minimal training of educators able to deal fairly, equitably and consistency with all students are disproportionately affecting our children of color.~~

~~The SFUSD Discipline Taskforce has indicated that San Francisco Unified School District and the Board of Education must address these issues in a systemic and proactive manner. To that end, we are recommending that the SFUSD recognize the urgent need to raise classroom management skill levels, reform student discipline, affective communication strategies, and expound relationship building as a priority in providing professional development for all District personnel.~~

~~The SFUSD Discipline Taskforce describes school climate as the culture and atmosphere for learning and working together. Staff, students, and parents together create a dynamic school climate utilizing classroom and school practice, student discipline procedures, conflict resolution processes, relationship building between students (peer-peer), students and adults (student-teacher, teacher-parent, school-parent, teacher-teacher) and classroom management pedagogy.~~

~~The SFUSD Discipline Taskforce proposes that the School Climate Specialist Pilot Program be implemented at 9 schools: 3 at each division.~~

~~Schools will establish a school climate committee/team (as required by SFUSD's Board policy and SFUSD's Discipline Taskforce. The School Climate Specialist will work with her respective school site climate team to develop school-wide goals, agreements, and practices to develop a positive school climate.~~

~~This innovative program will focus the work of a School Climate Specialist, who will be a TSA. The primary role will be to help develop a process of engagement and professional development in order to change the climate of a school experiencing truancies, high suspensions & expulsion rates which then contribute to the lack of academic achievement. The person in this role will not be in used in the formal evaluation process to evaluate any staff or administration.~~

~~The Climate Committee will concentrate on reducing truancy, as well as school climate by addressing discipline practices, and facilitating alternatives to suspension/expulsion for students. The School Climate Specialist will also facilitate trainings for staff. We might compare this position to a literacy Instructional Reform Facilitator concentrating on school climate.~~

Training for the teachers will be designed to facilitate the acquisition of tools and skills and practices that will address SFUSD goals of:

- diminishing the historic power of demographics
- centering professional learning on equity
- creating an environment in which all school members flourish, and
- creating a culture of service and support

All practices will enhance student learning and achievement.

The School Climate Specialist (SCS) will be responsible for assessing student, parent and staff perceptions of the school climate as well as:

- Work with students, families, and staff to creatively and effectively shift school culture to meet the needs of the school community.
- Participate in trainings that will establish a broad base of cultural competency, affective communication, de-escalation skills and community building.
- Provide Professional Development for the school staff.
- Facilitate the assessment and collection of data, which will be used to develop a program that meets the needs of the students and families and faculty members.
- Hold Town Hall meetings and focus groups with all members of the school community, particularly those most impacted by the failures of the educational institution.

The School Climate Specialist will be a part of a cohort that reports to APD and the School Climate Taskforce to:

- review assessment data & research best practices;
- develop trainings and professional development;
- share experiences, and
- develop strategies that will positively impact school climate;

The collection of data is crucial. It is a neutral platform to examine school climate, discipline, and teaching practices. Data to be collected will include lost instructional time due to discipline, or tracking referrals, and will also include a list of that data that will aid in creating a positive school climate.

The School Climate Specialist will work at the school sites for 4 days of the week. On the fifth day they will meet with their counterparts in a think-tank format that would design professional development as well as discuss concerns related to school climate.