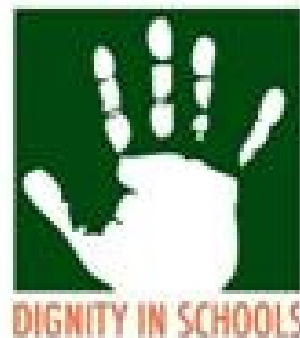


FEDERAL SCHOOL DISCIPLINE GUIDANCE:

How to Use the Guidance in Your Local Work



AGENDA

- Welcome and History of Community-Led Efforts
- What is the Guidance?
- How can communities use the guidance?
 1. Filing Complaints
 2. Revising Discipline Policies and Codes of Conduct
 3. Implementation and Resources
 4. Communicating with Educators
- Question and Answer

HISTORY OF COMMUNITY-LED EFFORTS

Chris Covington

YOUTH COMMITTEE OF BUILDING HEALTHY
COMMUNITIES LONG BEACH
AND DIGNITY IN SCHOOLS CAMPAIGN

Tre Murphy

BALTIMORE ALGEBRA PROJECT
AND ALLIANCE FOR EDUCATIONAL JUSTICE

- For over a decade, communities have been organizing and demanding policy change from local and federal governments to end school pushout.





2011 - SUPPORTIVE SCHOOL DISCIPLINE INITIATIVE (SSDI)



- Inter-agency effort by the Departments of Education and Justice to address the school-to-prison-pipeline and the disciplinary practices that can push students out of school and into the juvenile justice system.
- DSC, AEJ, NAACP LDF, Advancement Project and allies begin meeting with SSDI calling for School Discipline Guidance to include community-based solutions.

2012 - ORGANIZING ACROSS THE COUNTRY

- DSC joins Opportunity to Learn Campaign and other allies in launching Solutions, Not Suspensions, a national call for a moratorium on out of school suspensions and for more constructive disciplinary policies.
- DSC releases Model Code on Education and Dignity, a set of model policies and best practices for positive school discipline.
- DSC and allies hold annual Days at the Capitol and Week of Action.

2012 - FIRST EVER SENATE HEARING ON THE SCHOOL TO PRISON PIPELINE

- Youth leader, advocates and researchers testify about first hand experience of the culture of zero tolerance discipline.
- Hundreds of youth, parents, educators, advocates and community leaders attend hearing.



2013 - RESPONSE TO SANDY HOOK

- Policy Brief: Police in Schools is Not the Answer (Advancement Project, AEJ, DSC, NAACP LDF)
- Youth of Color Statement and You Can't Build Peace with a Piece actions



2014 - SCHOOL DISCIPLINE GUIDANCE RELEASE

- On January 8, Secretary of Education Arne Duncan and Attorney General Eric Holder released the School Discipline Guidance at an event in Baltimore.



WHAT IS THE GUIDANCE?

Monique Lin-Luse

NAACP LEGAL DEFENSE AND EDUCATIONAL FUND, INC.
AND DIGNITY IN SCHOOLS CAMPAIGN

SCHOOL DISCIPLINE GUIDANCE PACKAGE

- **Dear Colleague Letter:** clarifies the civil rights obligations of school districts to discipline without discrimination on the basis of race, color, or national origin
- **Guiding Principles w/ action steps**
- **Directory of Federal Resources**
- **Compendium: State by State Database of School Discipline Laws and Regulations [online and searchable]**

GUIDANCE IS HISTORICAL STEP

Historical step – guidance is the first of its kind & recognizes that students have been subjected to racial discriminatory practices in schools.

- The Departments acknowledge that “racial discrimination in school discipline is a real problem” and substantial racial disparities in discipline data are not explained by more frequent or more serious misbehavior by students of color.
- The Departments acknowledge that without change; there will continue to be long-term, serious consequences; and a direct funnel of students into the school-to-prison pipeline.
- ***Guiding principles encourage community and stakeholder involvement

HOW COMMUNITIES CAN USE THE GUIDANCE

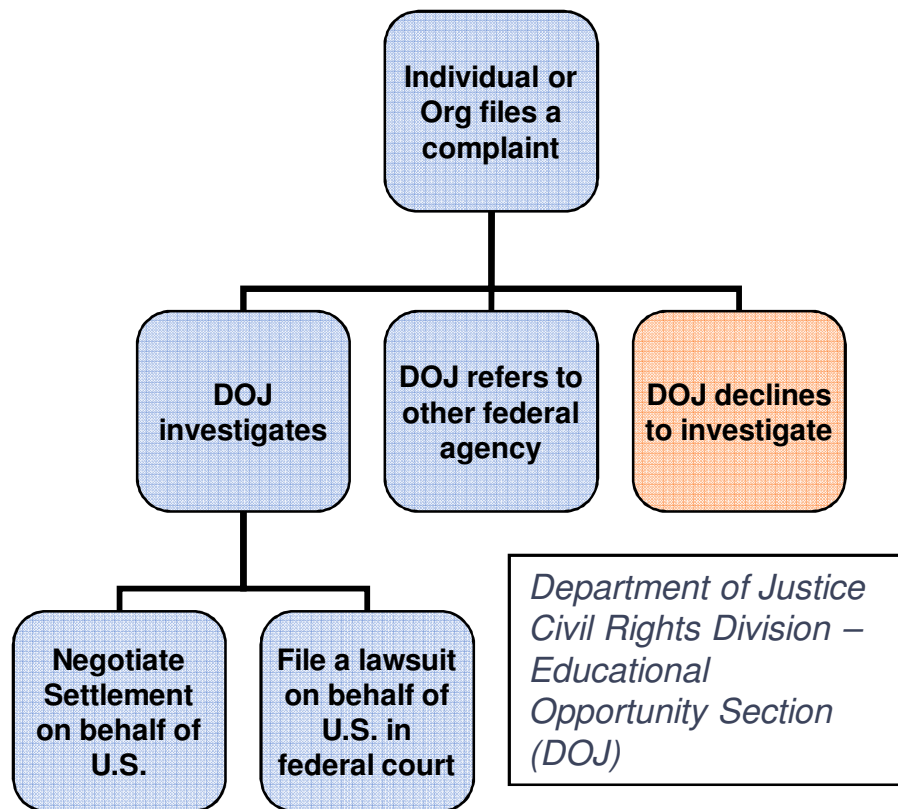
1. ACCOUNTABILITY THROUGH FILING COMPLAINTS

Monique Lin-Luse

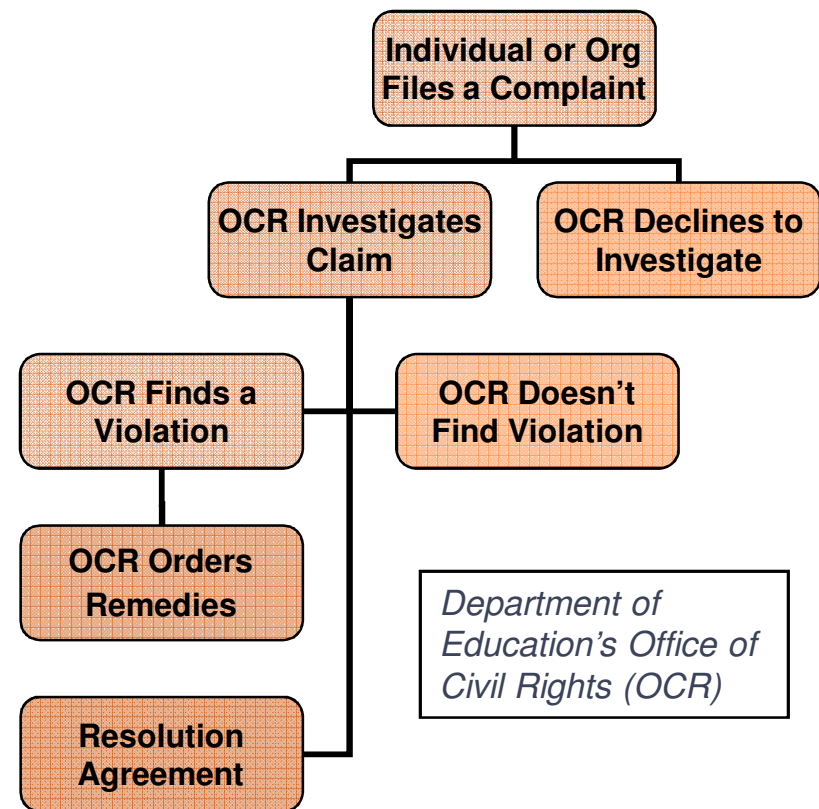
**NAACP LEGAL DEFENSE AND EDUCATIONAL FUND, INC.
AND DIGNITY IN SCHOOLS CAMPAIGN**

COMPLAINT PROCESS

DOJ Complaint Process



OCR Complaint Process



REMEDIES FOR VIOLATIONS

- Correcting the records of students who have been subjected to discrimination
- Training school personnel
- Reviewing SRO interventions
- Providing compensatory, comparable academic services to students receiving ISS/OSS, expelled, or placed in an alternative program
- Districts liable for the discriminatory actions of all school personnel – including SROs
- Resolution agreements (e.g., LAUSD – suspension rate decreased from 8.7% to approx. 1.5% since 2011 agreement was entered)

MAKING THE STRONGEST CASE

- Data - CRDC data is a good place to start, but you can also request additional and specific information from school
- Focusing on a specific policy
- Identifying practical less discriminatory alternatives
- Gathering community support and pressure for change

2. REFORM LOCAL POLICIES & CODES OF CONDUCT

Kaitlin Banner

ADVANCEMENT PROJECT



WHAT THE GUIDANCE TELL US: POLICY & PRACTICE

Red Flags

- Subjective offenses (p.20)
- Policy that doesn't mention race but targets students of a particular race (this could apply to rules about hairstyles, clothing, etc.) (p.8)
- Zero tolerance policies for being tardy to class; possessing a cell phone; insubordination or acting out; or being out of uniform (p. 12)
- Corporal punishment(p.12)
- Exclusionary discipline for truancy (p. 12)

Best Practices

- Intentional school climate creation (p. A-2)
- Defined role for law enforcement (p. A-3)
- Range of responses that are proportional, including positive alternatives to exclusion (p. A-4; A-6)
- Re-entry supports and services (p. A-6)
- Data collection & analysis (p. A-7)

WHAT THE GUIDANCE TELLS US: ALTERNATIVE SCHOOL

- School districts limit referrals to alternative schools to serious/dangerous infractions (p. A-6)
- If an alternative placement is necessary, schools must: (Guiding Principles)
 - Provide comparable academic instruction
 - Make returning students to their regular classroom a high priority
 - Strive to provide individual services and supports for those reentering from alternative settings.
 - Ensure that appropriate procedures are followed for students with disabilities.

GUIDANCE SUPPORT FOR REFORMING CODES OF CONDUCT (P. A7-8)

- Involve families & students in development and implementation of discipline policies
- Encourages districts to solicit family, student, & community input through committees or taskforces
- Regularly review and evaluate discipline policies & practices
- Districts should commit to plans of actions to address STPP and racial disparities

STRATEGIES FOR USING GUIDANCE TO REFORM CODES OF CONDUCT

- New “hook” to request a meeting, hold a public hearing, or get media coverage
- Review codes of conduct to see if there are any red flags
- Create recommendations based on best practices
- Demand that school district/school board:
 - Release data
 - Create process for reviewing & revising code with community input
 - Develop plans for acknowledging and addressing racial disparities

3. IMPLEMENTATION AND RESOURCES FOR POSITIVE APPROACHES

Marlyn Tillman

GWINNETT STOPP AND
DIGNITY IN SCHOOLS CAMPAIGN

IMPLEMENTATION AND RESOURCES

Some Helpful Resources Included in the Guidance Package:

Guiding Principles and Recommendations for School Districts, Administrators, Teachers, and Staff

- Found in Guiding Principles document and Page 1 of the Appendix to the Dear Colleague Letter
- Intended to share recommendations, does not cover all best practices
- Can assist schools to identify, avoid and remedy discriminatory discipline based on race, color or national origin.

Directory of Federal School Climate and Discipline Resources (Appendix 1)

- Lists some available Federal PK-12 school climate and discipline resources
- Links directly to brochures, training videos, etc
- Each of the resources is listed under which Guiding Principle it is meant to support

IMPLEMENTATION AND RESOURCES

- How Can We Push for Implementation of these Recommendations?
 - Shifting school culture to be in line with current Civil Rights obligations
 - Bringing the guidance to your School Board
 - Addressing the question of resources and support
 - Ground-up community conversations with all stakeholders in the school community
 - Dignity in Schools Campaign Model Code on Education and Dignity: <http://www.dignityinschools.org/our-work/model-school-code>

4. COMMUNICATING WITH EDUCATORS

Joyce Parker

CITIZENS FOR A BETTER GREENVILLE AND
DIGNITY IN SCHOOLS CAMPAIGN

WHAT WE HEAR FROM EDUCATORS

Some responses from educators on implementing the guidance

- Mandates without putting actual resources behind them will not succeed.
- Budget cuts have left schools without resources to support students and families.
- Teachers should receive the same training as administrators when it comes to dealing with discipline. Too often, the information on how to implement new policies and procedures does not reach the teachers in the classrooms.

WHAT WE HEAR FROM EDUCATORS

Arne Duncan said: “It is adult behavior that needs to change”

AFT statement said: The following changes are necessary and will have a positive impact on school discipline disparities:

- Review and monitor existing discipline codes to ensure they are developmentally appropriate, effective and equitable.
- Restore critical school personnel, such as counselors, psychologists, nurses and school social workers, who have the knowledge and expertise to appropriately address student behavior.
- Implement alternatives to suspension and expulsion to manage student behavior.

STRATEGIES FOR TALKING TO EDUCATORS

- The guidance focuses on School Climate and Prevention (p 1 & 2, appendix).
- The guidance strongly suggests more trainings and professional development for teachers (classroom management and de-escalation techniques).
- The guidance recognizes and reinforces teacher's needs and suggests that there should be enough support staff, such as schools counselors, nurses, etc.
- The guidance helps to hold states and districts accountable for these things.

Q & A

QUESTIONS FOR DISCUSSION:

- How can you share the guidance with others in your community?
- What other information or tools do you need?