

APPENDIX VI – 24



TUCSON UNIFIED SCHOOL DISTRICT

MEETING OF: April 5, 2016

TITLE: Update on Student Code of Conduct

ITEM #: 5

Information: X

Study:

Action:

PURPOSE:

To present the Tucson Unified School District Governing Board with an update on the revamping of the Student Code of Conduct.

DESCRIPTION AND JUSTIFICATION:

On Tuesday, November 10, 2015, the Tucson Unified School District Governing Board awarded RFP 16-51-17 to James Freeman for the revamping of the Student Code of Conduct (currently Guidelines for Student Rights and Responsibilities).

Mr. Jim Freeman has moved forward from his work with the focus groups of constituents. He is giving an update on the working group of individuals who have assisted with the process of building a workable Code of Conduct. His purpose is to provide the Governing Board with an update on that work, and to discuss next steps.

Dr. Abel Morado and Mr. James Freeman will present and be available for questions.

BOARD POLICY CONSIDERATIONS:

LEGAL CONSIDERATIONS:

For all Intergovernmental Agreements (IGAs), Initiator of Agenda Item provides the name of the agency responsible for recording the Agreement after approval:

For amendments to current IGAs, Initiator provides original IGA recording number:

Legal Advisor Signature (if applicable)

BUDGET CONSIDERATIONS:

_____ **District Budget**
 _____ **State/Federal Funds**
 _____ **Other**
Budget Cost **Budget Code**

Budget Certification (for use by Office of Financial Services only):

Date _____
 I certify that funds for this expenditure in the amount of \$ are available and may be:
 Authorized from current year budget
 Authorized with School Board approval

INITIATOR(S):

Dr. Abel Morado, Interim Deputy Superintendent, Teaching and Learning 3/29/2016

Name	Title	Date
Dr. Abel Morado, Interim Deputy Superintendent, Teaching and Learning		3/29/2016

DOCUMENTS ATTACHED/ ON FILE IN BOARD OFFICE:

ATTACHMENTS:

[Click to download](#)

No Attachments Available

TUCSON UNIFIED SCHOOL DISTRICT

**BOARD AGENDA ITEM
CONTINUATION SHEET**



Update on Code of Conduct

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Goal

- Create a user-friendly Code of Conduct through a participatory, multi-stakeholder process that:
 - is data- and research-based
 - promotes school safety and academic achievement
 - limits student exclusion and justice-system involvement to the greatest extent possible
 - promotes racial equity
 - advances restorative approaches, is in alignment with PBIS and MTSS plans, and leverages other existing TUSD assets

Overview of Focus Groups

- 16 focus groups in January 2016 involving nearly 150 people
- Groups of students, parents, teachers, school administrators, district staff, classified support staff, certified support staff, and other community members
- African-American, Latino, and Native American parent and community groups

Key Findings and Recommended Action Steps

- Key Finding #1: GSRR is too long, dense, and confusing to be used effectively by all district stakeholders.

- Action Step #1: Create a much shorter, less legalistic, and more user-friendly Code of Conduct.

- Key Finding #2: GSRR has a very negative tone and is reminiscent of a criminal code.

- Action Step #2: Establish a more positive and forward-looking tone in which the importance of discipline and school climate is explained and put in the context of the mission, vision, and goals of the district.

- Key Finding #3: There are concerns over disruptive student behaviors and unhealthy school environments in many schools.

- Action Step #3: Emphasize disciplinary techniques that focus on the root cause of behavioral issues, help students to learn appropriate behaviors, and promote positive and supportive school climates.

- Key Finding #4: Out-of-school suspensions and referrals to law enforcement are sometimes used when they are neither necessary nor effective, resulting in excessive lost learning time and a myriad of harms to students, families, schools, and the entire community.
- Action Step #4: Place greater emphasis on using the full array of disciplinary responses, and using the most severe consequences only when necessary.

- Key Finding #5: Disciplinary practices are uneven across the district.
- Action Step #5: Promote greater consistency across the district as it relates to the most serious disciplinary consequences, while allowing for individual schools to have autonomy in administering lower-level disciplinary responses.
- Key Finding #6: There is a need for greater clarity around dealing with serious or repeated disciplinary issues.
- Action Step #6: Develop clear protocols for dealing with school safety threats and persistent misconduct.

- Key Finding #7: When students are suspended, they also often suffer additional academic penalties.
- Action Step #7: Eliminate the academic consequences that often accompany behavioral consequences.
- Key Finding #8: There is a need for greater attention to the causes and consequences of racial and ethnic disparities in school discipline.
- Action Step #8: Address the root causes of such disparities and establish ongoing mechanisms for monitoring and correcting them.

- Key Finding #9: District needs to build on the quality practices that are already in use around the district and address the many remaining areas for improvement in an ongoing way.
- Action Step #9: Establish mechanisms for ensuring the Code of Conduct is implemented with fidelity and promotes continuing improvement of disciplinary practices.

Code of Conduct Working Group

Code of Conduct Working Group

- Diverse, multi-stakeholder group
- Intentionally created to include a wide variety of perspectives
- Includes:
 - 6 teachers
 - 3 school support staff (School Safety Officer, Psychologist, LSC)
 - 3 school administrators
 - 3 district administrators
 - 5 students
 - 3 parents
 - 4 community members

Relevant National Context

What we know about harsh disciplinary practices and “zero tolerance”

- Do not address the problems they were intended to solve
- Instead, they have created a slew of new problems

Research findings

- Have not made schools safer or improved school performance
- On the contrary, they often have the opposite effect
- Significant contributors to low graduation rates and racial achievement gap
- Pushed more youth into the juvenile and criminal justice systems

Research findings

- A study of more than one million students found that students who were suspended or expelled were:
 - Six times more likely to repeat a grade
 - Five times more likely to drop out
 - Nearly three times more likely to be in contact with the juvenile justice system the next year
- Research has found that being arrested in school doubles the chances of dropping out, and a first-time court appearance quadruples the chances of dropping out

Research findings

- The impact of these practices can follow students for the rest of their lives, and create major obstacles during immigration-related processes and when applying for college, financial aid, the military, and certain jobs
- Research has shown that students of color are disciplined far more harshly than their peers, even for the same behaviors
- Students with disabilities, students in foster care, and LGBTQ students are also more likely to be affected by these practices

Research findings

- Created hostile, unhealthy school environments, harming all members of the school community
- Damaged relationships between communities and schools, and between communities and law enforcement
- By making students less likely to succeed academically and more likely to become incarcerated, these practices carry steep economic costs for all taxpayers

Counter-productive for educators

- There is no evidence that these practices improve student behavior
 - Instead, they often create worse behavior, and fail to help students learn the skills and strategies they need to improve avoid future problems
- Damages relationships between students and educators, and alienates students from schools
- Lost learning time leads to students falling behind academically and teachers having to take time away from others to catch them up
- Students returning from OSS are further disengaged and behind academically, and thus often more disruptive
- Undermines efforts to improve graduation rates, test scores, and achievement gap

School discipline reform: A bipartisan issue with support across the ideological spectrum

- E.g.
- U.S. Department of Education
- National Education Association
- Council of State Governments Justice Center
- Fight Crime Invest in Kids (law enforcement organization)
- National Council of Juvenile and Family Court Judges
- American Federation of Teachers
- U.S. Department of Justice
- The Heritage Foundation
- Right on Crime
- American Bar Association
- Americans for Tax Reform
- National Association of State Boards of Education

Moving from “zero tolerance” to smart school discipline

- Smart discipline helps students to learn how to correct their behavior and create schools that are healthier, safer, and more productive
- Schools and school districts around the country have improved school safety, boosted school attendance, improved school climate, and raised academic achievement through disciplinary approaches that:
 - reduce the use of exclusionary disciplinary practices
 - rely on developmentally appropriate disciplinary consequences
 - prioritize equitable practices
 - implement alternatives such as PBIS and restorative practices

Denver, CO

- Rewrote discipline policies, putting sharp limitations on the use of OSS, expulsions, arrests, and summons; encouraging use of alternatives such as restorative practices; and putting explicit emphasis on addressing racial disparities
- Invested in restorative practices at the school level
- Rewrote school/police contract to clarify that law enforcement are not to handle school disciplinary matters
- Out-of-school suspensions have dropped by 60%, expulsions decreased 54%, and referrals to law enforcement are down 57%.
- Superintendent cites these discipline reforms as primary causes of the district's significant improvements in attendance and graduation rates in recent years²⁴, p. 24

Baltimore, MD

- Rewrote its Code of Conduct to limit the use of harsh disciplinary sanctions to when they are developmentally appropriate
- Went from issuing over 26,000 suspensions per year to under 8,000
- Achieved a record high graduation rate, in particular for Black males
- Experienced rising enrollment for the first time in over three decades
- Juvenile crime dropped across the city

Los Angeles, CA

- School board passed “School Climate Bill of Rights” requiring:
 - Exhaustion of alternatives prior to issuing a suspension
 - Implementation of restorative justice programs in all schools
 - Targeted training in restorative practices for schools with high OSS, ticketing, and arrest rates
 - Minimization of the role of law enforcement, probation, and the court system in schools
- Also recently passed new law enforcement protocol that encourages alternatives to arrests for behaviors that do not threaten school safety

Clayton County, GA

- Created multi-agency collaborative agreement and a “system of care” for responding to school disciplinary issues
- Emphasis is on:
 - Providing school-based alternatives to arrest and OSS
 - Using targeted interventions that address root causes
 - Expanding mental health services for youth and families
- School referrals to juvenile court dropped by more than 70%
- Graduation rates increased by more than 20 percentage points
- Quantitative and qualitative data indicate that schools are far safer than they were previously

See also

- Council of State Governments Justice Center's *School Discipline Consensus Report*
- U.S. Department of Education's *Rethinking Discipline* website and Guidance Package on School Discipline

Next Steps

Getting to the finish line

- Finalize recommendations from working group
- Submit draft Code of Conduct to Dr. Morado, Dr. Sanchez, and their teams for their feedback before the draft goes to the Fisher and Mendoza plaintiffs, the DOJ, the Special Master, and the Governing Board
- Develop plans for effective rollout and implementation of the new Code
- Develop list of recommended changes in other district and Board policies to ensure alignment with final Code

Questions or
comments?