



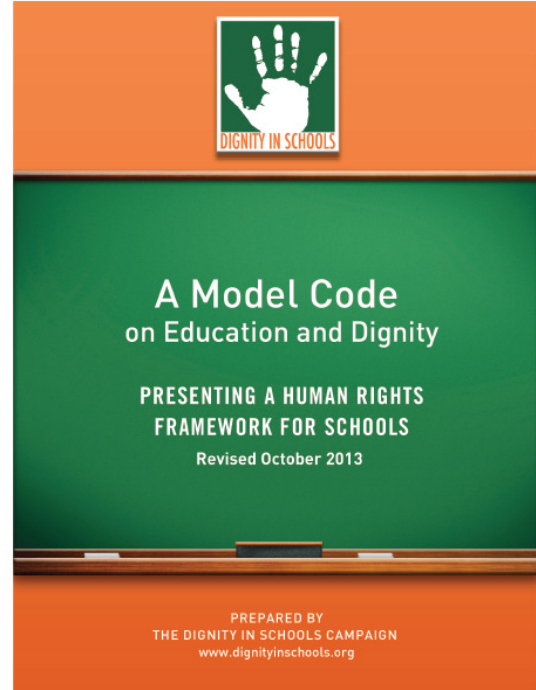
A Model Code on Education and Dignity

The Model Code presents policy-makers with recommended language for alternatives to school pushout and zero-tolerance discipline practices.

It is the result of several years of research and dialogue with students, parents, educators, advocates and researchers who came together to envision a school system that supports all children and young people in reaching their full potential.

The Model Code is organized into five chapters. Each of these chapters reflects core human rights principles and values:

- 1) Education
- 2) Participation
- 3) Dignity – School Climate and Discipline
- 4) Freedom from Discrimination
- 5) Data, Monitoring and Accountability



Tools and Activities for Using the Model Code

- Download the full Model Code and Executive Summary, or browse individual chapters (see list on reverse side) <http://www.dignityinschools.org/our-work/model-school-code>.
- **Model Code Webinars**
You can download the slides from the webinars at <http://bit.ly/XDqfCs>, which include an introduction to the Model Code and detailed reviews of the sections on suspensions and due process, school policing, data and monitoring, restorative practices, school-wide positive behavior supports, and guidelines for alternative schools.
- **Using the Model Code in Your Local Work**
DSC members around the country are holding trainings and presentations on the Model Code for policy-makers, school staff, students, parents and advocates.

DSC has developed a **Community Toolkit**, which contains resources that anyone can use, such as interactive activities for comparing your Student Code of Conduct to the Model Code, and links to resources for implementing the Model Code. You can download the Community Toolkit here - <http://bit.ly/13m1vvO>



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Questions about your local Code of Conduct:	Is the Code followed?	What does the Dignity in Schools Campaign (DSC) Model Code say about it?	Questions/Changes you want to make?
1. Can you easily get a copy of your District’s Code of Conduct? Is it available on-line? Do students and parents receive a copy at the start of the school year?		Ensure that students, parents and teachers know and understand all of the school norms, expectations, rules and disciplinary processes: <ul style="list-style-type: none"> • Ensure every student and parent receive a copy before school starts • Host student assemblies or other school-wide forums, classroom lessons and informational sessions for parents. (Section 3.1.a.E.2) 	
Guidelines for Suspensions and Expulsions			
2. Are there guidelines for when a school can and cannot suspend or expel a student? Are suspensions and expulsions limited to only serious and dangerous offenses?		Suspension or expulsion may only be considered for the most serious and dangerous offenses and only if absolutely necessary to protect the safety of the school community. (Section 3.1.a.F and 3.1.c.B.1.b) Also see a full list of factors to consider before excluding a student at Section 3.1.c.C.	
3. Does your district list alternatives to suspension? Does your district require that alternatives be used before suspension/expulsion?		Suspensions or expulsions may only be used after non-exclusionary discipline alternatives have been carefully considered, tried and documented. Alternatives include but are not limited to: a) Mediation and conflict resolution; b) Restorative circles, conversations and family group conferences; c) Transformative justice approaches; d) Counseling; e) Tiered Support Team interventions; f) Community Service; and g) Written and verbal apologies. (Section 3.1.a.F and 3.1.a.E.3)	
4. Can a student be expelled or suspended for a first time offense?		No student can be suspended or expelled for a first-time offense (unless required by federal or state law or in an emergency). (Section 3.1.c.D.1)	
5. Are there different rules for students of different ages or grade levels? (For example, different suspension policies for elementary and middle school vs. high school?)		No student under the age of 10 may be excluded from school for disciplinary reasons.(Section 3.1.c.D.2) No student under the age of 15 may receive a suspension of more than 3 days.(Section 3.1.c.D.3)	

Questions about your local Code of Conduct:	Is the Code followed?	What does the DSC Model Code say about it?	Questions/Changes you want to make?
6. Is there a limit on the number of days a student can be suspended?		No student can be suspended for more than 5 days in a row, or 10 days total during an academic year. (Section 3.1.c.D.4)	
7. Are there any types of offenses for which suspensions are not allowed?		Suspensions are not allowed for: <ul style="list-style-type: none"> • Being late to school or class, or being absent • Violating school dress code or uniform rules • Minor behavior infractions, ie. Insubordination, defiance, disobedience, disrespect, or disruptive or rowdy behavior, classroom disruption, etc. • Behavior that happens off of school grounds and not as part of a school-sponsored activity. (Section 3.1.c.D.6) 	
8. Are there zero-tolerance policies in your Code that require automatic suspension for certain behaviors?		States, districts and schools shall eliminate zero-tolerance laws and policies. (Section 3.1.a.G)	
9. How are students' first amendment rights to free speech protected in the disciplinary policies of your district?		Students may exercise the rights of speech, assembly, press and association, in accordance with the First Amendment of the United States Constitution and any applicable state laws. Except in the most serious circumstances, schools shall use non-exclusionary responses when students violate school rules in the process of exercising their First Amendment rights.(Section 3.1.c.D.8)	
Access to Education During Suspension and Expulsion			
10. Once a school in your district proposes to exclude a student, are they entitled to remain in school while they await the final decision?		If a district or school proposes to exclude a student, regardless of whether that exclusion is a suspension or an expulsion, that student shall remain in school pending the outcome of that student's exclusion conference or expulsion hearing. (Section 3.1.c.E.1)	

Questions about your local Code of Conduct:	Is the Code followed?	What does the DSC Model Code say about it?	Questions/Changes you want to make?
<p>11. Does a student in your district have the right to continue to access academic work once that student has been suspended or expelled? Do students have a right to be placed in an alternative academic setting?</p>		<p>If a student is suspended from school, that student has a right to continue to access and complete regular academic work during the suspension. Schools shall provide quality instruction in an alternative classroom or an alternative school that provides the same quality instruction, defined as instruction by a certified teacher with grade and class appropriate material that allows the student to earn equal credits and receive parallel education as if they had been in their regular class. The school shall ensure the student gets all the assignments for the time the student is not in class. (Section 3.1.c.E.2)</p> <p>If a student is expelled from school, that student shall have a right to attend a high quality alternative school where the student shall receive a complementary education.(Section 3.1.c.E.3 and 3.3.b)</p>	
Due Process Protections in Suspension, Expulsion and Involuntary Transfer			
<p>12. Does a student facing suspension have the right to an exclusion conference or other meeting with school officials?</p>		<p>If a student is suspended for 5 days or less, the student has the right to an exclusion conference to discuss the information/evidence the school is relying on, the student’s version of what happened, and whether or not the recommendation for suspension is consistent with section 3.1.c of this Code. (Section 3.1.d.B.1.b)</p>	
<p>13. When, if ever, does a student have the right to a full hearing before suspension/expulsion?</p>		<p>For any exclusion of 10 or more days, the student has a right to a full hearing.(Section 3.1.d.C)</p>	
<p>14. Do students have a right to an attorney at an exclusion hearing? Will that attorney be provided to the student free of charge?</p>		<p>Any student who is facing exclusion for ten days or more, whether consecutively or cumulatively during a school year, shall be provided upon request with legal counsel in any administrative or judicial proceeding (including appeal) as a matter of right and at public expense.(Section 3.1.d.D)</p>	

Questions about your local Code of Conduct:	Is the Code followed?	What does the DSC Model Code say about it?	Questions/Changes you want to make?
15. Does your district require that parents be notified of a student's exclusion hearing?		Prior to the full hearing for an exclusion of 10 days or more, the school must provide timely notice to the student's parents, in the language in which they are most comfortable. (Section 3.1.d.E)	
16. Does your district require that a neutral officer preside over the hearing?		The hearing shall be conducted by a neutral hearing officer or panel who was neither directly involved with nor a witness to the alleged incident. This may include: a neutral school district employee; a panel made up of a school staff member, a parent and a student; a peer jury or other student-run panel; a Board of Education member. (Section 3.1.d.F)	
17. Do students in your district have a right to appeal the decision of exclusion?		A student who has been excluded from school has the right to appeal his or her exclusion. Appeals shall be heard by a neutral hearing officer designated by the district Board of Education or equivalent entity.(Section 3.1.d.I)	
18. In the case of an emergency, can a student be removed from school immediately without a conference or hearing? If so, what due process protections are in place?		If the student is removed pursuant to an emergency, a full hearing must be scheduled within 5 school days of that removal or the student must be returned to school and the non-emergency due process protections shall apply.(Section 3.1.d.J.3)	
19. Does your code mention involuntary discipline transfers? If so, for how long may a student be removed?		<p>Involuntary transfer or placement of any student for disciplinary reasons can only occur after a full hearing has been conducted. Voluntary placement in or transfer to an alternative school shall be allowed where initiated by the student and their parent or guardian. (Sec 3.3.b.C-D)</p> <p>No student shall be issued an involuntary transfer for disciplinary reasons for more than one school term. If a student is issued an involuntary transfer, the student shall have a right to reenroll in their home school or previous school of attendance at the end of the term.(Section 3.1.c.D.5)</p>	

Questions about policies/practices in your local School/District:	Are they followed?	What does the Dignity in Schools Campaign (DSC) Model Code say about it?	Questions/Changes you want to make?
A. Does your local Code say what the goal of school discipline in schools should be?		The purpose of discipline must be to understand and address the causes of behavior, resolve conflicts, repair the harm done, restore relationships and reintegrate students into the school community.(Section 3.1.a.E)	
B. In what ways does your district require that schools create a positive physical school environment for students?		Schools must create a positive physical environment and healthy, respectful climates for learning, including showing positive messages and visuals, avoiding bars on windows, keeping schools clean, and having spaces for students to meet with counselors and peers.(Section 3.1.a.D.1)	
C. In what ways does your district require that schools promote a participatory and supportive school community?		Schools must promote a participatory and supportive school community by holding school-wide events and opportunities for students to express themselves creatively, making it clear for students who they can go to for help, and responding to crisis situations and trauma.(Section 3.1.a.D.2)	
D. What early intervention policies are in place to target students at risk of being pushed out of school?		Schools must provide early intervention for students at risk of being pushed out of school, including students with disabilities, students with behavior issues, students with unstable family and home lives, homeless students, students who have been the target of bullying behavior and students who have a history of discipline problems.(Section 3.1.a.D.4)	
E. Does your district specify alternate methods of discipline that should be employed before exclusionary responses?		Schools must utilize non-exclusionary discipline and alternatives to suspension with support by staff including mediation, restorative circles, conversations and family group conferences, transformative justice approaches, counseling, support team interventions, community service, and written and verbal apologies.(Section 3.1.a.E.3)	
F. Does your district have a policy for prevention and response to bullying?		Schools shall adopt a policy for prevention of and response to bullying behavior using discipline methods that reflect a commitment to restorative practices and without criminalizing students. (Section 3.1.a.H)	
G. What sort of training on school discipline does your school district require?		Ensure that district and school staff, parents and students are trained in positive discipline models, culturally responsive approaches, youth development and other relevant methods. (Section 3.1.a.I)	

What changes to policy do you want to see in your district? Is there language in the Model Code that you want to use as part of your demand?	Who is the decision-maker that can make each change?	Rank the changes in order of priority (scale of 1-5)	Where are there existing models? (could be individual schools in your district, or another district)	Next Steps