A MODEL CODE
ON EDUCATION AND DIGNITY

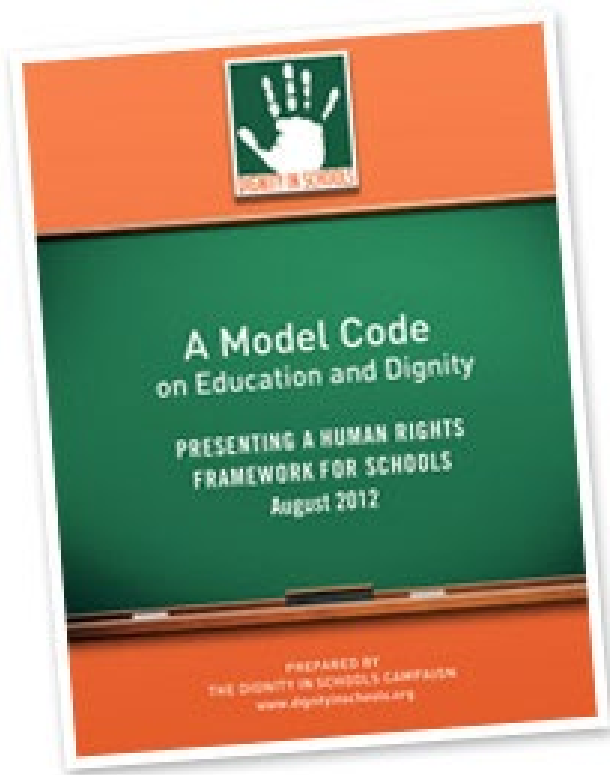Webinar: Using the DSC Model Code to Create Change

Dignity in Schools Campaign (DSC)

- Challenges the systemic problem of pushout and advocates for the human right of every young person to education and dignity

- 80 organizations from 22 states:
  - Youth and parent base-building
  - Legal and advocacy
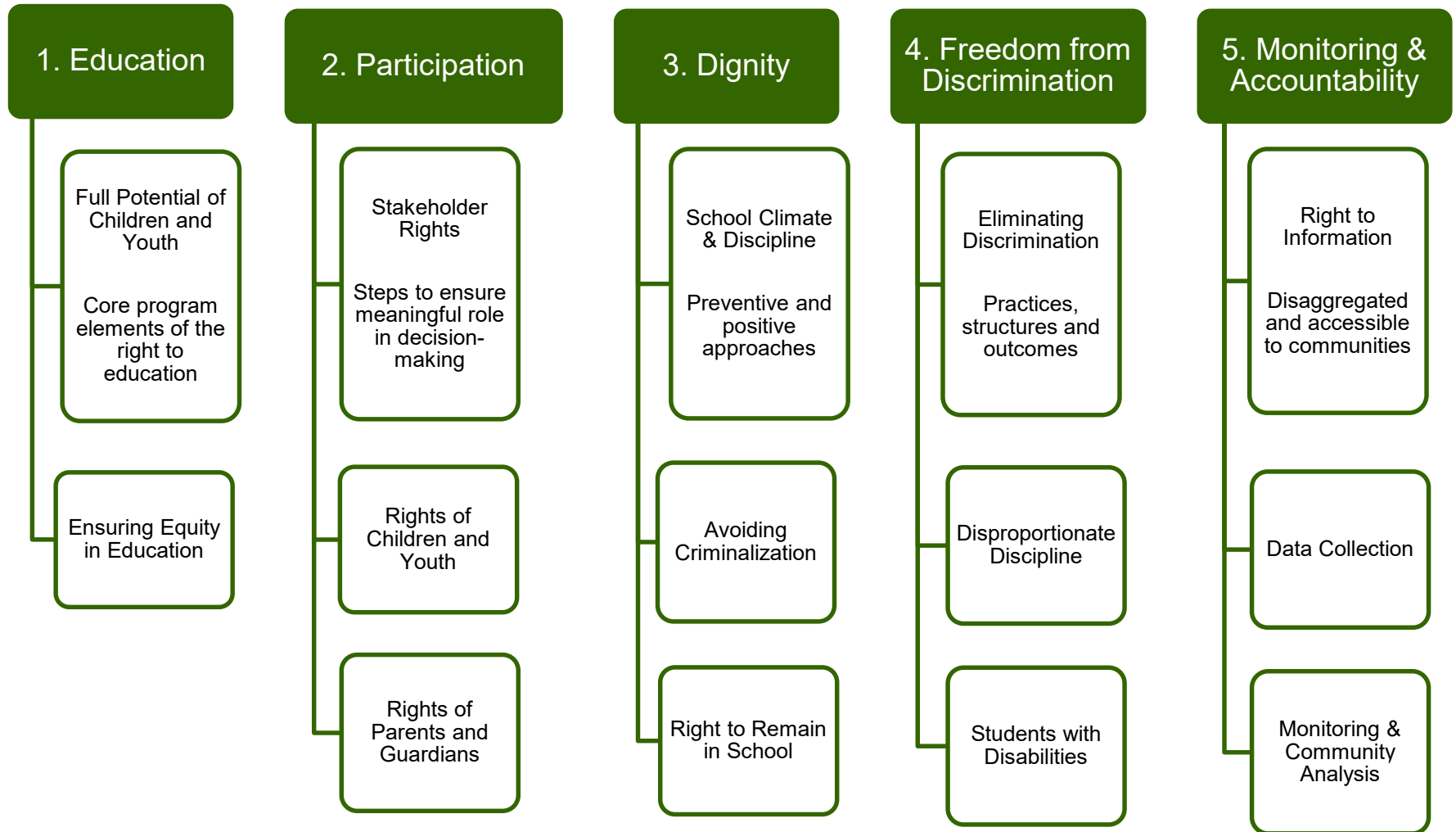 - Teachers and educators
  - Researchers

DSC Model Code

- Model policies for schools, districts and legislators to address school pushout and create safe and positive climates for learning

- Based on research, best practices and on the ground experiences of students, parents and educators

- Rooted in fundamental human rights principle that the goal of education is to develop each young person to their full potential
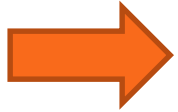
How was the Model Code developed?

- Drafted and reviewed by members of the Model Code Working Group

- Reviewed at two American Bar Association summits

- Reviewed and edited at community engagement sessions with students, parents and teachers in 8 different states (CA, FL, GA, IL, LA, MS, NY, PA)

5 Chapters of the Model Code

1. Education

- Full Potential of Children and Youth
- Core program elements of the right to education
- Ensuring Equity in Education

2. Participation

- Stakeholder Rights
- Steps to ensure meaningful role in decision-making
- Rights of Children and Youth
- Rights of Parents and Guardians

3. Dignity

- School Climate & Discipline
- Preventive and positive approaches
- Avoiding Criminalization
- Right to Remain in School

4. Freedom from Discrimination

- Eliminating Discrimination
- Practices, structures and outcomes
- Disproportionate Discipline
- Students with Disabilities

5. Monitoring & Accountability

- Right to Information
- Disaggregated and accessible to communities
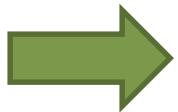- Data Collection
- Monitoring & Community Analysis
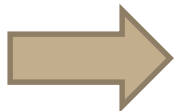
Using the Model Code

Identify which sections of the Code are most relevant to your community or school
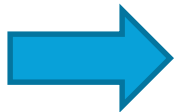
Compare the Model Code to the existing law or policy

Use "recommended language" from the Code to help shape policy changes

Use guidelines in the Model Code to assist with implementation

Resources for Using the Model Code
http://www.dignityinschools.org/our-work/model-school-code

- Executive Summary and Model Code by Section

- Model Code Comparison Tool

- Community Toolkit and Workshop Exercises
  - Tips for sharing the Code with policy-makers, students, parents, educators and communities
  - Sample activities for holding workshops on the Code
  - List of resources (reports, model laws and policies, etc.) to help in implementing the Code

- Participate in Model Code Webinars or Hold a Training
  - Email natalie@dignityinschools.org

Model Code Comparison Tool

DSC Model Code Comparison Tool – Discipline Policies in Your District Discipline Code

Questions about what is in your local Code of Conduct:	Is the Code followed?	What does the DSC Model Code say about it?	Follow-up questions/ changes you want
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?		Districts and schools must ensure that students, parents or guardians, and teachers know and understand all of the school norms, expectations, rules and disciplinary processes. (Pg.22 3.1.a.D.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.(Pg. 32 3.1.c.B)	
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 (like counseling, mediation, etc.) have been carefully considered, tried and documented.(Pg. 32 3.1.c.B.1.a)	
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). (Pg. 33 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 students vs. high school?)		No student under the age of 10 may be excluded from school for disciplinary reasons.(Pg. 33 3.1.c.D.2) No student under the age of 15 may receive a suspension of more than 3 days.(Pg. 33 3.1.c.D.3)	

Model Code Strategy Chart

This tool can help identify top priorities to work on to make changes to local codes of conduct.

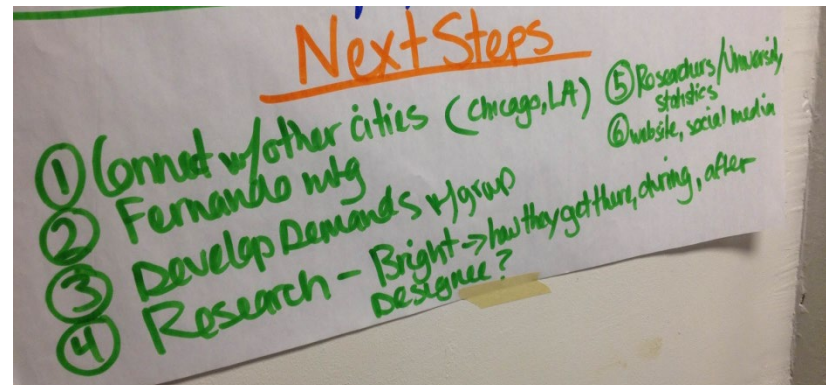Strategy Chart for Your Local Campaign to Revise Your Discipline Code

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

Recent training in New Jersey

On-the-Ground Strategies for Using the Model Code

Minneapolis, MN

Using the Model Code to shift Minneapolis Public School's Discipline Policy

- MPS already had a Race Equity policy passed in October 2013.

- First used the "comparison tool" to analyze the old MPS discipline policy and Code of Conduct with the drafts from the district

- To inform the new discipline policy, we used elements of: Dignity, Freedom from Discrimination, and Data, Monitoring and Accountability Chapters from the Model Code

- The Model Code is also helping to inform different aspects of implementation

What's new about the policy?

Snapshot: The Behavior Standards Policy…

- Places an emphasis on restorative practices and SWPBIS and minimizing the amount of class time lost due to behavior
- Reporting disaggregated discipline data to school community at least quarterly
- Definitions of behaviors
- Levels of Behavior, Interventions and Responses
- The change of title from "Student Behavior Standards Policy" → to "Behavior Standards Policy" takes away the implication that students are the issue and moves to an understanding that the entire school community is responsible for adhering to the new policy and implementing new practices

Consequences for Misbehavior									
MANDATORY SUSPENSIONS									
Category	Description	Intervention plus suspension		Police Referral		Rec. for Transfer		Rec. for Expulsion	
		K-5	6-12	K-5	6-12	K-5	6-12	K-5	6-12
Weapons		1-5 days	5 days	May	Yes	May	Yes	May	Yes
Assault	Physical; sexual	1-5 days	5 days	May	Yes	May	Yes	May	Yes
Fighting		1-3 days	3 days	No	May				
Alcohol and other drugs: possession and / use	First offense / Repeat offense	1 day / 1 day	3 days / 5 days	May	May				
Bomb/terroristic threats		1-5 days	5 days	May	May	May	May	May	May
Sale of alcohol or other drugs		5 days	5 days	Yes	Yes	May	Yes	May	Yes
GUIDELINES FOR OTHER OFFENSES									
Threats	Threats; Extortion	Intervention plus 0-5 days		May	May	May	May	May	May
Physical aggression	Pushing, poking, shoving, scuffling; unfriendly touch, biting, spitting, hazing	Intervention plus 0- 2 days							
Bullying	Intentional infliction of, or attempt to inflict injury or discomfort	Intervention plus 0-2 days					May		
Defiance	Defiance; failure to comply with request or direction from an adult; persistent lack of cooperation	Intervention plus 0-3 days							
Verbal abuse/disrespect	Disrespect to adult or student; gestures of disobedience	Intervention plus 0-3 days							
Harassment	Sexual, racial, cultural, religious, disability	Intervention plus 3 days		May	May	May	May	May	May
Tobacco	First offense	Intervention plus 0-1 day		May	May				
	Repeat offense	Intervention plus 0-5 days		May	May				
Property offenses	Vandalism; theft; possession of stolen property; unauthorized use of school equipment	Intervention plus 0--5 days		May	May			May	May
Trespassing		Intervention plus 0-5 days		May	May				
Fire alarms		Intervention plus 0-2 days		May	May				
Other safety violations	Willful neglect of safety of self or others; fireworks, stink-bombs	Intervention plus 0-5 days		May	May	May	May	May	May
Bus discipline	When suspension is given, misbehavior coded by categories above. Days transportation privileges denied determined by principal.								
Other	As deemed necessary by school administrator	Intervention plus 0-5 days							

- Very vague, short descriptions.

- An "other" category.

- Criminalize language "offenses"

- The option to suspend for EVERY offense (0-#days)

Old "Consequences for Behavior"

Behavior Examples: Definitions and Level Response Options

| Level 1: Behaviors disruptive to the school environment of self and/or others. | Level 2: Repeated or significant Level One infractions. Disordered behavior toward another student, staff, volunteer, etc. | Level 3: Repeated or significant Level Two infractions. Behaviors targeted at others or interfere with safety equipment. | Level 4: Repeated or significan[t] Three infrac[tions] Behaviors t[hat] implicate sa[fety] | Level 5: Behaviors |

- Start with the lowest appropriate level response while considering a st[udent's] understanding, past history of similar offenses, and severity of the inci[dent]
- Discovery coding questions for Levels 3-5 may be referred to subject m[atter]

ALPHABETICAL LISTING	LEVEL 1	LEVEL 2	L[evel 3]
ACADEMIC DISHONESTY			
Cheating, plagiarizing	●	●	av...
ALCOHOL			
Suspected impairment	Not available as an option	Not available as an option	
Using, possessing or distributing	Not available as an option	Not available as an option	
ARSON			
Illegal fire setting or attempts	Not available as an option	Not available as an option	av...
ASSAULT			
Intentional infliction of or attempt to inflict physical or sexual bodily harm upon another	Not available as an option	Not available as an option	
BOMB			
Use of an incendiary or explosive device that intends to or leads to malicious destruction of property or personal harm	Not available as an option	Not available as an option	av...
BOMB THREAT			
Verbal, electronic or written threat to detonate an incendiary or explosive device to cause property damage or injuries, whether or not such a device actually exists	Not available as an option	Not available as an option	

Levels of Behaviors, Interventions and Responses

Level Three

Level Three Behavior Definition
1. Repeated or significant incident(s) of Level Two infractions.
2. Behaviors targeted at or targeting others.
3. Behaviors interfering with safety equipment.

Level Three Behavior Examples
- Fighting
- Threats/intimidation
- Extortion
- Sexting
- Theft or vandalism under $500.00
- Property offenses
- Substance impairment
- Possession of stolen property
- Propping open secured facility doors or bus doors
- Opening, entering or leaving the bus through emergency exit
- Holding onto exterior portion of bus

Level Three Behavior Interventions and Responses
1. Select and implement interventions and responses that maintain the continuity of the student's instruction or are least disruptive.
2. Consider use of interventions from prior levels & multiple categories.
3. Review and consider a student's IEP or IAP(504 Plan) prior to implementing interventions and responses.
4. Communicate with parents/guardians about the behaviors and interventions.
5. Document behavior in student information system.

Category A
Skills-Based Supports
- Small group skill instruction
- Lessons in anger management, conflict resolution, bus safety, etc.

Category B
Restorative Practices
- Restorative back to class plan
- Staff-led mediation for incidents involving equal power between persons
- Restitution for property incidents

Category C
Staff/Administrative Actions
- Referral to Student Assistance team
- Loss of classroom/setting privileges
- Saturday school
- Alternative Instruction Room
- Student-staff conference
- Change in classroom assignment
- Consult with School Resource Officer
- Loss of transportation (bus) privileges no more than 1 day for bus behaviors

Category D
Optional Administrative Actions That May Result in Removal from Instruction
- In school removal from instruction 1 day or less.
- Out of school removal from instruction 1 day or less. Consider student's age and understanding for K-5.

- Very clear definitions of behavior.

- Behaviors are matched with appropriate level responses and intervention

- Suspension is now NOT an option for first time, minor, non-violent behavior

New "Leveled Behaviors, Interventions, and Responses"

San Francisco, CA

- **Who:** Coleman Advocate for Children and Youth, Public Counsel, Youth Commission, and other community based organizations

- **What:** Community negotiated MOU between SFPD and SFUSD

- **Why:** Unnecessary police involvement pushes San Francisco students into the juvenile justice system and out of school each year

San Francisco, CA

- **The Facts (PRA):**
  - More than 460 students were arrested on campus (2010 -13)
  - Majority for low-level and nonviolent offenses
  - Racial gap: African American young people were 39% of all students arrested on campus, even though just 8% of students
  - Since 2010, 60 students ages 12 or younger have been arrested at school.

  - "I was actually on campus for a Black History Month event when the police were called on my nephew, but I only found out about it when I got a phone call later. He was having problems adjusting to being in school, away from home and his family. How is calling in an armed uniformed police officer to deal with a 5-year-old going to do anything other than further traumatize him?" Lionel Hill, raising his nephew

San Francisco, CA – MOU, 2.26.14

The Details:

- Helps protect the privacy and dignity of students who are interviewed by school police as witnesses, victims, or potential offenders;

- Ensures that parents are contacted and can be present if a police officer is interviewing a student;

- Directs school administrators to handle all discipline-related problems at the school-site (disciplining students is a school, not police, responsibility);

- Create a system of graduated responses for police, starting with a warning, for low-level offenses, so that those can be handled with prevention and intervention and not a trip to juvenile court or jail;

- Data tracking on arrests/citations and regular reports to the School Board; and

- Develops an oversight and complaints process for students and parents to provide feedback and address issues related to conduct of any school police or security on campus to ensure positive engagement.

Greenville, Mississippi

- Citizens for a Better Greenville played an integral role in the development of the Model Code– the new discipline handbook and the Model Code both build off each other

- Initially had some difficulty getting changes incorporated into the code

- Partnered with Advancement Project to create a new Discipline Matrix and Handbook

- Emphasis on connecting academic success with discipline policies early on

- Behavior is symptom: should not be seen as the problem

Greenville, Mississippi

- Discipline Code Matrix - http://www.dignityinschools.org/files/Discipline_Matrix_CBGAP.pdf

- Discipline Code Matrix Interventions/Responses - http://www.dignityinschools.org/files/Matrix_Interventions_Responses_CBGAP.pdf

Excerpt from matrix: Defining each level of intervention, explicitly restricting use of higher level responses

DISCIPLINE MATRIX (Citizens for a Better Greenville and Advancement Project)

Key: Use lowest level indicated first	
Level 1: Classroom support – May be appropriate when the student has no prior incidents and interventions have not been put in place.	**Level 2:** RtI/IEP Team – may be appropriate when supports have been put in place in the classroom to address behavior but the behavior has continued to negatively impact the learning of the student and others
Level 3: TST, Intensive Support Staff, and Appropriate Administration – may be appropriate when school supports are needed to correct behavior	**Level 4:** Suspension and Referral – may be appropriate when interventions and supports have been put in place but the behavior is escalating (repeated offenses)
Level 5: Extended Suspension, Expulsion, and Referral – may be appropriate when student's behavior seriously impacts the safety of others in the school	
Note: On the first instance of an inappropriate or disruptive behavior, use one or more intervention from the lowest level indicated for that behavior, or any lower level. If the same behavior is repeated during the same school year, one or more interventions or disciplinary responses from the next highest level may be used. Lower-level interventions may always be used, but interventions or disciplinary responses from the shaded boxes may never be used.	

Inappropriate or Disruptive Behavior	Levels				
	1	2	3	4	5

Excerpt from matrix: Indicating the appropriate level of intervention for each behavior (in alphabetical order)

Inappropriate or Disruptive Behavior	Levels				
	1	2	3	4	5
Academic Dishonesty (e.g., cheating or plagiarizing)	●	●	●		
Alcohol ➤ Under the influence, using, or possession			●	●	
➤ Selling				●	
Bullying, including cyberbullying and gang-related incidents ➤ Intentional conduct, including verbal, physical or written conduct, or electronic communication that is threatening or seriously intimidating and substantially disrupts the orderly operation of a school	●	●			
➤ Serious bullying is defined as repeatedly over time engaging in intentional negative behaviors that adversely affect another student's ability to participate in or benefit from the school's education or extra-curricular programs		●	●	●	

Excerpt from Matrix: Detailed examples of each level of intervention

	Interventions	Disciplinary Responses
These interventions aim to teach and correct alternative behavior so students can learn and demonstrate safe and respectful behavior. Teachers are encouraged to try a variety of teaching and classroom management strategies.		
Level 1	• Have student re-state positive behavior expectation • Differentiate behavior instruction (have another student explain positive behavior expectations, seat change, have student physically show expectations, etc.) • Have student complete a District Approved Discipline Learning Packet specific to behavior • Refer to Pathway/Cluster/Grade Level Team	• Teacher/Student Conference • Written Apology • Verbal Warning • Loss of classroom/school privileges • Student/parent/teacher conference • In-class time-out • After-school detention
These interventions often involve support staff, both school-based and within the broader community, and aim to engage the student's support system to ensure successful learning and consistency of interventions, and change the conditions that contribute to the student's inappropriate or disruptive behavior.		
Level 2	• Any lower level interventions • Re-teach behavior expectation • Daily Behavior Report Card, Task Completion, and Achievement • Refer to RtI Team • Refer to IEP Team • Refer to Counselor (conflict	• Any lower level discipline response • Removal from class to supervised time-out in another classroom with principal approval

Question & Answer

Learn More about DSC

- Read the Model Code and share with others
  http://www.dignityinschools.org/our-work/model-school-code

- Hold a Model Code training in your community
  Contact Fernando, DSC Field Organizer
  fernando@dignityinschools.org, 205-960-3498

- Participate in the 2014 DSC National Week of Action this fall
  http://www.dignityinschools.org/our-work/week-of-action

- Learn about Solutions Not Suspensions:
  A Call for a Moratorium on Out-of-School
  Suspensions, DSC and OTL
  http://www.stopsuspensions.org/

SOLUTIONS NOT SUSPENSIONS
a call for a moratorium on out of school suspensions

Contact Information

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