

**Subject: Resolution No. 1312-10A4
ESTABLISHMENT OF A SAFE AND SUPPORTIVE SCHOOLS POLICY IN THE SAN FRANCISCO
UNIFIED SCHOOL DISTRICT
- Commissioner Matt Haney**

WHEREAS: San Francisco Unified School District (SFUSD) believes strongly in creating a District-wide, positive, relationship-based culture that is supportive of all members of the SFUSD community and has been a statewide leader in initiating policies to support Restorative Practices, Positive Behavior Interventions and Supports, and Trauma Sensitive Practices; and

WHEREAS: SFUSD's leadership in positive, evidence-based alternatives to school discipline, includes its 2009 adoption of resolution 96-23A1, "In Support of a Comprehensive School Climate, Restorative Justice and Alternatives to Suspensions & Expulsions" with the goal that:

- students will learn to accept responsibility, repair the harm their actions caused, recognize their role in maintaining a safe school environment, build upon their personal relationships in the school and contribute as a positive member of the school community;
- an improved sense of community will significantly decrease the need for suspensions, expulsions, and time that students are excluded from instruction due to behavior infractions; and

WHEREAS: SFUSD is committed to addressing disproportionality and disparities in the issuance of office referrals, suspensions, expulsion referrals, and expulsions, all of which result in lost instructional time, and taking affirmative steps to support its school-site leadership, teachers, staff, and parents to support students in the classroom; and

WHEREAS: SFUSD has taken a strong and proactive role in its commitment to addressing disproportionality in suspension and expulsion rates as one of eight California Office to Reform Education (CORE) school districts granted a federal waiver from the requirements of the No Child Left Behind Act with its pledge to develop a School Quality Improvement System (SQIS), which includes a Social/Emotional Domain Index (20%) that will address suspension and expulsion rates for the purposes of reducing disproportionality; and

WHEREAS: Between 2010-2013, over 2500 SFUSD educators have attended full day Restorative Practices trainings, and many thousands more have attended Restorative Practices meetings, conferences, and professional development, and SFUSD's Restorative Practices program has been recognized nationally for its outstanding work and impact, including receiving the 2013 "Golden Bell Award" from the California School Boards Association; and

WHEREAS: The leadership and systemic change led by SFUSD educators has already resulted in reductions in overall suspensions throughout the District by over 30% from 2009-2010 to 2012-2013; and

WHEREAS: SFUSD recognizes that California law provides that suspension, including supervised suspension, should be utilized for adjustment purposes only when other means of correction have failed to bring about proper conduct and/or safety is at risk, as well as, provides alternatives to suspension that are age appropriate and designed to address and correct the student's specific misconduct; and

WHEREAS: Studies indicate that suspension does not often result in positive behavior conditioning and furthermore can instead intensify misbehavior by increasing shame, alienation, and rejection amongst students, and an extensive study from Texas found that students are 5 times more likely to dropout, 6 times more likely to repeat a grade, and 3 times more likely to have contact with the juvenile justice system if suspended; and

WHEREAS: The American Academy of Pediatrics released a report describing the adverse effects of out of school suspension as “profound,” and the organization maintains that “out of school suspension and expulsion are counterproductive to the intended goals, rarely if ever are necessary, and should not be considered an appropriate intervention in any but the most extreme and dangerous circumstances;” and

WHEREAS: SFUSD remains concerned that a disproportionate number of African-American students and students with disabilities in SFUSD are given office referrals, suspended and referred for expulsion relative to their counterparts, leading to extensive lost instructional time and deepening the racial achievement/opportunity gap; and

WHEREAS: In 2012-2013, African-American students made up approximately 10% of the school population, but accounted for close to 50% of suspensions and expulsions, and African-American high school students missed an average of 19 more instructional days annually than their peers; and

WHEREAS: In 2012-2013, 36% of all suspensions in SFUSD “willful defiance” (E.C. 48900(k)) is listed as the most serious offense; and

WHEREAS: SFUSD remains concerned that in 2012-2013, overall African-American and Latino students make up 77% of all SFUSD suspensions and 81% of all suspensions identified under the category of “willful defiance”; and

WHEREAS: SFUSD recognizes that by July 1, 2014, it will need to develop and adopt a three-year Local Control and Accountability Plan (LCAP), which shall include, for the district and each of its schools: (1) baseline data on the current suspension and expulsion rates disaggregated for all pupils and subgroups, (2) annual goals to reduce such rates, and (3) the specific actions and funding tied to improved services and supports to meet the goals; and

WHEREAS: California Education Code Section 48900.5, effective January 1, 2013, reads that “Suspension, including supervised suspension, shall be imposed only when other means of correction fail to bring about proper conduct,” and “other means of conduct include but are not limited to: (1) A conference between school personnel, the pupil’s parent or guardian, and the pupil, (2) Referrals to the school counselor, psychologist, social worker, child welfare attendance personnel, or other school support service personnel for case management and counseling, (3) Study teams, guidance teams, resource panel teams, or other intervention-related teams that assess the behavior, and develop and implement individualized plans to address the behavior in partnership with the pupil and his or her parents, (4) Referral for a comprehensive psychosocial or psycho educational assessment, including for purposes of creating an individualized education program, (5) Enrollment in a program for teaching pro social behavior or anger management, (6) Participation in a restorative justice program, (7) A positive behavior support approach with tiered interventions that occur during the school day on campus, or (8) After-school programs that address specific behavioral issues or expose pupils to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups;” and

WHEREAS: SFUSD’s Strategic Plan, “Beyond the Talk: Taking Action to Educate Every Child Now,” recognizes the achievement gap as the greatest social justice/civil rights issue facing our country, and closing the instructional time gap by reducing office referrals and suspensions for our African American, Latino, and Pacific Islander students is key to closing the achievement gap; and

WHEREAS: The majority of out of classroom time is due to teacher referrals or classroom suspensions for non-compliance and amounts to thousands of incidents a year and must be addressed; and

WHEREAS: In order to effectively reduce the number of out of classroom referrals and suspensions now, it is imperative to provide targeted support that empowers teachers who most need to build effective instructional and classroom management tools that can be exhausted before referring a child out of the classroom.

THEREFORE BE IT RESOLVED: That the Board of Education of the San Francisco Unified School District requests that the Superintendent establish a district policy and an implementation plan, hereafter known as the Safe and Supportive Schools Policy, to deepen and extend positive tiered behavioral interventions and alternatives to suspension, increase instructional time, and reduce racial disparities as follows:

Full Implementation of Restorative Practices (RP) and School-Wide Positive Behavior Interventions and Supports (SWPBIS) at All Schools:

- Develop a policy and implementation plan for the roll-out of Restorative Practices (RP) and School Wide Positive Behavior Interventions and Supports (SWPBIS) at all schools over the next three years.
 - The plan shall:
 - Ensure that RP/PBIS supports, including training and professional development, are available to all teachers and educators throughout the district;
 - Identify resources and staffing needed to move towards full implementation, including identifying the roles and responsibilities of staff in District office who are helping to implement alternatives to suspension;
 - Integrate RP and SWPBIS with Response to Intervention (RTI), and work towards addressing significant disproportionality in special education to ensure collaboration, unified efforts, and avoid inefficiencies;
 - Include steps to ensure that positive behavior and restorative practices are embraced and modeled and reinforced at all levels of the school district, including by Central District staff and with/among Principals and school-site leaders;
 - Include trauma informed practices and behavior de-escalation support.
- For SWPBIS, the plan shall include but not limited to the following:
 - Develop a school-based team to plan and guide the implementation efforts;
 - Establish simple, objective behavior expectations and a clear set of positive behavior rewards and a positive behavior system that includes both extrinsic and intrinsic motivators;
 - Regularly collect and analyze discipline data and sharing it with the school to inform disciplinary practices and procedures;
 - A structure for providing training and support about trauma informed practices, the need for behavior de-escalation and implicit bias and stereotype, and Lesbian, Gay Bisexual, Transgender, Queer sensitivity, and other cultural competency training in order to help all staff more effectively respond to and prevent behavior issues from escalating; Set measurable outcomes and benchmarks for decreasing the number of students for each subgroup that are referred to the office, suspended, involuntarily transferred, or expelled.

- For Restorative Practices, the plan shall include, but not be limited to the following:
 - Implement principles and processes throughout the school community that emphasize the importance of positive relationships as central to building community and restoring relationships when harm has occurred;
 - Consistently spend time building trusting relationships among students, staff, and family communities both school wide and within the classroom.
- Data-based Decision Making: The implementation plan shall include regularly collecting and analyzing discipline data and sharing it with the school community to inform disciplinary practices and procedures.
- School Community Appeal for Redress: A mechanism shall be created for students and parents, including the School Site Council, to appeal to the District for redress if Restorative Practices and/or SWPBIS have not been made available or implemented on the school site after the third year.

Tiers of Intervention and Alternatives to School Suspension:

- Tiered Behavioral Discipline Matrix at All Schools:
 - In partnership with educators, union representatives, parents, students and other key stakeholders establish a tiered behavioral discipline matrix, aligned with Response to Intervention, Restorative Practices, and Trauma Informed Practices, that:
 1. Includes which positive and supportive interventions at a minimum shall be utilized for all students in a consistent and age appropriate manner, which may include the “other means of correction” listed under Section 48900.5 of the California Education Code;
 2. Establishes in policy that suspension, including supervised suspension at school, may only be utilized as the appropriate intervention in the most extreme circumstances when the appropriate identified interventions in the behavioral discipline matrix have been exhausted and documented in the District data system, or the principal determines that there has been a violation of Section 900(a)-(e) or there is a danger to persons, as required by Section 48900.5 of the California Education Code;
 3. Provides that any student who makes a request for the use of restorative practices as an alternative to suspension shall receive this alternative, unless the principal determines that an exception applies as outlined in section 48900.5.
- Update District policy to reflect that:
 - Alternatives to suspension shall be exhausted as described in #2 above and documented in the District data system;
 - Every student who is suspended from school shall receive a reentry conference and an intervention plan to be developed with the student and guardian/parent(s) that shall include clear documented behavioral and academic expectations for the student, and any additional services or support that school staff will provide to assist the student in meeting those expectations. A parent/guardian’s failure to participate shall not prevent the student from returning to school after the suspension, nor will it prevent the school and student from holding the conference or developing the intervention plan.
- Specify positive interventions for suspended students:
 - Ensure that if a teacher suspends pursuant to Section 48910, consistent in-school options are available with appropriately credentialed intensive supervision, behavioral counseling, and

completion of schoolwork as required by Education Code 48911.1, is provided for the duration of the suspension by teacher from class.

- For “out of school suspension,” to the extent feasible, offer the SFUSD “Counseling Center” for the student to serve the “out of school suspension” in lieu of serving the suspension at home.

Regular and Accurate Data Reporting on Disciplinary Measures and Interventions:

- Publish aggregate data on school discipline and behavioral interventions and disaggregate by all subgroups on the District’s website bi-annually after each semester for the District and each school and include the prior year’s data in the Student and Family Handbook. Data shall include:
 - The aggregate number of referrals, teacher, supervised in-school, and out-of-school suspensions, expulsion referrals, expulsions, and stipulated expulsions disaggregated by all subgroups, including race, ethnicity, ELL status, socio-economic status, and disability and by offense for the district and by school-site.
 - The number of instructional days and ADA funding lost to suspensions, transfers, and expulsions.
 - Interventions and alternatives to suspension utilized by school sites, including restorative practices circles and conferences.
 - In reporting such data, the privacy of individual students and teachers shall be protected. Data will not be disaggregated in any manner that could reveal student identity to the public or to knowledgeable members of the school community.

Reducing Suspensions and Racial Disproportionality in Balanced Scorecard:

- Balanced Scorecard: Beginning in the fall of 2014, revise the Balanced Scorecard to include indicators that measure reductions in suspensions, referrals, and racial disproportionality in discipline, as well as adoption of restorative practices and alternatives to suspension.

Alternatives to Suspensions for Disruption/Willful Defiance:

- Alternative to Suspension for “Willful Defiance:” Ensure that proactive and evidence-based alternative interventions are in place for incidents involving “defiance” or “disruption.”
- Alternatives to suspension shall reflect evidence-based interventions for differing levels of defiant or disruptive behavior, and shall include behavior de-escalation support and trauma sensitive practices.
- Beginning in the fall of 2014, update District policy to provide that no student shall receive a suspension or recommendation for expulsion/be expelled solely on the basis of “disruption/willful defiance” (Section 48900(k)).

Disproportionate Referral, Suspension, and Loss of Instructional Time for African-American Students:

- The Superintendent’s plan shall include policies and approaches aimed at ending the significant disproportionate referral, suspension and expulsion rates of African American students.
- For schools where the percentage of suspensions for African-American students is *significantly* greater than percentage of African-American students enrolled:

- Provide Priority and Deeper Site Support in:
 - a) Restorative principles and practices
 - b) School-wide Positive Behavior Interventions and Supports (SWPBIS)
 - c) Trauma sensitive practices
 - d) Implicit/explicit bias
- School-site goal setting, with support and review by the Superintendent, for reducing suspensions/expulsions for African-American students at the beginning of each year.
- Significant Disproportionality: For the purposes of this section, significant disproportionality will be defined in the policy, with input from educators, parents, and community in a manner that is consistent with civil rights laws.
- Support for Students and Educators:
 - The site principal will consult with the appropriate Asst. Superintendent or Superintendent's designee, who will identify and ensure that "other means of correction" under the behavioral discipline matrix have been exhausted for African-American students recommended for suspension, as required by California law under Education Code 48900.5 and District policy.
 - The Asst. Superintendent or Superintendent's designee shall work with the school site to identify available in-school and out-of-school supports for the African-American student recommended for suspension.
 - If data reveals that a different subgroup of students is the most disproportionately-referred subgroup for discipline, such supports shall be provided to that sub-group.

Suspension Appeals:

- Update the suspension notification issued to parents/students/guardians to include clear information on the steps and timeline to initiate a suspension appeal, including that a suspension can be appealed for the failure to exhaust identified appropriate alternatives to suspension in the behavioral discipline matrix.

Create Clear Policy for Use of "Permitted Dismissals" and End Undocumented Suspensions

- Create a policy regarding the use of permitted dismissals and "permits to leave" (PTL), which shall include data collection, monitoring and reporting.
- As part of this policy, reiterate that "undocumented suspensions" are prohibited and unlawful.
- Develop a broader communication plan for implementation in the 2014-15 school year to inform students, parents and school staff regarding policies relating to permitted dismissals and undocumented suspensions and ways to address to the issue if misuse occurs.

Implementation and Reporting:

Be it further resolved that the Superintendent shall:

1. Within 120 days, present a proposal to update district policies, including the tiered behavioral intervention matrix, and an implementation plan to the Board of Education regarding how and when the district will implement all of the above including implications for staffing and support for school sites;
2. Develop a process to include input and participation from educators, including the United Educators of San Francisco and United Administrators of San Francisco, parents and students;

3. Establish a review and oversight process that includes involvement and recommendations by school staff and community, and bi-annual progress reports to the Board of Education.
4. Ensure that District charter schools present a sound educational program which incorporates the spirit of this resolution and complies with all applicable provisions of law, including, the prohibition of discrimination under California Education Code section 235, through the charter school authorization and reauthorization processes.

FURTHER BE IT RESOLVED: That the Board of Education directs the Superintendent to address this agreement with resources for teachers including Professional Development (PD) for restorative practices, working with students impacted by trauma, de-escalation techniques, Cultural Competency, relationship building, communication skills and working with students with special needs, prioritizing schools with highest behavioral needs; and

BE IT FURTHER RESOLVED: That the Board of Education directs the Superintendent to prioritize in labor negotiations with UESF, the reduction of out of classroom time due to referrals and classroom suspensions for non-compliance.

12/10/13

2/25/14

Please Note:

- **Referred by order of the Chair on 12/10/13 to a Committee of the Whole meeting to be held in January 2014.**
- **Taken up at the Committee of the Whole meeting of February 4, 2014. Forwarded to the Board as amended. Held for action at a future meeting of the Board.**
- **Amend by Substitute Motion taken up on 2/25/14. Adopted, in substitute form, on 2/25/14.**