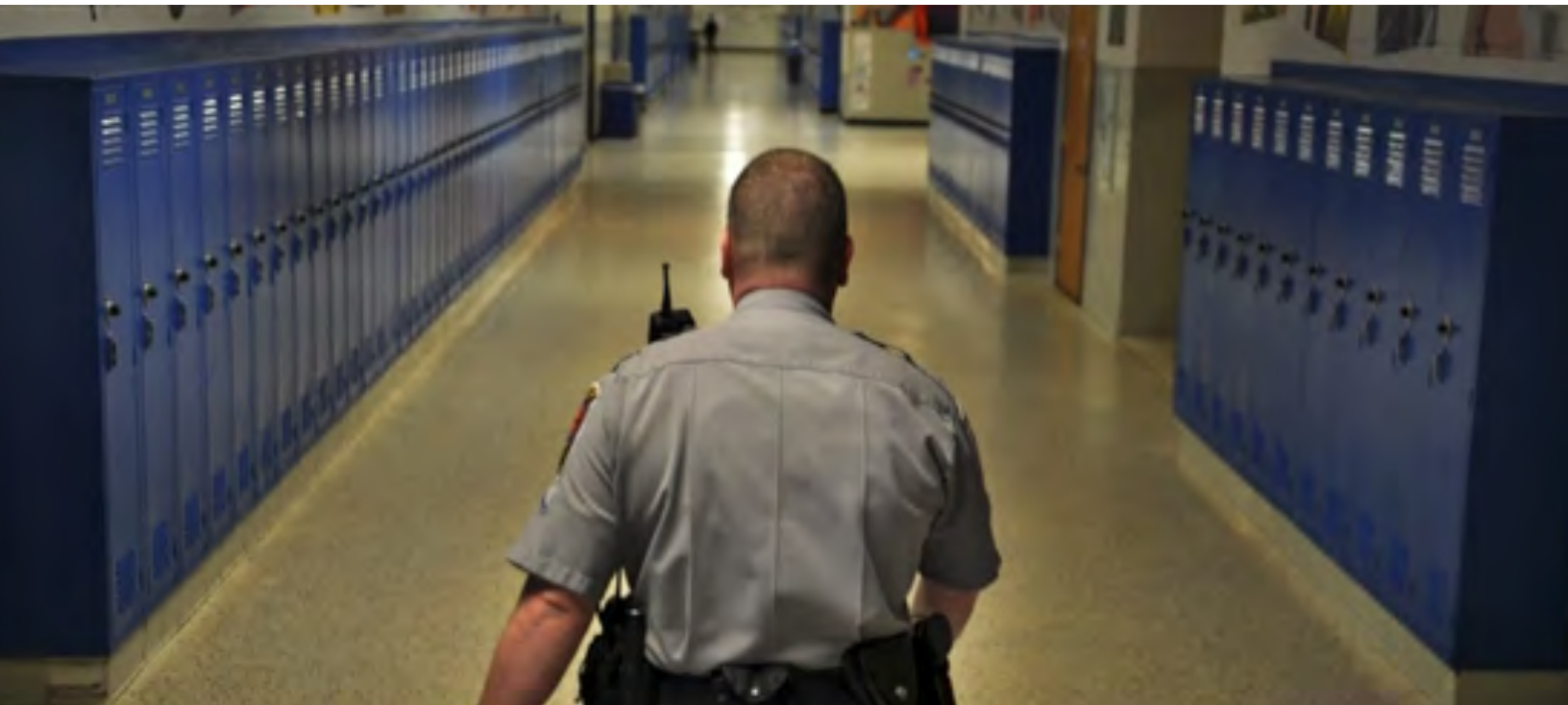




Untold Stories Behind One of America's Best Urban School Districts



A report by the Children's Defense Fund-California and Public Counsel



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EXECUTIVE SUMMARY

The Long Beach Unified School District (LBUSD) is California's third largest school district and home to almost 78,000 students. School districts all over California have been monitoring school climate practices as part of their obligations under state and federal law, and under mounting pressure from students, parents, and educators to keep students in school where they can learn and achieve. Stakeholders have been organizing their communities and advocating for schools to eliminate exclusionary school discipline practices that push students out of the classroom. Since 2012, California school districts have issued fewer suspensions but communities still have concerns about persistent racial/ethnic disproportionality, school-based policing, and other forms of school pushout that are often harder to track.

LBUSD leaders should partner with students, parents, and community to shift away from exclusionary policies toward a positive school climate paradigm that protects students' rights and dignity, and promotes social-emotional wellness and racial justice. The findings and recommendations in this report seek to encourage more district-community collaboration that supports learning and a universal pathway to college and career for all LBUSD students—particularly high-need students.

FINDINGS

- **Black and special education students in LBUSD are disproportionately suspended from school, well beyond the rate of any other subgroup of students. Black students are also disproportionately pushed out of comprehensive schools to alternative settings.** Black students are almost 14 times more likely to be suspended than their White peers. Latinos and Pacific Islanders are four times more likely to be suspended than White students. Special education students in LBUSD have also experienced a higher rate of suspension at 17 suspensions per 100 special education students, compared to 5.6 suspensions per 100 LBUSD students in 2014-15.
- **The district's discipline policies are not tailored toward the unique situation of Long Beach students and do not provide schools with guidance for implementing preventative school climate strategies, which results in the inconsistent treatment of students.** Generally, the district's policies are nearly identical to the sample policies

written by the California School Boards Association and contain little to no modifications based on the district's local needs and characteristics. The absence of a comprehensive document detailing school discipline policies or setting out a clear vision of school climate results in a patchwork of policies, practices, and inconsistent student treatment.

- **Over the past four years, LBUSD invested 200 times more on law enforcement—which has never been proven to improve the outcomes for high-need students—than on its prevention-focused school climate strategies that have been proven to support academic opportunities and outcomes for all students.** The district has spent over \$35 million on policing students between the 2011-12 and 2014-15 school years compared to only \$117,112 during the same time period to support Safe and Civil, its primary school climate program. In the meantime, the number of counselors at LBUSD declined from 184 in 2008 to 107 counselors in 2014.
- **Black and Latino students are disproportionately impacted by police involvement at school.** Together, Black and Latino students account for 86 percent of LBUSD's student-police contact, despite accounting for 69 percent of LBUSD's enrollment.

RECOMMENDATIONS

1. **Genuinely engage students, parents, and community members in a dialogue about a collective vision for racial justice, equity, and positive school climate in LBUSD.**
2. **Collect, publicly disseminate, and study disaggregated school discipline data by race and other high-need student demographics.**
3. **Create and adopt a district-wide, model code of conduct that provides every school with consistent guidelines and practices to proactively create positive learning environments.**
4. **Address racial disparities by investing in implicit bias training and by setting targeted goals to reduce exclusionary discipline for overrepresented student subgroups.**
5. **Spend Local Control Funding Formula supplemental and concentration funds on strategic school climate investments, including restorative justice and more support staff.**
6. **Foster transparency about police staffing and practices to help develop a holistic school safety approach that is based on prevention and a positive school climate.**



INTRODUCTION

“Instead of asking if students need help, teachers just kick students out of their classrooms when things get tough.”¹ Although Sandy, a senior at Renaissance High School in Long Beach, California, feels as though she is just in the “background” in most classes, her favorite teacher takes the time to connect with students about real life issues and engages them in debates. Sandy recalls the time her teacher pulled her aside after class just to see how she was doing and ask if she needed any support. Sandy would like to see more teachers taking the time to talk to students. She’d also like to see more adults ask students “Why?” when disagreements and conflicts arise, not just “What happened?” or “Who did it?”

Sandy understands that school climate is essential in shaping her educational pathway and personal development. School climate can be described as the quality of school life based on the experiences of students, parents, and staff that reflect the school’s structures, policies, practices, norms, values, and interpersonal relationships.² There are many other students like Sandy in Long Beach Unified School District (LBUSD) who want to thrive in their school communities, and often can with support from adult staff with whom they have built positive relationships. Sandy has also received support from her family and community that helps her navigate her school and district as complex systems where her voice and experiences matter. Sandy has advocated for more positive school climate policies because she knows students grow when teachers nurture.

Unfortunately, there are many LBUSD students who do not have the same level of support as Sandy and who are struggling to stay actively engaged in school and on a trajectory to college and career. For these students, a positive school climate can make the difference between successfully accessing the curriculum and spending days, weeks, or months missing instruction. From 2011 to 2015, suspensions

¹ Sandy. Personal interview. 2 April 2016.

² “School Climate.” *National School Climate Center*, www.schoolclimate.org/climate. Accessed 3 Oct 2016.

decreased by 41 percent in California schools (from 709,580 to 420,799 suspensions), and by 53 percent in LBUSD (from 9,555 to 4,494 suspensions).³ This good news begs the question—what are schools doing differently to account for the decline in suspensions? Are a greater number of students ultimately accessing instruction in a positive and engaging learning environment instead of getting pushed out of their schools? Or are students experiencing a different kind of alienation from their school communities that has replaced suspensions? Extensive site visits and data collection from educators, students, and parents, which are not in this report, would help answer these questions.

This report is focused on recent education equity and racial justice trends in LBUSD related to school climate. We explore how students, especially students of color and high-need students — low-income, English Learner, special education, and foster youth — have been impacted in recent years by exclusionary school climate practices (such as suspensions, classroom removals, school-based arrests/citations, and involuntary transfers from comprehensive to alternative schools). The findings and recommendations in this report seek to encourage more district-community collaboration that support student learning and a universal pathway to college and career for LBUSD students—particularly high-need students.

LBUSD must make a bold and intentional shift away from exclusionary policies and practices that have pushed students away from school to a new school climate paradigm that protects student rights and dignity, and promotes social-emotional wellness and racial justice for all students, parents, and educators of Long Beach. A new and explicitly positive school climate model, as opposed to the current punitive model, requires asset-based, restorative, and trauma-informed strategies, training, and practices⁴, and must be built in partnership with students, parents, and stakeholders in order to be responsive and accountable to LBUSD's community.



"Long Beach is successful in many ways but it needs to focus more on guaranteeing the success of male African American students and increasing parent engagement. The district needs to help teachers build the skills necessary to be patient with their students, reach out to their students, and strive for excellence without complaining. Students must know that we love them." –Reverend Leon Wood⁵

³ California Department of Education; DataQuest. *Suspension and Expulsion Report For 2014-15, Suspension by Federal Offense, Long Beach Unified and Statewide Suspension Counts by Ethnicity*, <http://dq.cde.ca.gov/dataquest/SuspExp/suspbyscheth.aspx?cYear=2014-15&cType=ALL&cCDS=19647250000000&cName=Long%20Beach%20Unified&cLevel=District&cChoice=dSusEthOff&ReportCode=dSusEthOff>; and <http://dq.cde.ca.gov/dataquest/SuspExp/suspbyscheth.aspx?cYear=2014-15&cType=ALL&cCDS=00000000000000&cName=Statewide&cLevel=State&cChoice=SusEthOff&ReportCode=SusEthOff>. Calculations by Children's Defense Fund-CA.

⁴ Descriptions of these positive school climate strategies can be found in Appendix 1 and "How to Fix School Discipline Toolkit for Educators" available at www.FixSchoolDiscipline.org.

⁵ Wood, Reverend Leon. Personal Interview. 2 April 2016.

EVERY STUDENT MATTERS AND THE MOVEMENT TO REFORM SCHOOL CLIMATE

LBUSD is the third largest school district in California. It manages a budget of over \$1 billion and is tasked with molding the minds of a diverse group of almost 78,000 students every year.⁶ School climate arose as an issue in the 2012-13 school year, when 11,752 suspensions were documented in the district – the highest number of suspensions recorded in Long Beach’s recent history.⁷ Black students accounted for 38 percent of these suspensions, while White students—who made up the same proportion of LBUSD’s enrollment (15 percent)—accounted for only 7 percent.⁸ Long Beach students and allies led a response by launching the Every Student Matters campaign (ESM) in partnership with the Building Healthy Communities: Long Beach (BHCLB) Youth Committee to address school climate in March 2013. The ESM campaign (consisting of LBUSD high school students and recent alumni) continues to advocate for a healthy, supportive and positive learning environment for all students, especially students of color. The BHCLB Youth Committee is a community collaborative of eight youth-serving organizations⁹ in Long Beach whose membership has engaged thousands of Long Beach youth, parents, and community members since 2011.



LBUSD attempted to respond to the community’s demand for more positive school climate policies and practices in October 2013 with the passage of a school board resolution—*Resolution No. 100813-C on School Discipline Principles and Practices* (Appendix 2). The resolution recommends school administrators and staff monitor the overuse of suspensions among particular schools and/or subgroups by using alternatives whenever possible (suggested options include conflict resolution, school-wide positive behavior supports, and **restorative practices**) to teach students “appropriate behaviors.”¹⁰ ESM members have since recognized that the resolution was largely a symbolic victory. The resolution encourages schools to suspend less but does not lead with a comprehensive, bold, or proactive vision for positive school climate, and has not been accompanied by funding, infrastructure, or policies that are critically necessary to truly transform learning conditions.

Restorative practices in schools are based on restorative justice principles that aim to build classroom communities supported by clear agreements, authentic communication, and specific tools to bring issues and conflicts forward in a helpful way. Restorative practices provide pathways to repair harms by bringing together those who are affected by misbehavior in a dialogue to address concerns, achieve understanding, and come to agreement about setting things right (see Appendix 1).

⁶ California Department of Education; DataQuest. *Enrollment by Ethnicity for 2015-15, District Enrollment by Ethnicity*, <http://data1.cde.ca.gov/dataquest/Enrollment/EthnicEnr.aspx?cChoice=DistEnrEth&cYear=2015-16&cSelect=1964725--Long%20Beach%20Unified&TheCounty=&cLevel=District&cTopic=Enrollment&myTimeFrame=S&cType=ALL&cGender=B>

⁷ California Department of Education; DataQuest. *Suspension and Expulsion Report For 2012-13, Suspension by Federal Offense, Long Beach Unified*, <http://dq.cde.ca.gov/dataquest/SuspExp/suspbyeth.aspx?cYear=2012-13&cType=ALL&cCDS=1964725000000&cName=Long+Beach+Unied&cLevel=District&cChoice=dSusEthO>

⁸ ID.

⁹ Organizations include California Conference for Equality and Justice, Californians for Justice, Children’s Defense Fund-California, Educated Men with Meaningful Messages, Filipino Migrant Center, Genders and Sexualities Alliance Network (formerly known as the Gay-Straight Alliance Network), Khmer Girls in Action, and Success in Challenges, Inc.

¹⁰ Long Beach Unified School District. *Resolution No. 100813-C on School Discipline Principles and Practices*, 2013, Appendix 2.

LBUSD must do more than put words on paper in order to change the personal experiences of students in their schools.

ESM has been supported and inspired by a wave of school climate reform momentum on the statewide and national levels that has helped community members and educators envision a shift away from punitive and exclusionary policies and practices. For years, dozens of grassroots, advocacy, youth-serving, and legal organizations all over California —many of them part of the Dignity In Schools Campaign¹¹—have been shining a light on the school-to-prison pipeline, which has been fueled since the 1990s and 2000s by zero tolerance discipline policies and practices that push students out of class and into the juvenile and criminal justice systems.¹² Decades of national research has shown that suspending students is not an effective behavior management practice, and in fact, often exacerbates unwelcome student behavior. Students who are suspended lose important instructional time, and are more likely to fall behind in school, drop out, and have contact with the juvenile justice system.¹³

A positive school climate, by contrast, helps students learn and perform better academically.¹⁴ California has passed several pieces of legislation since 2012 to improve student access to alternatives to suspensions, and other important legislative efforts are still in progress to further protect student rights and support their social-emotional well-being. The California Legislature also affirmed the importance of school climate by making it a state priority under the Local Control Funding Formula (LCFF),¹⁵ which became law in 2013. The federal government concurred in late 2015 when it passed a reauthorization of the Elementary and Secondary Education Act, the *Every Student Succeeds Act*,¹⁶ that required school climate as an additional indicator of school quality for state-level school accountability systems.

School districts and educators across California and the nation have begun demonstrating increased commitment to responding to community concerns. Research confirms that community engagement is a critical component to ensuring positive school climate.¹⁷

¹¹ The Dignity in Schools Campaign (DSC) is a national coalition challenging the systemic problem of pushout in the nation's schools and working to dismantle the school-to-prison pipeline. DSC builds power amongst parents, youth, organizers, advocates and educators to transform their own communities, support alternatives to a culture of zero-tolerance, punishment, criminalization and the dismantling of public schools, and fight racism and all forms of oppression. It brings together members through direct action organizing, public policy advocacy and leadership development to fight for the human right of every young person to a quality education and to be treated with dignity. See <http://www.dignityinschools.org/about-us>.

¹² Wald, J. & Losen, D. *Deconstructing the School-to-Prison Pipeline: New Directions for Youth Development*. Jossey-Bass, 2003, San Francisco.

¹³ Leone, Peter E., et. al. "School failure, race and disability: Promoting positive outcomes, decreasing vulnerability for involvement with the juvenile delinquency system." The National Center on Education, Disability, and Juvenile Justice, 2003. Wald, J., *Deconstructing the School-to-Prison Pipeline: New Directions for Youth Development*, 2003, Jossey-Bass. West, Thomas C. "Just the Right Mix: Using an Early Warning Indicators Approach to Identify Potential Dropouts Across All Grades." Everyone Graduates Center, Center for Social Organization of Schools, Johns Hopkins University, 2013, <http://new.every1graduates.org/wp-content/uploads/2013/07/JusttheRightMixWest20131.pdf>. Fabelo, Tony, et. al., "Breaking Schools' Rules: A Statewide Study of How School Discipline Relates to Students' Success and Juvenile Justice Involvement." Council of State Governments Justice Center, Public Policy Research Center, 2011, https://csgjusticecenter.org/wp-content/uploads/2012/08/Breaking_Schools_Rules_Report_Final.pdf.

¹⁴ Voight, Adam, et. al. "A Climate for Academic Success: How School Climate Distinguishes Schools That Are Beating the Achievement Odds." West Ed, 2013, <https://edsources.org/wp-content/uploads/old/hd-13-10.pdf>. Accessed 1 Oct 2016.

¹⁵ In 2013 California passed the Local Control Funding Formula (LCFF) law, which changed the funding formula for public schools to increase flexibility, simplicity, and equity. Funding levels increased in most cases, especially in schools with higher enrollment of high-need students—low-income, foster youth, and English Learners.

¹⁶ In 2015 President Barack Obama signed the Every Student Success Act (ESSA) to replace the 2002 No Child Left Behind legislation and reduce the federal government's role in education policy in areas such as teacher quality, testing, and oversight of low-performing schools.

¹⁷ DiPaola, M.F. and Tschannen-Moran, M. "Bridging or buffering: The impact of schools' adaptive strategies on student achievement." *Journal of Educational Administration*, vol. 43 iss: 1, pp.60-71, 2003. Accessed 3 Oct. 2016.

LBUSD, on the other hand, has been closed off to ESM members and allies' concerns about the need for restorative justice and targeted responses to racially disproportionate discipline. While the district has won various awards, including the Broad Prize in 2003, LBUSD leaders have consistently been resistant to suggestions, student and community feedback, and constructive criticism on this issue.

Over the past several years, ESM members and allies have attempted dialogue at meetings with LBUSD school board members and the current superintendent, Christopher Steinhauser, however students have often felt dismissed, ignored, and disrespected when discussing ESM's ultimate bottom lines: dignity, racial justice, and access to the curriculum. Students, parents, and youth-serving organizations are experts in their own experiences and needs, and should be able to share in the decision making that impacts them most. Healthy disagreement between the district and ESM should lead to *more* dialogue to find common ground, not less. Unfortunately, healthy debate with community as a means to achieve positive change is not yet part of LBUSD's culture. At school board meetings, members typically conduct the district's business in less than an hour. Most items pass unanimously and with little discussion, and even less meaningful community engagement. The voices of many youth, parents, and community stakeholders who seek to discuss solutions to close discipline gaps, and achieve racial justice and education equity, go unacknowledged.

ESM remains hopeful that by transforming school climate in LBUSD schools, the district-level climate will also become more welcoming and respectful to students and parents' perspectives, including those who come with constructive feedback about how to make LBUSD stronger. LBUSD's "America's Best Urban Schools" narrative, frequently touted through self-proclamations, media, and data, tells only part of the story. This report is an attempt to present the parts untold and to envision a more just future where LBUSD lives up to that title.

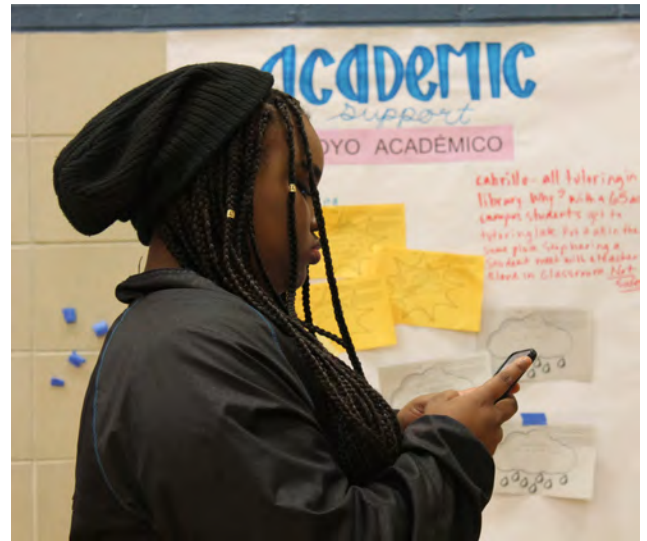
FINDINGS AND ANALYSIS

In 2015, Public Counsel submitted a comprehensive Public Records Act (PRA) request (Appendix 2) to LBUSD to review all school climate policies and data related to the district's school discipline practices. This request included data on suspensions, expulsions, involuntary transfers, school-based arrests, and school-based citations for LBUSD students disaggregated in numerous ways, including by race, ethnicity, school (and small learning community, if applicable), gender, and the status of foster youth, homelessness, special education, and English Learner. The authors looked for disparities between schools, within schools, and among high-need student subgroups to determine important school climate trends in Long Beach schools. The findings are also informed by a budget analysis of LBUSD's spending on policing and prevention strategies, as well as qualitative data including high school codes of conduct, and input from youth, parents, educators, and community members at ESM's *Voices & Visions* School Culture and Climate Town Hall on April 2, 2016. The report's methodology can be found in Appendix 4.



FINDING #1

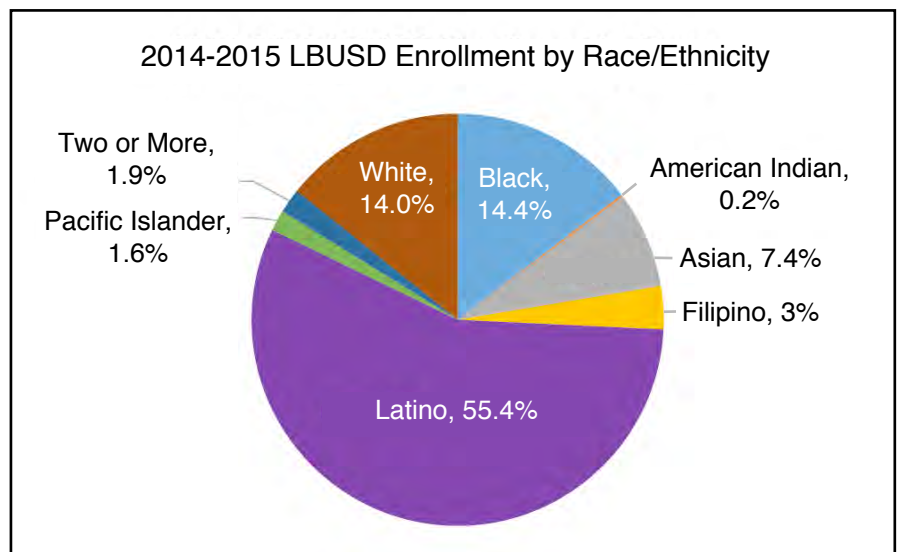
Black and special education students in LBUSD are disproportionately suspended from school, well beyond the rate of any other subgroup of students. Black students are also disproportionately pushed out of comprehensive schools to alternative settings.



Reported suspensions in LBUSD and across California have declined.¹⁸ While suspensions have dropped for every racial subgroup, as well as English Learner students, two groups of students are consistently suspended more frequently in LBUSD: Black students and special education students.

In the 2011-12 school year there were 11.4 suspensions per 100 LBUSD students. When disaggregated by race and ethnicity in the same year, the numbers grow to 37 suspensions per 100 Black students, 14 suspensions per 100 Latino students, and shrinks to five suspensions per 100 White students. As suspensions have declined in recent years, the district frequency dropped in 2014-15 to 5.6 suspensions per 100 LBUSD students; and to 27 and eight suspensions for every 100 Black students and Latino students, respectively.

This data shows a persistent discipline gap at a district level, which is most severe among Black students. American Indian (at 10 suspensions per 100 students), Pacific Islander (at eight suspensions per 100 students), and multi-racial students (at seven suspensions per 100 students) are also suspended more frequently than their White peers, who had two suspensions per 100 White students in 2014-15. At this rate, LBUSD would need to issue 93 percent fewer suspensions to Black students to match the frequency of suspension for White students.

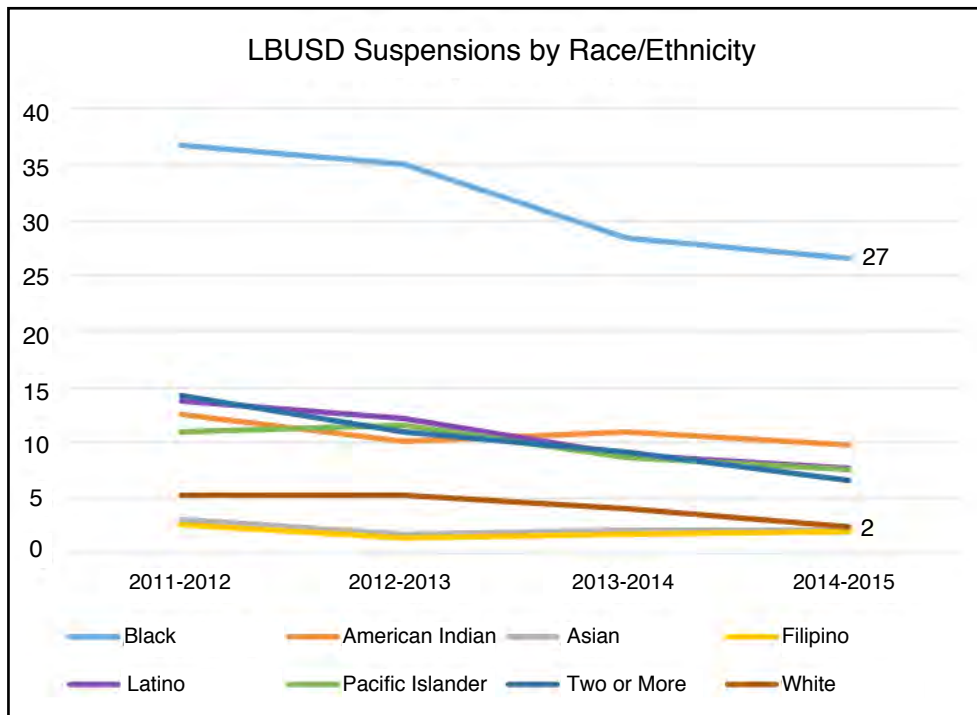


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¹⁸ California Department of Education. State of Schools Chief Tom Torlakson Announces Decline in Suspensions and Expulsions for Third Year in a Row." *California Department of Education*, 13 Jan. 2016, www.cde.ca.gov/nr/ne/yr16/yr16rel5.asp. Accessed 3 Oct. 2016.

¹⁹ This graph represents LBUSD student enrollment by race for only the 2014-2015 school year. These demographic percentages have not varied much in LBUSD over the past four school years.

Moreover, while White and Black students make up the same percentage of LBUSD's enrollment (about 14), Black students are almost 14 times more likely to be suspended than their White peers. Latinos and Pacific Islanders are four times more likely to be suspended than White students. There is no evidence that overrepresentation of Black students in school suspension is due to higher rates of misbehavior.²⁰ Instead Black students are far more likely to be punished than their White classmates for reasons that require the subjective judgment of school staff, such as disrespect, excessive noise, and loitering.²¹ This data and related research should motivate LBUSD to proactively address the root causes of disparate impact based on race, and foster strategies that are informed by a racial analysis to ensure positive learning environments for all students of color.



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“While White and Black students make up the same percentage of LBUSD’s enrollment, Black students are almost 14 times more likely to be suspended than their White peers.”

Similar to suspensions, Black students receive a disproportionately high number of other discipline that removes them from their school settings. An involuntary transfer (IT) happens when a school district transfers a student to an alternative school against the wishes of a student or the student's parent/guardian. A referral for immediate action (RIA) functions similarly to an expulsion or a placement at an alternative school setting. Based on the data received from the district, involuntary transfers and referrals for immediate action can be issued for many different offenses, including disruption, possession of drugs or dangerous objects, and threats. As presented in the graphs, Black students have received an increasing and disproportionate number of RIAs and ITs over the past four years. In the 2011-12 school year, they constituted nearly 40 percent of involuntary transfers, which increased to nearly 50 percent in the 2014-15 school year. Over the same period of time, Black students went from receiving about 35 percent to nearly 50 percent of all RIAs issued by LBUSD. It bears repeating that Black students constitute about 14 percent of the

²⁰ McCarthy, J.D. & Hoge, D.R. “The Social Construction of School Punishment: Racial Disadvantage Out of Universalistic Process.” *Social Forces*, vol. 65, iss. 4, pp. 1101-1120, 1987.

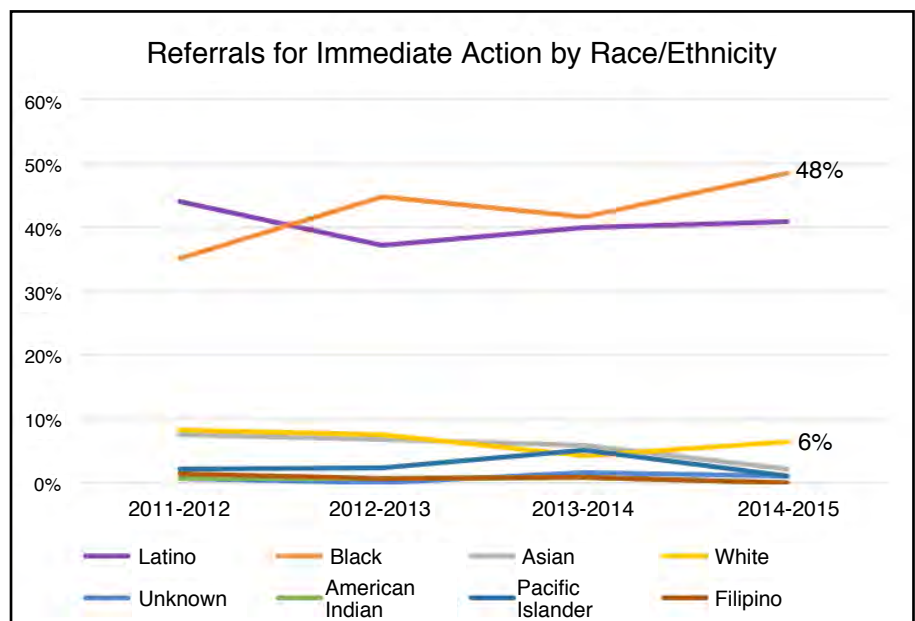
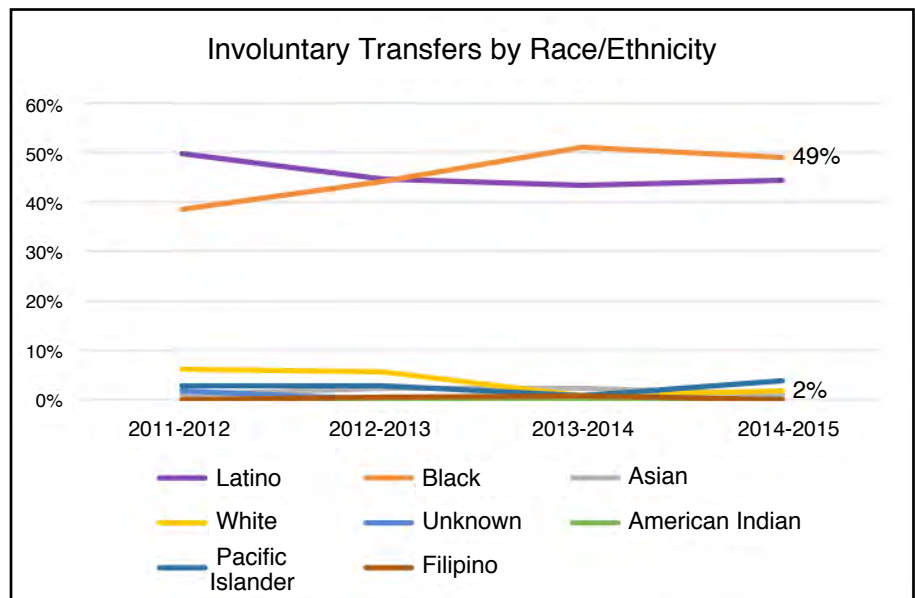
²¹ Skiba, R.J., et. al. “The Color of Discipline: Sources of Racial and Gender Disproportionality in School Punishment.” *The Urban Review*, vol. 34, no. 4, pp. 317-342, 2002, <http://indiana.edu/~equity/docs/ColorofDiscipline2002.pdf>.

²² The suspensions in this graph are presented as suspensions per 100 students. For instance, during the 2011-12 school year, White students received five suspensions per 100 White students enrolled in the district. In the same year, Black LBUSD students received 37 suspensions per 100 Black students enrolled in the district.

district's population. Together, Black and Latino students make up 93 percent of LBUSD's ITs, while comprising 69 percent of enrollment.

It is imperative to have a dialogue among educators, students, parents, and stakeholders about the conditions fueling this racial discipline gap. One common issue to address is implicit bias—a set of “attitudes or stereotypes that affect our understanding, actions, and decisions in an unconscious manner” and “are activated involuntarily and without an individual’s awareness or intentional control.”²³ Implicit bias can lead educators to unconsciously tolerate more behavior and attitude, for example, from White students than from students of color. LBUSD’s response to external factors that may correlate to race should also be examined, such as trauma, exposure to violence, poverty, homelessness, familial instability, mental health needs, excessive policing, etc.

Special education students in LBUSD have also experienced a higher rate of suspension over the last five years compared to the district average and other student subgroups. From 2011-13, there were 22 suspensions for every 100 students

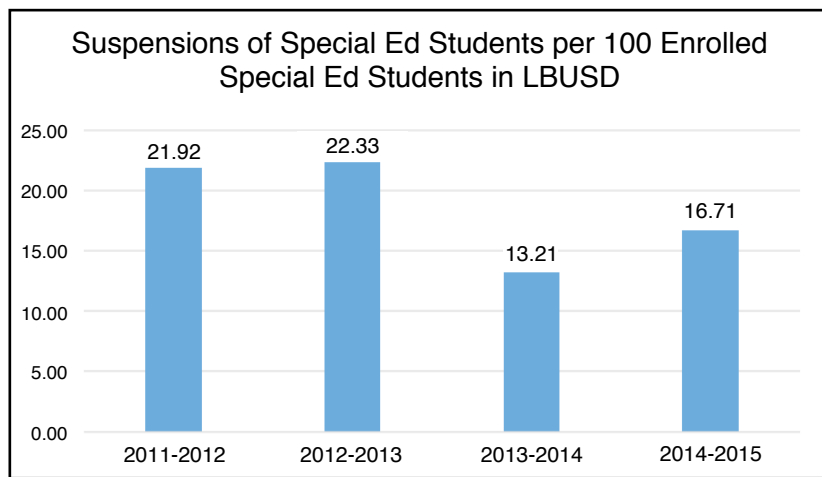


“I was suspended for three days for talking back to a teacher. Afterwards I felt bad because I have never disrespected a teacher before and I loved art class.” –Crystal²⁴

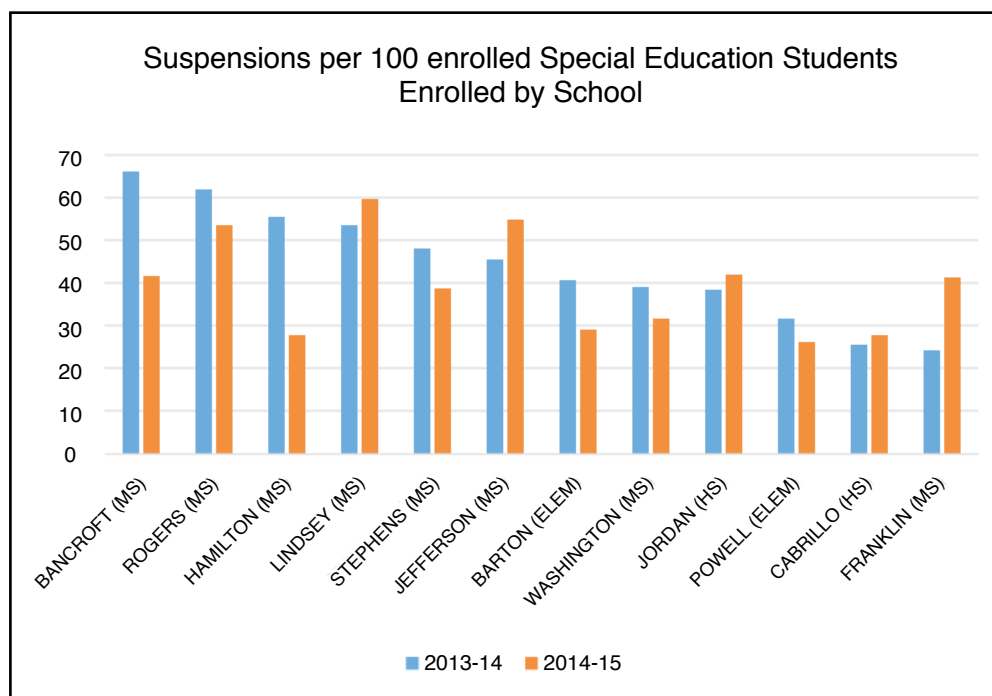
²³ “Implicit Bias.” Kirwan Institute for the Study of Race and Ethnicity, www.kirwaninstitute.ose.edu/researchandstrategicinitiatives/#implicitbias. Accessed 2 Oct. 2016.

²⁴ Crystal. Personal Interview. 2 April 2016.

in special education. The frequency decreased significantly in 2013-14 to 13 suspensions, but then rose slightly again in 2014-15 to 17 suspensions per 100 special education students. This district increase contrasts with all the decreases among other student subgroups in LBUSD. A closer look at school site level data shows alarmingly high rates of suspension for special education students in some parts of LBUSD. There were 12 schools that suspended 20 percent or more of their special education students in the last two school years that averaged 42 suspensions per 100 special education students. Eight out of the 12 schools that suspended 20 percent or more of their special education students are middle schools.



Special education students also need a targeted approach to ensure they have access to a positive learning environment and the curriculum. Federal and state laws require that students in special education cannot be excluded from the curriculum for disability-related behavior.²⁵ The frequency of suspensions for special education students in some LBUSD schools—which at their worst top over 50 suspensions per 100 special education students – should prompt the district to examine the impact of the district or school’s discipline practices on students with disabilities, and to invest in trainings and implementation of alternatives that are developmentally appropriate and free of discrimination.



“The frequency of suspensions for special education students in some LBUSD schools are more than 50 suspensions per 100 special education students.”

²⁵ See 20 U.S.C. 1415(k)(1)(F).

FINDING #2

The district's discipline policies are not tailored toward the unique situation of Long Beach students and do not provide schools with guidance for implementing preventative school climate strategies, which results in the inconsistent treatment of students.



The district's school discipline policies can be found in a number of different documents, including board policies, administrative regulations, resolutions, parent guidelines, and school-based codes of conduct. Despite repeated community input to the contrary and despite students' testimony about how implementation of school discipline policies widely varies in different schools across LBUSD, the district does not have a consolidated, district-wide document that clearly articulates how school officials and educators should go about creating a supportive school environment. Generally, the district's policies are nearly identical to the sample policies written by the California School Boards Association and contain little to no modifications based on the district's local needs and characteristics.²⁶

Over the past two decades research has shown that punitive school discipline methods such as suspensions and expulsions do not improve student behavior²⁷ or keep schools safe.²⁸ In response to this knowledge, California educators have implemented research-based school climate strategies as a way to keep students in school learning. In 2013, Fresno Unified School District Board adopted a resolution to minimize losses of instructional time and implement restorative school discipline principles and practices.²⁹ Building on the school discipline reform work started in 2007 with its Discipline Foundation Policy, the Los Angeles Unified School District (LAUSD) Board of Education adopted the School Climate Bill of Rights in 2013, which directed the superintendent to eliminate suspensions and expulsions for willful defiance and implement restorative justice in all LAUSD schools by 2020.³⁰

Similarly in 2012 and 2014, the boards of the Oakland and San Francisco school districts, respectively, committed to addressing disproportionality by reviewing and releasing school

²⁶ See "Sample Board Policies and Regulations School Safety." *California School Boards Association* <https://www.csba.org/GovernanceAndPolicyResources/ConditionsOfChildren/SafeSupportiveSchlEnvironment/SampleBoardPoliciesAndRegulationsSchoolSafety.aspx>. Accessed 13 Oct. 2016.

²⁷ Mitchell, M.M. & Bradshaw, C.P. "Examining Classroom Influences on Student Perceptions of School Climate: The Role of Classroom Management and Exclusionary Discipline Strategies." *Journal of School Psychology*, vol. 51, no. 5, pp. 599–610, 2013, doi: <http://dx.doi.org/10.1016/j.jsp.2013.05.005>.

²⁸ American Academy of Pediatrics Council on School Health. "Policy Statement: Out-of-School suspension and expulsion." *Pediatrics*, 131, e1000-e1007, 2013, doi: 10.1542/peds.20123932.

²⁹ Davis, Estelle. "Young Leaders Attain Restorative School Discipline Policies." *Young Leadership Institute*, 13 May 2013, www.yli.org/2013/05/13/young-leaders-attain-restorative-school-discipline-policies.

³⁰ The Labor/Community Strategy Center. "School Climate Bill of Rights." <http://www.thestrategycenter.org/node/6060>. Accessed 13 Oct. 2016.

climate data to inform decisions about school discipline.³¹ After months of advocacy by a broad coalition of community groups and civil rights advocates, students, parents and teachers, the Oakland Unified School Board voted unanimously to end suspensions and involuntary transfers for 'willful defiance and disruption' as of July 1, 2016. The Oakland Unified School Board also made a formal and unprecedented commitment to invest \$2.3 million in the 2015-16 fiscal year to expand violence intervention and prevention strategies that help students achieve educational success.³² In contrast, LBUSD's page-long board resolution, *School Discipline Principles and Practices* (Appendix 1), mandates nothing, provides no incentives for action, and merely encourages school and district administration to use their discretion in vague, unenforceable ways.

While discretion is certainly important when determining the root causes of student behavior and deciding how to address incidents, clarity and consistency are also of the utmost importance. It is a best practice for teachers to be very clear about behavior expectations for their students. Similarly, it is important for a school district to have clear expectations for good school discipline practice, including how to prevent behavior problems, how to intervene and treat students when issues arise, and how to appropriately hold students accountable. In the absence of a comprehensive document detailing school discipline policies or setting out a clear vision of positive school climate, the result is a patchwork of policies and practices resulting in inconsistent student treatment.

A CLOSER LOOK AT LBUSD HIGH SCHOOL POLICIES

LBUSD school-based codes of conduct are not created equal. A review of these codes at the high school level³³ show similarities among some schools, but also varying levels of detail and harshness of exclusionary practices. While this review does not account for the application and enforcement of the written policies, having different standards and expectations across the same district can lead to differences in how school staff and teachers manage discipline and the consequences students receive.



If we measure what we value, the emphasis of each school's code of conduct should lead school and district leaders to consider what the codes say about their expectations of students. For example, Jordan, McBride, and Lakewood high schools distinguish themselves by having perhaps the harshest codes of conduct language among LBUSD's high schools. Jordan's code forbids 31 behavioral actions and lists out-of-school

³¹ U.S. Department of Education. "U.S. Department of Education Announces Voluntary Resolution of Oakland Unified School District Civil Rights Investigation." 28 September 2012, <http://www.ed.gov/news/press-releases/us-department-education-announces-voluntary-resolution-oakland-unified-school-di>. Frey, Susan. "San Francisco Unified eliminates willful defiance as a reason to expel or suspend students" *EdSource*, 26 February 2014, <https://edsources.org/2014/san-francisco-unified-eliminates-willful-defiance-as-a-reason-to-expel-or-suspend-students/58105>. Accessed 13 Oct. 2016.

³² "Oakland Unified Takes Historic Vote to End Suspensions and Transfers for 'Willful Defiance' and Commits \$2.3 Million to Fund Intervention and Prevention." *Fix School Discipline*, www.fixschooldiscipline.org/win4ousd. Accessed 3 Oct. 2016.

³³ This includes the following LBUSD high schools: Beach, Cabrillo, California Academy of Mathematics and Science (CAMS), Jordan, Jordan PLUS, Lakewood, Millikan, McBride, Poly, Poly PAAL, Reid, Renaissance, and Wilson.

suspension as a consequence for each of them.³⁴ Suspendable offenses range from willful defiance,³⁵ profanity, throwing food/littering, and possessing “distracting toys” to using/possessing drugs and/or alcohol, assaults on staff, and theft.³⁶ Jordan, Lakewood, and McBride students can receive a one- to five-day suspension as a result of the first incident of willful defiance, and may be subject to an involuntary transfer upon the second incident at Jordan and Lakewood³⁷, and the third incident at McBride.³⁸ “Possible police action” is listed as a consequence for the first incident of “loitering, ditching, [or] leaving class without permission” at Lakewood³⁹ and Jordan,⁴⁰ and the second incident of food throwing at Jordan.⁴¹ Using profanity toward a staff member can result in a suspension on the first incident, and in an involuntary transfer upon the second at all three high schools.

There are several updates to these school-based codes that are long overdue to conform to recent statewide legal changes and LBUSD’s own school discipline resolution about providing students with alternatives to suspension. It is important to acknowledge that school staff use discretion, particularly with low-level incidents, and the consequences for misbehavior may not be as harsh as what is stated in the codes—especially if the student and teacher/staff have a good relationship. Thus, it is imperative to change these harsh and exclusionary school codes of conduct at all levels to support school staff with a framework of positive approaches, and to protect against schools going too far. The policies for tardiness and dress code were reviewed as examples.

TARDINESS

Almost every high school (12 of the 13) reviewed have consequences for students who are late to school or late between class periods.⁴² Eight of the 13 high schools list in-school or

EXCERPTS OF SCHOOL CODES OF CONDUCT

“It is the intention of Millikan’s staff to maintain this school’s reputation as an orderly and safe campus. Those who undermine these efforts will be disciplined.” -*Millikan High School*

“At Jordan, we exhibit PRIDE in our school and ourselves. We have RESPECT for others, and we take RESPONSIBILITY for our actions. These standards of behavior are NonNegotiable. These are the expectations that govern our school, and those who choose to remain as part of our family.” -*Jordan High School*

“Our goal at Lakewood High School is to help each student become a positive citizen. We know the majority of students will work toward this goal by respecting the rights of others, respecting personal and school property, and by practicing acceptable behavior. In an effort to support the positive actions of the vast majority, disciplinary action will be taken against the few who fail to exhibit acceptable behavior.” -*Lakewood High School*

³⁴ “Jordan High School Policies and Procedures 2010-2011.” *David Starr Jordan High School*, 2010, <http://www.lbjordan.schoolloop.com/file/1290582956818/1205990053679/3347354746867487157.pdf>. Accessed 6 Oct. 2016.

³⁵ In January 2015, Governor Brown signed a law that eliminated California Education Code Section 48900(k), ‘willful defiance,’ as a reason to suspend students in kindergarten through 3rd grade and as a reason to expel students in any grade. Some districts across California have decided to stop the practices of suspending or expelling any student for disruption or defiance. Data shows that suspensions for this subjective offense are even more disproportionate than for other offenses. See Losen, Daniel, “Closing the School Discipline Gap in California: Signs of Progress,” 23 November 2015, <https://civilrightsproject.ucla.edu/resources/projects/center-for-civil-rights-remedies/school-to-prison-folder/summary-reports/ccrr-school-to-prison-pipeline-2015>.

³⁶ “Jordan High School Policies and Procedures 2010-2011.” *David Starr Jordan High School*, 2010, <http://www.lbjordan.schoolloop.com/file/1290582956818/1205990053679/3347354746867487157.pdf>. Accessed 6 Oct. 2016.

³⁷ “Lakewood High School 2016-2017 Discipline Plan: Behavior Violations and Consequences.” *Lakewood High School*, 2016, www.lblakewood.schoolloop.com/file/1212018745879/1187832777608/7773752010366693675.pdf. Accessed 6 Oct. 2016.

³⁸ “McBride High School Policies and Procedures 2010-2011.” *McBride High School*, 2010, www.mcbride-lbusd-ca.schoolloop.com/file/1346921427336/1356615346294/2790743807686528848.docx. Accessed 6 Oct. 2016.

³⁹ “Lakewood High School 2016-2017 Discipline Plan: Behavior Violations and Consequences.” Accessed 6 Oct. 2016.

⁴⁰ “Jordan High School Policies and Procedures 2010-2011.” *David Starr Jordan High School*, 2010, <http://www.lbjordan.schoolloop.com/file/1290582956818/1205990053679/3347354746867487157.pdf>. Accessed 6 Oct. 2016.

⁴¹ ID.

⁴² CAMS did not have a tardy policy online.

out-of-school suspension as a consequence for tardiness after the first 10 or 20 minutes of class.⁴³ At Jordan, “students who are tardy to Periods 3, 5, and 6 will be assigned to the suspension center for the following instructional day,” and to SWAT (Students Who Are Tardy)⁴⁴ if they are tardy upon arriving to school. Poly and Poly PAAL’s codes include harsh language describing that students who are late three times or more will be “locked out” of class, sent to “ACE” (Alternative Classroom Environment), and marked absent.⁴⁵ These policies are especially troubling as California law prohibits suspensions for students who are late or absent.⁴⁶

Schools have different policies on excusing tardies that can impact whether a student misses classroom instruction and the opportunity to make-up assignments. At Wilson and Renaissance, parent notes explaining tardiness are not accepted and students are excused only if they have a note from the doctor on official letterhead.^{47 48} Millikan also asks for official doctor/dentist/court slip.⁴⁹ At Jordan, parents need to physically accompany the student to school to have a tardy excused.⁵⁰ As the unexcused tardies accrue, harsher consequences may be applied including being identified as a truant, referred to the School Attendance Review Board/Team, and eventually being dropped from the class where the tardies originated.⁵¹

“My experience in 10th and 11th grade were negative because I was not given time to complete class assignments after being absent. When I would request extra time the answer was always ‘NO,’ which caused me to fall behind on assignments.” –Stephanie⁵²

One collateral consequence that flies in the face of achieving the mission of public schools is the loss of instructional time. Responding to a tardy with an in-school suspension that can snowball into an out-of-school suspension only increases a student’s lost learning time and is not effective in addressing the underlying circumstances. Students who fall behind academically because they have missed many days of instruction may be transferred from a comprehensive high school to a continuation or alternative school that will have limited access to the A-G curriculum,⁵³ well-resourced sports programs, and other student clubs and activities that are important to student life. Even if they aren’t transferred out of their

“In cases of truancy, students forfeit the right to make up assignments and lose all credit for assignments due.” —Jordan High School Policies and Procedures 2010-2011⁵⁴

⁴³ These schools are Jordan, Jordan PLUS, Lakewood, Millikan, Poly, Poly PAAL, Renaissance, Wilson.

⁴⁴ The SWAT room is where students are supervised for the remainder of the period after an unexcused tardy.

⁴⁵ “Polytechnic High School Attendance.” *Long Beach Polytechnic High School*, Polytechnic High School Hall Pass Tardies ReAdmits.doc. Accessed 3 Oct. 2016. No longer available online.

⁴⁶ Cal. Ed. Code § 48900 (w).

⁴⁷ “Renaissance High School for the Arts Tardy Policy & Early Outs Policy.” *Renaissance High School for the Arts*, www.lbrhsa.schoolloop.com/tardy&earlyouts. Accessed 3 Oct. 2016.

⁴⁸ “Woodrow Wilson High School Attendance.” *Woodrow Wilson High School*, www.lbwilson.schoolloop.com/attendance. Accessed 3 Oct. 2016.

⁴⁹ “Robert A. Millikan High School Student Handbook.” *Millikan High School*, www.lbmillikan.schoolloop.com/StudentHandbook. Accessed 3 Oct. 2016.

⁵⁰ “Jordan High School Policies and Procedures 2010-2011.” *David Starr Jordan High School*, 2010, <http://www.lbjordan.schoolloop.com/file/1290582956818/1205990053679/3347354746867487157.pdf>. Accessed 6 Oct. 2016.

⁵¹ ID.

⁵² Stephanie. Personal Interview. 2 April 2016.

⁵³ The A-G curriculum refers to coursework the University of California and California State University systems require of entering freshmen. The focus of alternative schools has been credit recovery, therefore, students are provided with limited access to the A-G/college preparatory track.

⁵⁴ “Jordan High School Policies and Procedures 2010-2011.” *David Starr Jordan High School*, 2010, <http://www.lbjordan.schoolloop.com/file/1290582956818/1205990053679/3347354746867487157.pdf>. Accessed 6 Oct. 2016.

schools, it is unclear how students spend their time in SWAT or ACE when they are sent there for being late. “Students in SWAT really don’t do anything, and they only have chairs or standing. It always depends who is looking over us if they let us do homework.”⁵⁵

“I almost did not graduate due to chronic absences. I would rather be absent than late because I wanted to avoid standing in a room doing nothing.” –Brian ⁵⁶

DRESS CODE

The general expectation is that students “wearing inappropriate clothing or who are inappropriately groomed will not be allowed to attend class until they make changes necessary to meet the LBUSD’s dress and grooming requirements” across LBUSD high schools.⁵⁷ The following schools list in-school and/or out-of-school suspension as a consequence for being out-of-uniform: CAMS, Lakewood, Poly, Poly PAAL, Millikan, Renaissance, and Wilson. At Jordan and Jordan PLUS students will be suspended on the basis of willful defiance for a dress code violation.⁵⁸ Wilson may have the harshest written policy that includes receiving a \$10 fine per article of clothing when a student borrows shirts or pants from the school and fails to return the clothing.⁵⁹

The inconsistencies in these codes of conduct—whether minimal or significant—should prompt a conversation about the potential of two LBUSD students from different schools engaging in the same behavior, yet resulting in one student being counseled or warned while another is suspended or forced to transfer schools. Some high schools give students more chances than others for low-level misbehavior before negative consequences kick in. It is simply unfair, for example, to require families at one school to submit doctors’ notes on official letterhead in order to be excused for being tardy, while a parent note is just fine at the school across town. In this particular case, the notion of personal responsibility is taken too far and the needs of low-income students from working families who may lack access to healthcare are being disregarded and sometimes criminalized.

“I had a positive experience with a math teacher who was a good role model and went out of her way to provide support for three years.” –Timothy ⁶¹

School codes of conduct should be “viewed as learning opportunities, not as vehicles for excluding students.”⁶⁰ As a school community it is essential to remember that these codes of conduct should be meant to improve relationships and community agreements at school to build a positive learning environment for all. Many of the punitive measures in these codes only succeed in holding students further back for social-emotional, home, and community factors that are often not in their control. By limiting a school’s response to the punitive consequences of a suspension, involuntary transfer, or school-based citation/arrest, LBUSD schools are limiting the extent to which they can help a young person learn, heal, and grow under sometimes difficult life circumstances.

⁵⁵ Student Interview. 12 Oct. 2016. Name has been redacted to protect student privacy.

⁵⁶ Brian. Personal Interview. 2 April 2016.

⁵⁷ Long Beach Unified School District. *Long Beach Unified School District Guidelines for Parents and Students*, p. 23, http://www.lbschools.net/Asset/files/District/Guidelines/Guidelines_EN.pdf. Accessed 9 Oct. 2016. The California Education Code permits school districts to set reasonable dress code policies. California Education Code Section 35183(b).

⁵⁸ “Jordan High School Policies and Procedures 2010-2011.” *David Starr Jordan High School*, 2010, <http://www.lbjordan.schoolloop.com/file/1290582956818/1205990053679/3347354746867487157.pdf>. Accessed 6 Oct. 2016.

⁵⁹ “Woodrow Wilson High School Dress Code.” *Woodrow Wilson High School*, www.lbwilson.schoolloop.com/dresscode. Accessed 3 Oct. 2016.

⁶⁰ “A Positive School Climate Can Mean a Successful School Year.” *Child Trends*, <http://www.childtrends.org/a-positive-school-climate-can-mean-a-successful-school-year/>. Accessed 11 Oct. 2016.

⁶¹ Timothy. Personal Interview. 2 April 2016.

FINDING #3

Over the past four years, LBUSD invested 200 times more on law enforcement—which has never been proven to improve the outcomes for high-needs students—than on prevention-focused positive school climate strategies that have been proven to support academic opportunities and outcomes for all students.



In response to the PRA request, the district produced spreadsheets and budget documents detailing expenditures on various campus security officers, school resource officers, and law enforcement operations. For the past four years, the district's investment in law enforcement has dwarfed the amount it has spent on prevention-focused strategies, such as the Safe and Civil Schools program, restorative justice (RJ), and the Building Bridges program. The district has spent over \$35 million on policing students from the 2011-12 school year to 2014-15 school year as compared to only \$117,112 during the same time period to support the Safe and Civil initiative, its primary school climate program. In each of the last four years, salaries and benefits have accounted for at least 93 percent of money spent on policing students. The expenditures have declined since 2013, and a possible explanation is that school police and security funding has shifted to the school site level since the implementation of LCFF. LBUSD is unique in the amount of supplemental and concentration funding it has pushed to the school sites with large concentrations of high-need students.

Expenditures⁶² on Law Enforcement, Safe and Civil Initiative, and Restorative Justice				
School Year	Law Enforcement	Safe and Civil	Restorative Justice	Building Bridges
2011-2012	\$10.13 million ⁶³	\$30,000	\$0	\$2,500
2012-2013	\$8.53 million	\$20,000	\$0	\$2,000
2013-2014	\$8.69 million	\$20,000	\$0	\$3,000
2014-2015	\$7.72 million	\$47,112 ⁶⁴	\$0	\$26,245
TOTAL	\$35.07 million	\$117,112	\$0	\$33,745

⁶² We included the amount spent by the district - not specific school sites - on each of these categories. Further, the district did not clarify when we requested clarification regarding the placement of officers to understand the expenditures and if these amounts accounted for all officers in the payroll documents. The authors selected Safe and Civil, Restorative Justice, and Building Bridges as school climate strategies that are prevention-focused and positive. Included in "law enforcement" are campus security officers, school resource officers, and other security personnel. The primary function of these positions is enforcement of laws and/or school rules, regardless of validity. There are school staff who may be trained in restorative justice or other prevention-focused school climate strategies - such as deans - whose salaries have not been counted in the expenditures for prevention-focused strategies. This is because they also serve punitive functions, such as suspension or referral for expulsion. There is other positive programming that contributes to positive school climate and prevention, some of which is also detailed in this report, for which budgetary information was not received or available.

⁶³ The figures in this column do not include the amounts of money that the Long Beach Police Department contributes to law enforcement services nor the cost for probation officers stationed at some schools. It is important to note that while the expenditures on law enforcement seem to decline every year, the number of law enforcement positions fluctuates but does not correlate to these expenditures.

⁶⁴ This figure includes fees paid for substitute teachers during Safe and Civil training days, which is information that was not provided for the previous school years. The Safe and Civil column reflects the maximum value possible from Safe and Civil contracts. The maximum contract values were not realized because Teaching Strategies, the organization tasked with providing training for Safe and Civil programs, had expenses that were lower than the contracts specified.

In 2003, LBUSD adopted the Safe and Civil Schools initiative as its primary school discipline program, which aims to train teachers on effective behavior management. The impetus to implement Safe and Civil Schools was to “recoup 2 weeks of instruction” every school year by “quelling interruptions to instructional time.”⁶⁵

In 2014, LBUSD initially responded to ESM pressure to build more positive relationships with students and begin implementing restorative justice in schools by earmarking LCFF supplemental and concentration funds⁶⁶ in its Local Control Accountability Plan. Restorative justice originally used in the justice context and adapted for use in school settings, is a set of principles and practices centered on promoting respect among students, teachers, and staff, taking responsibility for one’s actions, and strengthening relationships in the school community. However, many district administrators and board members remain uninformed about the purpose of restorative justice. One district administrator told parents that restorative justice is mainly for supporting high-risk students.⁶⁷ Despite earmarking \$100,000 in 2014-15 and \$190,000 in 2015-16, the district has yet to spend any of the modest \$290,000 set aside for district-wide implementation of restorative justice.⁶⁸

“Despite earmarking \$100,000 in 2014-15 and \$190,000 in 2015-16, the district has yet to spend any of the modest \$290,000 set aside for district-wide implementation of restorative justice.”

In contrast, many California districts have committed significant funding and are implementing school-wide positive behavior interventions and supports (SWPBIS), restorative justice, trauma-informed strategies, and other evidence-based approaches.⁶⁹ LBUSD students, parents and ESM members have requested the district invest more funds in these effective, evidence-based prevention strategies instead of relying on law enforcement to craft school climate. However, LBUSD board members remain opposed to reevaluating the district’s current expenditures on law enforcement.⁷⁰ A few LBUSD school sites have invested in or explored the implementation of restorative practices as an alternative to punitive school climate. These schools are using their school site budgets to support implementation. Reid Continuation High School was the first LBUSD school to hire a full-time restorative justice coordinator.⁷¹

Support staff positions (such as psychologists, mental health professionals, counselors, and nurses) play a critical role in creating a positive school climate for students and teachers. These adults act as a buffer against the use of law enforcement to deal with day-to-day behavioral challenges. Research has shown that positive relationships between adults and students, and caring interactions are important protective factors that contribute to more positive school climate and also higher academic achievement.⁷² Support staff can

⁶⁵ Long Beach Unified School District. Safe and Civil School Initiative Description. Available upon request.

⁶⁶ Supplemental and concentration funds are state dollars generated by a district’s enrollment of low-income, English Learner, and Foster Youth (or high-need) students. LCFF legislation intends these funds be used to increase services and improve outcomes for high-need students. 5 CCR 15496(a).

⁶⁷ Long Beach Unified School District. District English Learner Advisory Committee Meeting, 11 May, 2016.

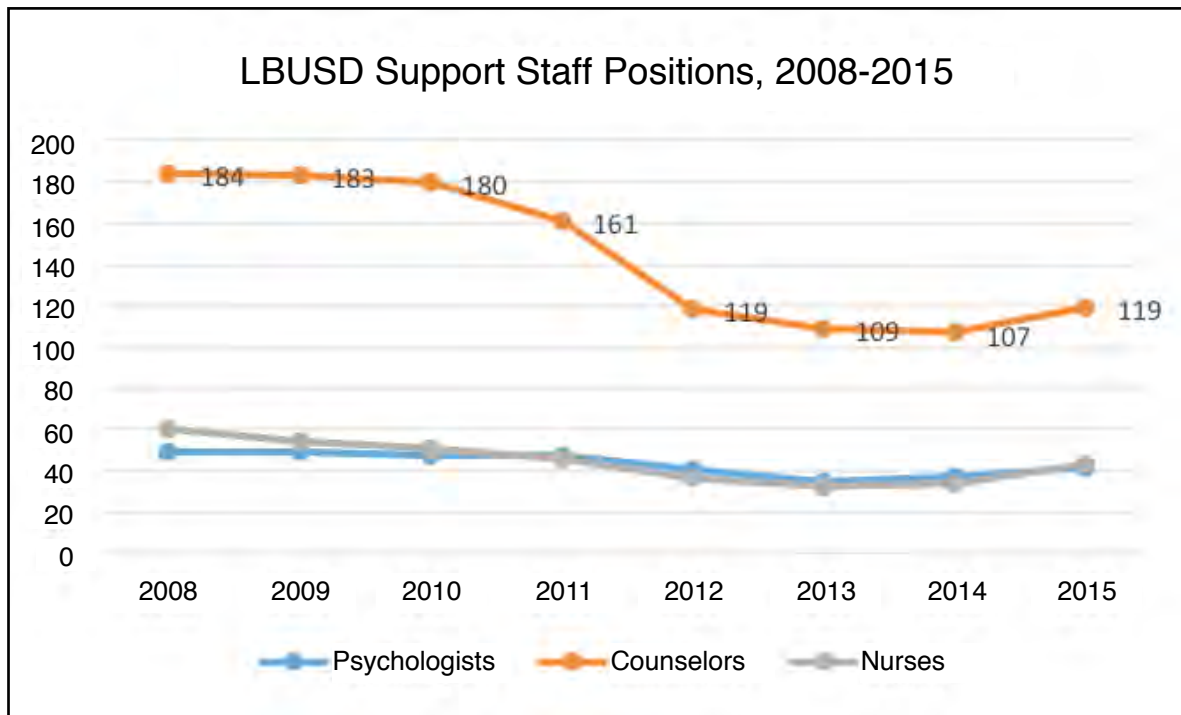
⁶⁸ Long Beach Unified School District. “Federal Waiver, Local Control Funding.” The “revised” and “amended” Local Control Accountability Plans for the 2014-15 and 2015-16 school years are available at http://www.lbusd.k12.ca.us/Departments/Local_Control/. Our review of PRA documents revealed that RJ expenditures have been made exclusively by school sites with no assistance from the District.

⁶⁹ “How to Fix School Discipline Toolkit for Educators.” *Fix School Discipline*, March 2015, www.FixSchoolDiscipline.org/educator-toolkit.

⁷⁰ Nittle, N.K. “Why Schools Funding Will Always Be Imperfect.” *The Atlantic*, 24 Aug. 2016, <http://www.theatlantic.com/education/archive/2016/08/will-there-ever-be-a-perfect-way-to-fund-schools/497069/>.

⁷¹ To date Reid, Cabrillo, and Beach High Schools, and Franklin Classical Middle School have also invested school site funds on restorative practices.

often facilitate positive relationship building and interactions in the school community. Counselors also play a particularly important role in ensuring high-need students have equitable access to a rigorous education and are enrolled in college prep and Advanced Placement courses. The number of counselors throughout LBUSD has declined in recent years, dropping from 184 in 2008 to 107 counselors in 2014.⁷³ The American School Counselor Association recommends a counselor-to-student ratio of 1:250.⁷⁴ In 2015, the counselor-to-student ratio in LBUSD was 1:670.⁷⁵ Based on 2015-16 enrollment of approximately 77,812, LBUSD would need to employ 311 counselors to reach the national standard, or hire an additional 192 counselors.



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At a school site level, LBUSD has fostered partnerships with some community-based organizations to provide direct services that also help create a positive school climate. For example, there are four school-based wellness centers in the district run by The Children's Clinic at Cesar Chavez Elementary, International Elementary, Hamilton Middle School, and Roosevelt Elementary. The centers are set up "to provide quality, integrated, innovative health care that will contribute to a healthy community, focusing on those in need and working with patients and the community." LBUSD has also contracted with the California Conference for Equality and Justice (CCEJ) to provide Building Bridges, a multi-racial human relations program to develop young people's knowledge of inequities in their families, schools and communities and build their capacity to explore ways to change the odds.⁷⁷ LBUSD schools have partnered with CCEJ to make the program accessible at select high schools and support their students' positive youth leadership development.

⁷² Schaps, Eric. "The Role of Supportive School Environments In Promoting Academic Success." *Getting Results: Developing Safe and Healthy Kids*, 2005, www.collaborativeclassroom.org/research-articles-and-papers-the-role-of-supportive-school-environments-in-promoting-academic-success. Accessed 3 Oct. 2016.

⁷³ Letter to Public Counsel from LBUSD's legal counsel North, Nash, and Abendroth, received 11 December 2015.

⁷⁴ "The Role of the School Counselor." *American School Counselor Association*, www.schoolcounselor.org/asca/media/asca/home/rolestatement.pdf. Accessed 3 Oct. 2016.

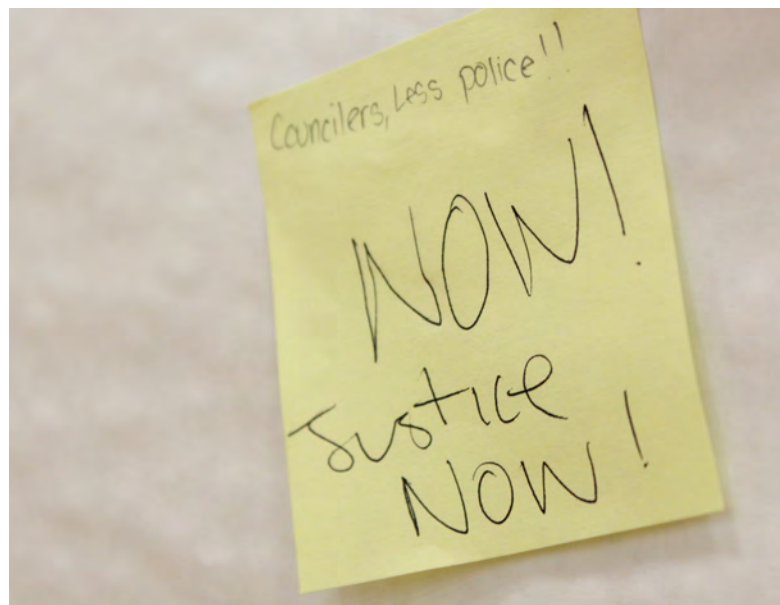
⁷⁵ Letter to Public Counsel from LBUSD's legal counsel North, Nash, and Abendroth, received 11 December 2015. Calculations by Children's Defense Fund-CA based on LBUSD's enrollment figures on DataQuest in the 2014-15 school year.

⁷⁶ Letter to Public Counsel from LBUSD's legal counsel North, Nash, and Abendroth, received 11 December 2015.

⁷⁷ "Building Bridges Youth Programs." *California Conference For Equality and Justice*, <http://www.cacej.org/cause/building-bridges/>. Accessed 13 Oct. 2016.

FINDING #4

Black and Latino students are disproportionately impacted by police involvement at school.



The February 2015 PRA request contained inquiries about law enforcement and its role on and around LBUSD campuses, specifically a request to LBUSD to provide the numbers of:

- i. Referrals to law enforcement, including whether the referral was mandatory, the school making the referral, the policing agency to which the student was referred, and whether the student was arrested as a result of the referral;
- ii. Arrests of students made at or near school sites, disaggregated by school from which the student was arrested and the policing agency making the arrests;
- iii. Citations/tickets of students issued at or near school sites, disaggregated by school from which the student was cited and the policing agency [.]⁷⁸

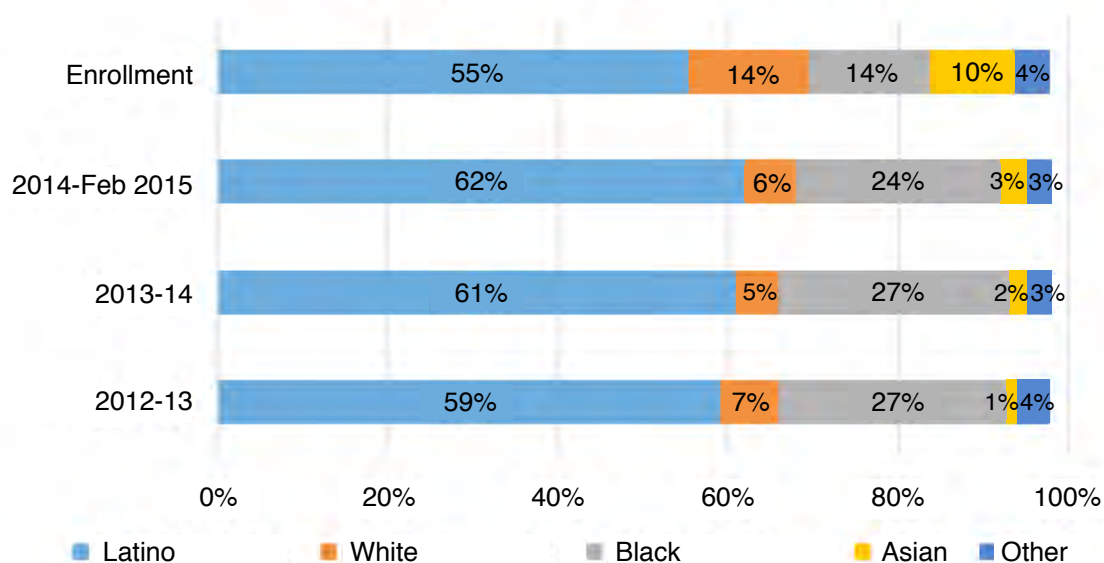
In response to these requests, the district produced documents that contained “incident” totals by type and by person. Despite repeated requests for clarification, district officials did not clearly explain what these “incidents” were or whether they were calls to police, interactions with law enforcement on campus, citations, or arrests.⁷⁹ The district was also unclear as to which law enforcement agency attended to and documented these “incidents,” and about the demographic data for those students who committed these offenses. Finally, it is unclear whether these incidents happened on a LBUSD school campus or were just attributable to students attending various LBUSD schools.

According to the data received, over the past three years the most frequent incidents associated with police contact were habitual truancy, daytime loitering, and possession of tobacco, marijuana, or permanent markers. Similarly, based on trends of disproportionality across LBUSD, the state of California and the country, Black students have routinely received a higher proportion of the incidents as they make up 14 percent of LBUSD’s enrollment but receive about a quarter of the incidents. White students, who are the same percentage of LBUSD’s enrollment as Black students,

⁷⁸ See Appendix 3.

⁷⁹ Under California law, an arrest is defined as a law enforcement officer or citizen taking a person into custody. Alternately, a citation is a written order for the recipient to appear before a magistrate or probation officer at a later date. See California Penal Code Sec. 834, California Welfare and Institutions Code Sec. 600, et. seq.

Police Incident Proportions by Race/Ethnicity



received six percent of the incidents in the most recent year for which there is data (2014-15). When combined with the 62 percent of incidents going to Latino students, Black and Latino students make up the lion share of the documented incidents with law enforcement (86 percent), while collectively making up 69 percent of LBUSD's enrollment. The disproportionate impact of these incidents on students of color is even more troubling as involvement with the police often leads to poorer academic outcomes for youth. Research shows that a first time arrest doubles the chances that a student will drop out of high school and a first time court appearance quadruples those chances.⁸⁰

⁸⁰ American Civil Liberties Union, Black Organizing Project, and Public Counsel. "From Report Card to Criminal Record: The Impact of Policing on Oakland Youth." 11 August 2013, available at <http://www.publiccounsel.org/tools/assets/files/0436.pdf>.



RECOMMENDATIONS

Every Student Matters (ESM) youth and adult allies have offered many solutions to teachers, administrators, LBUSD school board members and Superintendent Steinhauser to foster a more positive learning environment based on principles of racial justice and equity. Those solutions are student-centered and have been incorporated into the following recommendations for LBUSD.

1. Genuinely engage students, parents, and community members in a dialogue about a collective vision for racial justice, equity, and positive school climate in LBUSD.

Every member of the school and district's learning community must play a role and take responsibility for contributing and maintaining a positive environment. Schools are more successful when students, parents and educators all feel connected to the larger school community and have a voice. When everyone feels valued and is treated with respect, students perform better academically, teachers feel more supported, and parents are more involved. Dialogue is an important component to building positive relationships and trust among district leaders, school staff, students, parents, teachers, and community members. Dialogue about LBUSD's strengths and challenges opens up new partnerships, strategies, and solutions to address the racial injustices and educational inequities that fuel the school-to-prison pipeline in LBUSD. ESM youth leaders, adult allies, and a number of community-based organizations have publicly raised hard questions about fairness, equity and racial justice the district faces in achieving its mission. Will LBUSD school board members, Superintendent Steinhauser, and assistant superintendents address these community concerns in a public discourse focused on student needs and innovative solutions?



2. Collect, publicly disseminate, and study disaggregated school discipline data by race and other high-need student demographics.

Transparency and accountability are critical practices for students and school boards alike. As part of the shared responsibility to foster positive school climates, we must know the baseline of needs in the LBUSD community and assess the health of the district's school climate. Exclusionary discipline comes in many forms—some are formally documented and some are not. LBUSD should continue measuring out-of-school and in-school suspensions (including the use of ACE, OCS, SWAT, teacher buddy systems, and other classroom removals), and expulsions. The district should also begin to meticulously collect and disseminate data on involuntary transfers, referrals to law enforcement, school-based citations, and school-based arrests. Collecting and studying this data with community will show whether suspensions are declining because positive school climates are addressing the root causes of behavior issues, or if schools are shifting to other forms of exclusionary discipline such as classroom removals or school-based citations, which are not as well documented. This data should be easy for students, parents, and community members to access and interpret.

The Data Dashboard on LBUSD's website is a good example of publicly accessible data. That data should include all of the above indicators and be disaggregated by all racial/ethnic categories, gender, school sites, and high-need student subgroups (foster youth, homeless, special education, and English Learner students). In Long Beach it is critical to further disaggregate the Asian subgroup currently utilized by the district to account for the experience of the significant Cambodian student population.

3. Create and adopt a district-wide, model code of conduct that provides every school with consistent guidelines and practices to proactively create positive learning environments.

LBUSD students and educators need the right tools and resources to proactively create positive, supportive environments where learning thrives and student expectations are consistently high. The status quo is a patchwork of school discipline policies and practices that provides little guidance, results in different responses to student behavior, and ultimately feeds the disproportionate impact of these policies on some students. More schools and districts across the country are adopting positive school climate strategies to create healthier learning environments that have proven to deter discipline problems, improve student success and allow teachers to focus more on student growth and learning. Similarly, LBUSD's code of conduct should include positive, trauma-informed and healthy alternatives to suspension such as restorative justice, sessions with a mental health professional or a counselor, visits to a school-based wellness center, and other evidence-based solutions. The Dignity In Schools Model Code of Conduct has strong language to consider adopting, as well as the policies of the Oakland, San Francisco, and Los Angeles school districts. LBUSD superintendent, assistant superintendents, and school administrators should align teacher



training and support related to classroom management to this model code to be fully implemented and effective.

4. Address racial disparities by investing in implicit bias training, and by setting targeted goals to reduce exclusionary discipline for overrepresented student subgroups.

LBUSD must address race in a proactive and healing way. To summarize the impact of the continuum of exclusionary discipline practices on Black students in LBUSD—they make up 14 percent of enrollment, yet 43 percent of suspensions; 49 percent of involuntary transfers; 48 percent of referrals for immediate action; and 24 percent of “incidents” with police. We need healthy, supportive school climates that treat every student fairly and without bias, and that nurture each student’s growth and learning. Embracing positive school climate strategies will foster better relationships with all students, including Black students, however a direct approach is also necessary because we have seen suspensions decline but disproportionality has increased. Implicit bias training is a meaningful way to concretely address the disparate impacts that exist for Black, Latino, Pacific Islander, American Indian, multi-racial, and other student subgroups. According to the Kirwan Institute, “Implicit biases are pervasive. Everyone possesses them, even people with avowed commitments to impartiality such as judges.”⁸¹ Therefore, implicit biases are malleable and training will help LBUSD educators and staff bring disparate impact based on race into full consciousness in order to dismantle the practices that fuel differences in how students are treated.

Our schools must support and prepare all, not just some, of our students for the future. As such, ending the enormous disparities that cause Black students to be excluded from the classroom and college prep curriculum needs to be top priority. ESM has urged LBUSD school board members to adopt a Local Control Accountability Plan with targeted goals for reducing suspensions for all overrepresented groups. For instance, LBUSD could set a goal of reducing the number of suspensions issued to Black students by 25 percent. Targeted goals should be set for all forms of exclusionary discipline and for all impacted subgroups, including special education students. Teachers and school staff working with special education students may require different kinds of training on how to respect the rights of students with disabilities and respond in ways that are appropriate and effective given their academic and social-emotional needs.



5. Spend Local Control Funding Formula supplemental and concentration funds on strategic school climate investments including restorative justice and more support staff.

⁸¹ “Implicit Bias.” *Kirwan Institute for the Study of Race and Ethnicity*, www.kirwaninstitute.osu.edu/researchandstrategicinitiatives/#implicitbias. Accessed 2 Oct. 2016.

LCFF presents a real opportunity to align school resources to student needs. ESM youth leaders and allies have been actively asking district leaders to adopt restorative justice into its school climate practices since 2013. Restorative justice gives students and adults the time to talk about the underlying assumptions, circumstances and causes of behavior, as well as the supports and steps to help everyone move forward positively. Some conflicts and behaviors are due to misunderstandings and disagreements. Others occur when students or educators make a mistake, and restorative justice supports their learning and growth from it. Restorative practices require students to be actively involved in communicating with the people harmed and to take responsibility when they make mistakes. This approach has proven to be more successful in reducing the possibility of future behavioral problems.

ESM members were strategic in recommending restorative justice districtwide given the growing movement across California and interest in Long Beach. LBUSD school board members and superintendents should go beyond the current symbolic and modest investment in restorative practices listed in the LCAP and use supplemental and concentration funds for school climate on restorative justice training for teachers and on hiring restorative justice coordinators. While implementation can be prioritized in the highest need schools, restorative justice can be used at any school because of its community building principles, including schools that are not high suspending or high-need.



In addition, students and educators need more support staff to help meet students' social-emotional and academic needs. Superintendent Steinhäuser should adopt the recommendation ESM members and adult allies made in May 2016 to hire 200 additional counselors, 30 mental health professionals, and 30 school-based nurses. The district should prioritize hiring these staff at the schools with the highest concentration of high-need students. Children's Defense Fund-California prepared an *Equity Index* to provide LBUSD with guidance about how to define and achieve education equity—and to fulfill the needs of low-income, English Learner, and foster youth students.

6. Foster transparency about police staffing and practices to help develop a holistic school safety approach that is based on prevention and a positive school climate.

For a long time community members were under the impression that there was no school police department in LBUSD, yet there is significant police investment in schools and these officers often make contact with students over school discipline matters that should be handled administratively. Police and security staffing and roles on campus should inform the dialogue about school climate, and school safety more specifically. All school police and security budgets at the district and school site levels should be shared publicly on an annual basis, along with police and security officer assignments (disaggregated by school site). While in the best of cases police officers help ensure safety, the nation is waking up

to the loss of life and dignity because of excessive policing and force by law enforcement. Some students and parents feel safer with more police presence, and other students, especially youth of color, often do not.

The dialogue that needs to happen about excessive policing in communities of color—particularly among Black men and women—is connected to the conversations many communities are having with their school districts about over-policing at schools. This is part of a conversation about redefining what school safety looks like, especially in communities of color. Safety is not just physical. Holistic safety also considers the safety needs of the entire school community and how to take proactive steps to create a genuinely safe environment where everyone feels physically, socially and emotionally safe and supported. Students need to be able to turn to a caring teacher, counselor, mental health professional or other support staff for their own wellness and safety. Positive youth development and holistic safety requires a healthy investment in positive prevention, which should easily outweigh that of police enforcement.





CONCLUSION

A new, boldly positive school culture and climate can be fostered in every LBUSD classroom when students, educators, parents, community stakeholders, and school and district staff meaningfully engage in a respectful dialogue, and when genuine collaboration is supported. Exclusionary school climate and culture undermines the district's mission, and most importantly the academic success and social-emotional health of students. The disparities in the application of school discipline on students of color—for Black students in particular—and special education students must be acknowledged and addressed with the community, not in a closed session or private meeting that further excludes those most impacted. The findings in this report are intended to spur dialogue about school climate that will help foster curiosity and asset-based solutions. In the future, we envision productive and engaging school board meetings characterized by meaningful debate about school climate policies and practices among other important academic issues.

The solutions and community partners needed to develop a school climate that protects student rights and dignity, promotes social-emotional wellness and learning, and achieves racial justice are within reach. The relationships and recommendations are ready to be nurtured and grown. Students like Sandy and educators like the teacher who inquired if she needed support should be recognized for cultivating a caring relationship, which is difficult to measure and codify, but is critical to practicing dignity and justice in schools. By embracing the practice of taking time to support one another's social-emotional needs, Sandy can do what she went to school for: learn and be a valued and contributing member of her school community.

APPENDIX 1

POSITIVE SCHOOL CLIMATE STRATEGIES

<p style="text-align: center;"><u>School-wide Positive Behavior Interventions and Supports (SWPBIS)</u></p> <p>Evidence based approach to improve student behavior and learning through behavior modeling, corrective responses, and proactive interventions, and by seeking to decrease the use of exclusionary punishments. Studies show that SWPBIS can result in a 60 percent reduction in disciplinary problems and suspensions when fully implemented. Secondary benefits include improved academic achievement and teacher retention; and a more positive school culture.⁸²</p>	<p style="text-align: center;"><u>Social-Emotional Learning (SEL)</u></p> <p>SEL is an approach that promotes students' social, emotional, and academic learning by teaching and reinforcing relationship-building, awareness, self-management, and decision-making. SEL can be built into a district's strategic plan, staffing, professional development, budget, and curriculum.⁸³ A recent study found that on average every \$1 invested in SEL programming yields \$11 in long term benefits such as reduced juvenile crime, higher lifetime earnings, and better mental and physical health.⁸⁴</p>
<p style="text-align: center;"><u>Trauma-informed Approaches</u></p> <p>An estimated one half to two-thirds of children experience trauma, which is a negative external event or series of events and experiences such as maltreatment, witnessing violence, or the loss of a loved one. Traumatic experiences can impact brain development and behavior inside and outside of the classroom. Becoming trauma-informed requires a paradigm shift at the staff and organizational level to re-focus on understanding what happened to a child, rather than focusing on the conduct alone. These approaches represent a holistic approach to shaping organizational culture, practices, and policies to be sensitive to the experiences and needs of traumatized individuals.⁸⁵</p>	<p style="text-align: center;"><u>Restorative Practices</u></p> <p>Restorative practices in schools are based on restorative justice principles that aim to build classroom communities supported by clear agreements, authentic communication, and specific tools to bring issues and conflicts forward in a helpful way. Restorative practices such as restorative justice circles provide pathways to repair harms by bringing together those who are affected by misbehavior in a dialogue to address concerns, achieve understanding, and come to agreement about setting things right. In addition to serving the cause of fairness and justice, restorative approaches make safer schools and contribute to social and emotional learning.⁸⁶</p>

⁸² For evidence that SWPBIS can reduce behavioral referrals and suspensions up to 60 percent, see, e.g., Luiselli et al., 2002; McCurdy et. al., 2003; Scott, 2001; Taylor-Greene & Kartub, 2000. For evidence that SWPBIS improves academic achievement, see, e.g. Easton & Engelhard, 1982; Konstantopoulos, 2006; Roby, 2004; Snell and Mekies, 1995. For evidence for SWPBS can reduce dropout rates, see, e.g., Barrington & Hendricks, 1989. For additional information about SWPBIS, see www.pbis.org.

⁸³ "What is SEL?" *Collaborative for Academic, Social, and Emotional Learning*. <http://www.casel.org/what-is-sel/>. Accessed 10 Oct. 2016.

⁸⁴ Bellfield, Clive, et. al. "The Economic Value of Social and Emotional Learning." Center for Benefit-Cost Studies in Education, Teachers College, Columbia University, 2015 (Revised), <http://cbcse.org/wordpress/wp-content/upload/2015/02/SEL/revised.pdf>. Accessed 3 Oct. 2016.

⁸⁵ McInerney, M & McKlindon, A. "Unlocking the Door to Learning: Trauma-Informed Classrooms and Transformational Schools." Education Law Center, <http://www.elc-pa.org/wp-content/uploads/2015/06/trauma-informed-in-schools-classrooms-FINAL-December2014-2.pdf>. Accessed 13 Oct. 2016.

⁸⁶ Clifford, Amos. "Teaching Restorative Practices with Classroom Circles." Center for Restorative Process. <http://www.healthiersf.org/RestorativePractices/Resources/documents/RP%20Curriculum%20and%20Scripts%20and%20PowePoints/Classroom%20Curriculum/Teaching%20Restorative%20Practices%20in%20the%20Classroom%207%20lesson%20Curriculum.pdf>. Accessed 13 Oct. 2016.

APPENDIX 2

LBUSD SCHOOL DISCIPLINE RESOLUTION



RESOLUTION NO. 100813-C

RESOLUTION OF THE BOARD OF EDUCATION OF THE LONG BEACH UNIFIED SCHOOL DISTRICT ON SCHOOL DISCIPLINE PRINCIPLES AND PRACTICES

WHEREAS, the pursuit of academic excellence requires students to attend class regularly, and suspensions and expulsions by definition remove students from class; and

WHEREAS, while Long Beach Unified School District data show that expulsions affect less than 1 percent of students, in-school suspensions affect approximately 1 percent of students, and out-of-school suspensions affect approximately 6 percent of students, the Board recognizes that such relatively small percentages still result in students missing considerable and valuable classroom time; and

WHEREAS, existing behavior expectations and discipline procedures and practices call for teachers and administrators to make certain that rules are carried out in a fair and reasonable manner, and in dealing with behavior problems in the classroom, the first steps taken by the teacher shall include: (a) conference with the student and contact with parents; (b) referral to the counselor or principal (or designee) if there's no change in behavior, or (c) referral to the principal (or designee) for serious infraction; and

WHEREAS, when determining appropriate consequences, administrators work from an investigation protocol that ensures the due process rights of all involved; and

WHEREAS, discipline should be equitable, timely, consistent, fair, developmentally appropriate, and match the severity of the student's misbehavior while ensuring school safety and minimizing the loss of instructional time; and

WHEREAS, school accountability measures under the state's recently approved Local Control Funding Formula and the U.S. Department of Education's recently approved federal waiver from No Child Left Behind rules require close monitoring of school climate data such as student suspensions, affecting each school's ultimate performance rating;

NOW, THEREFORE, BE IT RESOLVED, that this Board urges careful monitoring by school and district administrators to prevent, to the greatest extent possible, a disproportionate share of suspensions from occurring at a given school campus or within demographic subgroups of students.

AND BE IT FURTHER RESOLVED, that this Board urges schools to build upon existing efforts to provide alternatives to suspension or expulsion, using multiple strategies including conflict resolution, individual and school-wide positive behavior supports, and elements of restorative practices that focus on prevention, early intervention and the opportunity for students to learn appropriate behaviors.

IN WITNESS WHEREOF, we have hereunto set our hands this 8th day of October, 2013.

APPENDIX 3 PUBLIC RECORDS ACT REQUEST FROM PUBLIC COUNSEL TO LBUSD

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February 5, 2015

Sent via facsimile and U.S. Mail

Superintendent Christopher J. Steinhauser
Long Beach Unified School District
1515 Hughes Way
Long Beach, CA 90810

Re: Public Records Act Request

Dear Superintendent Steinhauser:

Pursuant to the California Public Records Act (California Government Code § 6250 et seq.), Public Counsel is writing to request timely disclosure of the following documents in the possession of the Long Beach Unified School District.

Records Requested

Please provide us with copies of the records specified below. Each lettered or numbered paragraph should be considered a separate request under the California Public Records Act. For each set of records produced, please identify the paragraph to which the records are intended to respond.

A. Documents related to implementation of the Local Control and Accountability Plan (LCAP) in the 2014-2015 school year. Please provide us with the following documents and records:

1. For the \$100,000 allotted to restorative justice, any and all documents related to the expenditure of these funds, including but not limited to documents showing who was hired, which schools received funding, trainings provided and participants, and any evaluation or other tools utilized related to the RJ pilot.
2. For the \$2,400,000 funding line item for "campus security and police support" that included police spending, any and all documents related to the expenditure of such funds, including but not limited to how much was spent on police, who was hired, training or services provided, evaluation or outcome data, location of services.

B. For the 2009-10, 2011-12, 2012-13, 2013-14, and 2014-15 school years:

1. Any and all district and school policies and procedures, guidance, and memoranda related to students transfers, including all forms used and in all languages available.
2. Any and all district and school policies and procedures, guidance, and memoranda related to any process for appeal of any decisions, including but not limited to decisions to refer from class, suspend, transfer, refer to police, cite or arrest, and expel, in all languages available.
3. Any and all district and school records, budget documents, contracts, policies and procedures, and memoranda of understanding related to campus security officers, security aides, police officers, school resource officers, probation officers, sheriff officers, security guards and security personnel of any type.
4. Any and all district and school records, budget documents, contracts, policies, procedures and memoranda of understanding related to any security related vehicles, equipment, and/or infrastructure (building enhancements, metal detectors, etc.) purchased or utilized by the district.
5. Any and all memoranda of understanding, contracts, grants, budget documents, policies, procedures or records related to any relationship with the Long Beach Police Department or any other public or private police or security agency.
6. Any and all memoranda of understanding, contracts, grants, policies, procedures or records related to any roles or activities that the Long Beach Police Department or any other public or private police or security agency has on district campuses.
7. Any and all budgets and expenditures for each and every public or private police or security agency assigned to districts schools.
8. A list of the police officers, campus security officers, security guards or aides, or other security personnel assigned to each school for each public or private police or security agency and the length of assignment.
9. Any and all records regarding training provided to any police officers, campus security officers, security guards or aides, or other security personnel assigned to each school for each public or private police or security agency and the length of assignment.
10. Any and all district and school policies regarding office referrals, alternative classroom environment ("ACE"), on-campus suspension ("OCS"), and other classroom removals for any reason.
11. Any and all records regarding the policies and procedures for and operation of "ACE", "OCS" or comparable alternative room/setting referrals used as a consequence for any type of behavior, and records regarding the instructional

practices students receive, staff for such classes and programs, location of such classes/programs and number of students in such classes/programs.

12. Any and all records, including policies, procedures, MOUs, contracts and data regarding searches and seizures of LBUSD students with or without the use of canines, disaggregated by school site, school academy and all of the subcategories listed in D5, and documents showing how canines for search and seizure purposes are funded.
13. Any and all records, including policies and procedures related to the practice of removing students from college bound academies and placing them in trade academies and aggregate data regarding the number of students removed and the reasons for the removals disaggregated by school site and all of the subcategories listed in D5.
14. Any and all district and school policies, resolutions, procedures, and memorandum of understanding, including board policies and administrative regulations and school site documents, regarding school discipline, student behavioral expectations, and behavior management systems, related to office referrals, teacher suspensions, in-school suspensions, out-of school suspensions, involuntary transfers to continuation, community day, county community day, or other schools (such as Poly PAAL, Jordan Plus, Beach High School, and Reid High School), referrals to “ACE”, “OCS” or other alternative settings on campus, referrals for expulsion, expulsions, student citations, student arrests, and referrals to law enforcement agencies.

A. School enrollment, discipline, and student outcome data. For the 2009-10, 2011-12, 2012-13, 2013-14 and the 2014-15 year, please provide the following information:

1. The following data for all schools broken down at the school level, academy level, and for the District as a whole:
 - i. Enrollment data at beginning of school year
 - ii. Enrollment data at end of school year
 - iii. Four-year graduation and drop-out rates
 - iv. Attendance data
 - v. Percentage of high school seniors who pass the exit exam
 - vi. A-G completion rate
 - vii. Enrollment rate for 4-year colleges/Universities
2. The following data for the district from 2009 until the present by year:
 - i. The number of students in the free or reduced price lunch program
 - ii. Number of students using the program (i.e., actually eating breakfast or lunch)
3. The following aggregate data regarding disciplinary actions for the District as a whole and broken down by school level and academies within schools:
 - i. Number of office referrals, teacher suspensions, in-school suspensions, out-of school suspensions, involuntary transfers to continuation, community day, county community day, or other schools (such as Poly PAAL, Jordan Plus, Beach High School, and Reid High School), referrals to “ACE”, “OCS” or other alternative settings on campus, referrals for expulsion, and expulsions issued;

- ii. Alternatives utilized prior to making an office referral;
- iii. Length of suspensions issued and/or instructional days lost to suspension;
- iv. The school sites to which involuntarily transferred students were sent, whether they enrolled subsequently, and the outcomes for such students.

4. The following aggregate data for the District as a whole and broken down by the school level and academies within schools:

- i. Referrals to law enforcement, including whether the referral was mandatory, the school making the referral, the policing agency to which the student was referred, and whether the student was arrested as a result of the referral;
- ii. Arrests of students made at or near school sites, disaggregated by school from which the student was arrested and the policing agency making the arrest;
- iii. Citations/tickets of students issued at or near school sites, disaggregated by school from which the student was cited and the policing agency making the arrest

5. All of the data discussed in numbers 1- 4 *supra* disaggregated further by:

- i. California Education Code violation or penal code violation(s), if an arrest or citation, noted as the reason/reasons for involuntary transfer, suspension, expulsion, citation or arrest;
- ii. Total number and rates disaggregated for the following demographic areas:
 - 1. Grade
 - 2. Gender
 - 3. Race/Ethnicity
 - a. racial/ethnic data for Asian students requested in items (1) and (2) to be disaggregated further for the following student subgroups:
 - i. Cambodian
 - ii. Chinese
 - iii. Japanese
 - iv. Korean
 - v. Vietnamese
 - vi. Asian Indian
 - vii. Laotian
 - viii. Other Asian
 - ix. Hmong
 - x. Thai
 - 4. Students with Disabilities
 - 5. English Language Learners
 - 6. SES/Free and Reduced Lunch
 - 7. Foster and Homeless Youth

6. A list of schools in the district with safe route programs.

D. Involuntary Transfer. Please provide us with the following additional documents and records related to involuntary transfers:

1. From 2009-2014 by year, the number of students who have been transferred pursuant to any policy or procedure, where such students have been transferred to and their outcomes to date.
2. For 2009-2014: 1) the reason for the referral; 2) the school or schools making the referrals; 3) the school or schools to which students was transferred; 4) whether the student participated in a formal hearing required by section 48915; 5) whether the student entered into some other agreement or procedure for transfer; 6) the outcomes for the students transferred, including but not limited to: 1) remained in transfer school; 2) returned to prior school; 3) graduated/dropped out; 4) entered into the JJ system. To the extent possible, all such data disaggregated by race, ethnicity, gender, ELL, SES, foster youth/ homeless youth and disability status.

E. For the 2009-2014 by year, the number of psychologists, school psychologists, restorative justice specialists or coordinators, behavior interventionists, school, pupil services, and mental health counselors, academic advisors, nurses, and other support staff.

All Records

This request for public records encompasses any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics. See California Government Code § 6252(e). As used in this request and consistent with the California Public Records Act, "writing" means any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored. See California Government Code § 6252(g).

Full Disclosure and Specific Explanation

If any records are claimed to be exempt from disclosure, we request that: (1) you exercise your discretion to disclose some or all of the records notwithstanding the exemption; and (2) with respect to records containing both exempt and non-exempt content, you redact the exempt content and disclose the rest, consistent with California Government Code § 6253(a).

Additionally, if any records are withheld or redacted, please provide a written response that describes with specificity each and every record that is being withheld or redacted and the claimed reason for exemption under the California Public Records Act, along with supporting legal authority or authorities.

Assistance With Obtaining Records/Clarifying Our Request

If you contend that this request does not reasonably describe identifiable public records, we request that you promptly assist us by eliciting additional information that will clarify my request and more clearly identify the records we are seeking. See California

Waiver of Fees and Costs

We request that you waive any copying fees because we are unable to afford such costs and the information requested will be used in the public interest to further the public's understanding of public schools and the local police force. No part of the information obtained will be sold or distributed for profit. If you are unable to waive the copying fees, please inform us of any potential duplication costs exceeding \$50.00 prior to copying.

Electronic Format Preferred

We also request that you provide any public record identified above that exists in the following electronic formats to us in that electronic format, instead of in paper format: PDF format or all Microsoft Office formats, including Word, Excel, and PowerPoint. See California Government Code § 6253.9.

Response within 10 Days

We look forward to working with you to obtain the public records identified in this revised request and look forward to your response to this request within ten (10) days of receipt of this letter. See California Government Code § 6253(c). Additionally, please provide all records as they become available, rather than waiting to send them together.

Please send all public records responsive to this request to Laura Faer, either by email at lfaer@publiccounsel.org or mail:

Laura Faer
Public Counsel Law Center
2001 Center Street, 4th Floor
Berkeley, CA 94704

If you have any questions, please do not hesitate to contact me at (510) 529-3419 or by email at lfaer@publiccounsel.org. Thank you in advance for your timely response.

Sincerely,



Laura Faer
Statewide Education Rights Director Public Counsel

APPENDIX 4 METHODOLOGY

The findings in *Untold Stories Behind One of America's Best Urban School Districts* are based on data collected from the Long Beach Unified School District (LBUSD) vis-à-vis a Public Records Act (PRA) request submitted on February 5, 2015 (Appendix 3), data sets available at the California Department of Education's DataQuest Website, LBUSD's Website, and LBUSD high school Websites.

LBUSD responded to the PRA with quantitative data on enrollment, suspensions, expulsions, involuntary transfers, referrals for immediate action, incidents with police; budget information on school security and policing; and information related to positive and preventative school discipline spending. Authors also accessed budget information from LBUSD's 2014, 2015 and 2016 Local Control Accountability Plans. Qualitative data was also collected from the LBUSD PRA including school discipline policies, administrative regulations, board resolutions, and program/staff descriptions. More detailed codes of conduct information was accessed from LBUSD's high school Websites. Researchers also included information from student, parent, and community member interviews collected on April 2, 2016, at the Every Student Matters *Voices and Visions* School Culture and Climate Town Hall.

Suspension rates in this report for the 2011-2012, 2012-2013, 2013-2014, and 2014-2015 school years are given as a ratio of the number of suspensions for every 100 students enrolled. These rates were calculated for LBUSD (districtwide) as well as individual schools within the district based on the disaggregated suspension and enrollment counts LBUSD provided over the same school years. For district level data, total suspensions and suspensions by race were collected from DataQuest. District suspension rates by special education status was determined through a summation of the disaggregated numbers provided by the district as that data is not provided through DataQuest.

To ensure student privacy, all student suspension counts less than 10 in any data provided by the district or collected from DataQuest had been redacted and denoted with an asterisk in the data provided to the authors. Because the actual number of suspensions could not be determined in these instances all asterisks were recoded as **one** for analyses. This ensured the authors provided a conservative estimation and suspension rates would not be inflated. In fact, suspension rates in this report likely underestimate the rate of suspensions in some cases. Additionally, because the number of students who are in special education is quite low in some schools, only schools with at least 50 special education students were included in special education analyses.

The analyses of involuntary transfer and referral for immediate action were based on LBUSD data from 2011-2012, 2012-2013, 2013-2014, and 2014-2015 school years. The total number of involuntary transfers and referrals for immediate action received were disaggregated by race for each year in the dataset. In response to the authors' request for school-based arrests, school-based citations, and referrals to law enforcement LBUSD provided data on "incidents." Incident counts were aggregated and then broken down by race/ethnicity.

Citations are provided in the report's footnotes for all information that is publicly accessible. Citations for data and information accessed from the PRA can be provided by the authors upon request.

