



EXECUTIVE SUMMARY

Redefining Dignity in Our Schools

A Shadow Report on School-Wide
Positive Behavior Support Implementation
in South Los Angeles, 2007-2010

JUNE 2010

Community Asset Development Re-defining Education (CADRE)
Mental Health Advocacy Services, Inc.
Public Counsel Law Center



Acknowledgments

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Preface

Human rights only have value if they are part of people’s lived experiences and not just policy standards that fail to make their way into the lives of the community. This report is part of an impressive and vibrant process to making these rights real through participatory human rights monitoring and ongoing advocacy.

In 2007, CADRE parent leaders and organizers mobilized grassroots South Los Angeles parents along with organizational allies from around the country to achieve a stunning policy victory. One unanimous Board of Education vote made the Los Angeles Unified School District the first district in the nation to adopt “school-wide positive behavior support” as the discipline model for every school in the district. The momentum of the policy victory bred dynamic new partnerships and relentless resolve. CADRE, Mental Health Advocacy Services, Inc., and Public Counsel Law Center joined forces to ensure that the policy becomes meaningful, especially in South Los Angeles.

With a clear consensus that children in this part of the city were being criminalized and deprived of their most basic human rights, these three organizations urgently set out two years ago to elevate even further parents’ abilities to transform the harsh and punitive places in which their children were forced to spend most of their time. Collectively monitoring the implementation of this new school discipline model became the next important step to ending the school to prison pipeline and creating positive learning environments for children so that they can reach their full potential as human beings.

Tapping into the boundless spirit, keen intelligence, and fierce passion for human rights at CADRE, as well as the bold community lawyering and advocacy of Public Counsel Law Center and Mental Health Advocacy Services, Inc., parents and education rights leaders in Los Angeles have provided the entire education community with yet another gift, through this report, that will support the many other efforts across the country to ensure dignity in our public schools. It shows a willingness to learn about and share these emerging best practices, and it reflects a commitment to see this process through until schools are truly transformed.

Cathy Albisa
Executive Director
National Economic and Social Rights Initiative (NESRI)

Who Prepared This Report?

This report was made possible through the cooperation of three non-profit entities:

Public Counsel Law Center, the nation's largest public interest pro bono law firm;

Mental Health Advocacy Services, Inc., a Los Angeles based, non-profit legal services agency serving adults and children with mental disabilities; and

Community Asset Development Re-defining Education (CADRE), an independent parent-membership organization based in South Los Angeles and the group that led the grassroots effort to ensure the District's adoption of the SWPBS Policy.

It was inspired and deeply informed by the experiences, testimony, analysis, and recommendations of CADRE's South Los Angeles parent leaders, with co-authorship by:

- Maisie Chin, Executive Director/Co-Founder, CADRE
- Ruth Cusick, Skadden Law Fellow/Staff Attorney, Mental Health Advocacy Services, Inc.
- Laura Faer, Directing Attorney, Children's Rights Project, Public Counsel Law Center
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*We continue
to re-frame
the student
dropout crisis
as a student
“pushout”
crisis.*

Introduction and Goals of Report

Ending the Pushout Crisis in South Los Angeles Schools

Simply put, a school-to-dignity track with 100 percent graduation would cost our society significantly less than a school-to-prison track, where countless students end up in our delinquency system and adult jails, and 50 percent of students do not complete high school. We write this report in the hopes that it will be a valuable contribution to our nation’s quest to educate *all* of our children despite race, income, and need, to the decades-long effort to turn around South Los Angeles (LA) schools, and to the everlasting pursuit of quality parent engagement in our schools.

We write this report with the belief that turning our most challenged schools around will require respect for children’s dignity, meaning schools will not exclude, get rid of, or criminalize them for misbehavior or underachievement. Dignity, quality education, and participation in our schools are human rights, and as such they cannot exist one without the other. Our children who need more support have become highly expendable. If the policies and practices of every school were geared to fulfill their human rights, our children would not be excluded, tracked, and pushed out.

This report is a deliberate step in the direction of ensuring dignity, quality education, and equal participation in schools, written by a team of partners focused on this end goal. We continue to re-frame the student dropout crisis as a student “pushout” crisis that deepens community poverty and raises the likelihood for eventual incarceration. We zero in on and examine a set of outcomes that often serve to predict and indicate pushout—rates of suspension, involuntary transfer, and expulsion.

We analyze, through written records, individual school case studies, discipline data, and parent and student surveys, the extent to which the Los Angeles Unified School District (hereafter referred to as “LAUSD” or “the District”) has taken advantage of its own decision in 2007 to adopt and implement its much-needed proactive student discipline policy and program in LA schools called “School-Wide Positive Behavior Support” (hereafter referred to as “SWPBS” or “SWPBS Policy”). This report is specifically concerned with the extent of SWPBS implementation in South LA, a major geographic region within LAUSD’s Local District 7, as measured by LAUSD’s self-created goals and the standards that experts agree are fundamental to successful implementation.

Our data show lackluster implementation in many schools coupled with, among other things, continued unacceptably high and disproportionate disciplinary rates for African American students. In response, we offer strong, clear-cut recommendations to LAUSD for marked improvement in its implementation going forward. We call on LAUSD, LAUSD's Local District 7, and the South LA community to boldly lead the nation in reducing student pushout and fulfilling our children's human rights.

Methodology

This report represents the unique coming together of different voices, perspectives, and experiences: organized South LA parents, parent organizers, attorneys, advocates, and researchers. An independent, grassroots, policy monitoring campaign led by parent leaders conducting participatory action research, together with the partnership of attorneys and researchers, brought about the in-depth and multi-dimensional analysis and recommendations contained in this report. We have co-created and shaped this document to be as comprehensive and concrete as possible. In the spirit of equal and authentic partnership, we collectively stand behind its content and wherever appropriate, we allow our distinct voices and perspectives to genuinely come forward and stand on their own.

In order to determine whether the District is complying with the requirement to implement the SWPBS Policy in all LA schools, we focused on one particular area—Local District 7 (LD7)[†]—which serves a large portion of South LA and is the local district most highly impacted by low graduation rates and punitive school discipline. Our report analyzes the following data and investigatory efforts:

- 2005-2009 Local District 7 discipline data provided by LAUSD, focusing on whether schools within LD7 have in fact reduced their use of punitive and exclusionary discipline since the adoption of SWPBS.
- Survey data collected by “parent monitoring teams” formed by CADRE in both winter 2009 and spring 2010. These teams collected 386 parent surveys door-to-door and in front of schools, and completed seven classroom observations, representing a total of 20 schools in LD7 and approximately 20 different neighborhood blocks, respectively. Students from Community Coalition's South Central Youth Empowered through Action (SCYEA) assisted CADRE's efforts by collecting 404 surveys from Local District 7 high schools in spring 2010.
- Review of implementation documents provided to us after multiple requests to LAUSD using the California Public Records Act, asking that each K-12 school within LD7 submit to us all records evidencing their efforts at implementing the mandatory SWPBS Policy. All of the records received from all K-12 schools were reviewed and assessed based on a rubric comprised of items designed to measure compliance with District policy requirements and expectations.
- Interviews and focus groups at one elementary and one middle school in LD7 chosen based on exemplary rubric scores and low disciplinary rates to highlight promising practices.

All of these sources of information combined with joint analysis by all partners led to the specific recommendations in this report.

[†]Locke High School is not included in this report because as of 2008, it is a charter school and is not following LAUSD's SWPBS Policy.



Significant research has consistently shown that low-income students and students of color are disproportionately targeted for suspension.

School-Wide Positive Behavior Support: Why its adoption as policy is critically important for South LA schools

The pushout crisis in America's schools and the high cost of punitive discipline

Fewer than seven out of every ten students graduate from high school nationwide,² with approximately 1.3 million youth leaving high school each year.³ The graduation rate for students of color is even lower—barely half of all African American, Latino, and Native American students graduate on average annually.⁴ This has been no less true for LAUSD, which has had one of the highest dropout (or “pushout”) rates in the country; at its worst, half of all students who started high school in LAUSD failed to graduate. With evidence showing that children who do not graduate from high school “lead much harder lives, earn far less money, demand vastly more public assistance than their peers who graduate,”⁶ and are three times more likely than graduates to be incarcerated during their lives,⁷ the crisis signal is more than clear.

At the same time, current disciplinary rates are the highest in our nation's history, and have more than doubled over the past three decades.⁸ Suspension is among the most widely used of disciplinary responses, and it is not necessarily reserved only for the most serious misbehavior.⁹ At the end of 2005-2006, just prior to its adoption of SWPBS, LAUSD as a whole had recorded 72,868 suspensions.¹⁰ Research has indicated that severe discipline policies actually exacerbate behavioral problems and even that “suspension functions as a reinforcer...rather than as a punisher.”¹¹ Schools using punitive discipline policies also tend to have poorer educational outcomes,¹² even after adjusting for demographic differences.¹³ If the underlying cause of a student's troubled behavior is not addressed, such students are more likely than other students to be “pushed out” of school and ultimately find themselves in the juvenile delinquency or adult criminal justice systems.

Significant research has consistently shown that low-income students and students of color are disproportionately targeted for suspension, that they often receive more severe and punitive consequences for less severe offenses,¹⁴ and that their punishments tend to be delivered in a more unprofessional manner than punishment of high-income or white students.¹⁵ The continuing trend of LAUSD African American students being suspended at two or more times their proportion of the student body District-wide¹⁶ indicates the need to examine the pushout crisis, and the implementation of policies like SWPBS, as urgent legal and human rights obligations.

Meeting our legal obligations and human rights standards

In California, education is a fundamental right “at the core of our free and representative form of government”¹⁷ and “necessary for full participation in the ‘uninhibited, robust, and wide-open’ debate that is central to our democracy.”¹⁸ The international Convention on the Rights of the Child—the most widely ratified human rights treaty in the world—requires schools to provide an environment where children feel safe and supported, and are able to learn regardless of race, class, age, language, or other factors.

The excessively punitive disciplinary policies that give rise to the “school-to-prison” pipeline are unlawful because they effectively force students out of school. There is no legitimate interest in employing a zero-tolerance or punitive disciplinary system, where research shows that such policies serve no educational goals: they are ineffective at reducing student misbehavior, do not make schools safer or more welcoming, and fail to improve academic achievement.¹⁹ As such, when LAUSD permits or encourages schools to use exclusionary disciplinary measures with frequency and for all but the most egregious of misbehavior, students are deprived of their fundamental right to an education under the California Constitution.²⁰

The Equal Protection Clause of the Fourteenth Amendment²¹ and Title VI to the Civil Rights Act of 1964²² prohibit discrimination on the basis of race, color, or national origin. The California Education Code and other statutes prohibit discrimination in state-financed programs and also provide that “schools have an affirmative obligation to combat racism, sexism, and other forms of bias, and a responsibility to provide equal educational opportunity.”²³ The International Convention on the Elimination of All Forms of Racial Discrimination also prohibits discrimination, providing that states shall “undertake to prohibit and eliminate racial discrimination in all its forms and to guarantee the right of everyone...in the enjoyment of...the right to education and training.” The gross disparities apparent in the past and current application of suspension to African American students and students with disabilities by LAUSD make clear that, absent an effective SWPBS policy, the District employs practices that are inconsistent with federal, human rights, and state mandates.

What is School-Wide Positive Behavior Support (SWPBS)?

In this context, SWPBS can be viewed as a concrete remedy. As an evidence-based approach to improving student behavior and learning outcomes, one that relies on the consistent teaching and reinforcement of appropriate behavior and discourages reliance on punitive discipline, SWPBS provides the first system-wide framework for reversing the disturbing trends above if implemented in full faith. Instead of traditional behavioral theory that views misbehavior as the result of a troubled student, SWPBS looks to remove the environmental factors that trigger misbehavior and to substitute them with a structure that facilitates and encourages appropriate conduct.²⁴ For the African American and Latino parents in CADRE, SWPBS means a move away from the often reactionary responses to their children, based on rash judgment and stereotypes about their behavior, towards a more humanizing and inclusionary way to help identify and address underlying issues related to their children’s specific behavior in school settings.

The key features of a successful SWPBS system include:

- *Team-based implementation and administrative support.*²⁵
- *Parent and community collaboration and involvement.*²⁶
- *Clear behavioral expectations that are taught and reinforced.*²⁷
- *Use of alternatives to suspension or class removal.*²⁸
- *A consistent discipline policy & intensive interventions for high-risk students.*²⁹
- *Data-based decision-making.*³⁰

LAUSD’s adoption of SWPBS in 2007 —Policy Bulletin 3638.0

Policy Bulletin 3638.0, titled “Discipline Foundation Policy: School-Wide Positive Behavior Support” lays the groundwork for implementing SWPBS in LAUSD schools and serves as the framework within which all District SWPBS practices must be applied. Local districts and schools were offered training throughout the 2007-2008 year, and at this time, each school within LAUSD is expected to have in place a SWPBS and discipline plan consistent with the policy’s requirements, which include each of the aforementioned key features of a successful SWPBS system.

Findings

I. Evidence of a Continuing Trend: Racial Disproportionality in Local District 7 Student Discipline

The data presented in this section is based on the aggregated number of disciplinary actions employed during the 2005-2006, 2006-2007, 2007-2008, and 2008-2009 academic school-years for all K-12 LD7 schools that submitted evidence of SWPBS policy implementation. Data was obtained directly from the LAUSD through Public Records Act requests but, to supplement our analysis, we added enrollment data from the California Department of Education Dataquest system. The table that follows show how the use of suspensions in particular impact students within specific demographic groups, and how the frequency of their use has changed over the past four years.[†]

The Bad News

At a disturbing rate, African American students in LD7 continue to be disproportionately impacted by suspensions.

- In 2007-2008, over 45% of LD7 suspensions were to African American students; in 2008-2009, that percentage rose to over 47%. In both instances these percentages were twice the proportion of African American students in LD7 schools.
- In 2007-2008, African American students were more than twice as likely to be suspended compared to other ethnic groups.[‡] In 2008-2009, they were over three times more likely, with the exception of Pacific Islanders.

Percent of Suspension by Race/Ethnicity and Percent of Each Group Suspended – LD7 K-12 Schools*

		African American	American Indian, Native Alaskan	Asian	Filipino	Latino	Pacific Islander	White
2005-2006**	% of Population	21.5%	0.2%	0.3%	0.1%	77.7%	0.0%	0.3%
	% of Suspensions	47.3%	0.1%	0.1%	0.0%	52.2%	0.1%	0.2%
	% of Students Suspended	23.1%	8.8%	2.1%	0.0%	7.1%	12.9%	8.4%
2006-2007	% of Population	20.8%	0.2%	0.3%	0.1%	78.1%	0.0%	0.3%
	% of Suspensions	46.3%	0.1%	0.1%	0.0%	53.2%	0.0%	0.3%
	% of Students Suspended	25.1%	7.0%	2.2%	4.5%	7.7%	10.7%	12.0%
2007-2008	% of Population	19.8%	0.2%	0.3%	0.1%	78.9%	0.0%	0.5%
	% of Suspensions	45.3%	0.0%	0.1%	0.0%	54.2%	0.0%	0.2%
	% of Students Suspended	24.1%	2.7%	3.5%	5.1%	7.2%	9.1%	5.0%
2008-2009	% of Population	18.9%	0.2%	0.3%	0.1%	79.5%	0.1%	0.5%
	% of Suspensions	47.1%	0.1%	0.1%	0.0%	52.4%	0.1%	0.2%
	% of Students Suspended	22.6%	5.8%	4.0%	0.0%	6.0%	14.3%	3.2%

Discipline data was directly obtained from the District and enrollment data taken from the California Department of Education (Dataquest, 2010).

*Does not include Early Education Centers, which are not K-12 schools. **West Adams Prep and Jordan New Tech HS are not included.

[†] For additional data regarding opportunity transfers and expulsions, please see the full-length report.

[‡] It should be noted that the statistics in the following table allow us to make between group comparisons because they account for the proportions of each group.

The Good News

- Suspensions, expulsions, and opportunity transfers have decreased over the past 4 years across LD7 K-12 schools, especially during the two years since SWPBS was first implemented.

Discipline Actions and Discipline Action Proportions by Year for LD7 K-12 Schools*

Academic Year	2005-2006**	2006-2007	Change	2007-2008	Change	2008-2009	Change
Total Enrollment	71,776	68,671	-4.3%	67,652	-1.5%	65,998	-2.4%
Total Suspensions	7,537	7,677	1.9%	6,952	-9.4%	5,877	-15.5%
Rate of Suspensions (Suspensions/Enrollment)	10.5%	11.2%	6.5%	10.3%	-8.1%	8.9%	-13.3%
Total Expulsions	54	73	35.2%	67	-8.2%	29	-56.7%
Rate of Expulsions (Expulsions/Enrollment)	0.1%	0.1%	41.3%	0.1%	-6.8%	0.0%	-55.6%
Total Opportunity Transfers (OTs)	725	575	-20.7%	518	-9.9%	345	-33.4%
Rate of Opportunity Transfers (OTs/Enrollment)	1.0%	0.8%	-17.1%	0.8%	-8.6%	0.5%	-31.7%

Data was obtained directly from the District. *Does not include Early Education Centers, which are not K-12 schools. **Does not include West Adams Prep or Jordan New Tech HS.

II. Evidence of Missed Opportunities: Lack of Parent Involvement and Engagement in SWPBS Implementation

We believe even more so that with the potential of SWPBS to make a dramatic difference in LD7 schools, parent engagement is the easiest way to turn back the tide of pushout in South LA. Too often in schools serving students of color and low-income students, parents are seen as part of the problem in education.

CADRE parent survey results key themes and findings

- **Parents are *most often* not seen as assets.** 49% of parents surveyed had no knowledge of LAUSD’s discipline policy, and 45% of parents had never been offered training on how to be a part of shaping the discipline practices at their child’s school.
- **Schools continue to unacceptably miss engaging parents at critical moments.** 38% of parents were not given “early warnings” by school staff at the first signs of misbehavior by their child. 50% were not asked for their input on the best ways to help their child learn appropriate behavior all or most of the time.

Question						
1. I have been introduced to LAUSD new discipline policy (also known as School Wide Positive Behavior Support) N=263	Yes 51%	No 49%				
2. I have seen the District-wide Code of Conduct (Culture of Discipline) N=263	Yes 51%	No 49%	No Response 1%			
3. I am offered training from my child’s school on how to be a part of shaping discipline practices at my child’s school. N=263	Strongly Disagree 15%	Disagree 13%	Never 17%	Agree 46%	Strongly Agree 9%	
4. I am given “early warnings” by school staff or faculty at the first signs of misbehavior from my child. N=386	Most of the Time 56%	Sometimes 23%	Never 15%	Not Sure 3%	Decline to State 1%	No Response 1%
5. I am asked for my input on the best ways to help my child learn appropriate behavior. N=386	Most of the Time 45%	Sometimes 30%	Never 20%	Not Sure 3%	Decline to State 1%	No Response 1%

CADRE parents are motivated to demand greater engagement in SWPBS implementation because over 400 student surveys in LD7 high schools show that **positive adult support or inclusion of students in decisions affecting their education is sorely lacking.** Only:

- 21% of students said that the faculty and staff at their school most of the time model in a positive manner what it means to behave.
- 31% of students said they were encouraged to have a positive attitude towards their schoolwork and behavior.
- 15% said they were never encouraged to do so.
- 52% of the students surveyed said they felt like they were never part of the decision making process at their schools.

N=404	Most of the Time	Sometimes	Never	Don't Know	Decline to State or Does Not Apply
1. The faculty and staff at my school teach and model for me, what it means, to act and behave in a positive manner.	21%	54%	15%	8%	1%
2. I am encouraged by my teachers to have a positive attitude towards my schoolwork and behavior at school.	31%	46%	15%	6%	1%
3. I feel like I am a part of the decision-making process at my campus.	6%	25%	52%	13%	3%

The Implications

We cannot end pushout without dignity and respect for parents and students. We need to re-define what “dignity and respect” look like in South LA schools. South LA parents have not been included in one of the most basic and fundamental aspects of the school environment—how schools discipline their children. CADRE parents feel that LAUSD is not respecting our expertise, life experiences, and input. The systemic patterns of not treating parents and students with dignity and respect are connected to pushout, low education rates, high unemployment rates, high incarceration rates, and even the devaluing of the very neighborhoods where our families live. CADRE parents define dignity based on how we are treated at the schoolhouse door all the way to how our involvement in our child’s school impacts not only our student, but every other student in that school.

III. Evidence of Serious Noncompliance: Extremely Low Levels of SWPBS Implementation in South LA

SWPBS implementation in Local District 7: Key Findings

Schools were evaluated on how well they completed 28 policy-related tasks within the five overarching categories necessary for SWPBS implementation. In the 2007-2008 school year, all schools were required to implement the policy. As is evident from the data below, implementation is lacking in all five major categories:^{*}

Category 1 – Team-based implementation and administrative leadership and support. This category evaluates whether schools have formed the committee to guide the school’s implementation efforts and ensure the active participation and leadership of school administrators.

- School records from Local District 7 reflect that only 62% of schools had an SWPBS implementation team in place by spring 2010.
- Schools performed most poorly in the area of training and professional development for school staff.

Category 2 – Parent and community collaboration. One of the most pivotal, this category measures whether schools have effectively involved parents in SWPBS implementation, a fundamental component to school-wide change, as will be described in our case study findings.

- The Parent and Community Collaboration data demonstrate that the majority of LD7 schools have done little or no outreach to parents to seek their genuine involvement in SWPBS implementation.

^{*}To see tables for all five categories, please see the full-length report.

Parent and Community Collaboration

Rubric Item #	Rubric Description	% of Schools in Compliance in 2007-2008	% of Schools in Compliance in 2008-2009, 2009-2010
11	Evidence that the SWPBS team includes a parent.	17.5%	15.9%
12	Evidence that parents have been informed of behavior expectations and have been told to review the rules with their children and reinforce positive behavior.	12.7%	44.4%
13	Evidence that parents have received SWPBS training.	7.9%	9.5%
14	Evidence that SWPBS and/or discipline data is addressed at parent meetings or in school newsletters.	1.6%	14.3%
15	Evidence that parents received an invitation to participate in the School-Wide Positive Behavior Support Team.	3.2%	6.3%

Category 3 – Behavior expectations defined and taught. LD7 schools showed the strongest level of implementation in this category, which measures whether schools are identifying and clearly defining the behavior that they expect from students.

- Most schools (86%) have developed guiding principles for the school, and 79% have defined behavioral expectations for common areas. This is almost triple the number of schools with these items in place during the first year of implementation, reflecting that schools have been making excellent progress in this category.

Category 4 – Evidence of SWPBS in action. This category measures whether schools have implemented the multiple levels of support that form the systematic approach of the SWPBS discipline policy.

- The rubric data shows poor implementation of “SWPBS in Action” during the initial year of implementation, and only a modest improvement in more recent years. While 73% of schools show evidence of a rewards system for good behavior, less than half the schools have a three-tiered system of non-exclusionary and appropriate interventions in place for higher-risk students, which is a major concern.

Category 5 - Data-based decision-making. This category measures whether schools are collecting discipline data and using that data to inform their disciplinary practices, which is critical to SWPBS’ potential to transform schools.

- Across category items and years in compliance, the figures show that schools in LD7 have done an abysmal job of collecting and utilizing disciplinary data to inform their interventions and practices.

Data-Based Decision Making

Rubric Item #	Rubric Description	% of Schools in Compliance in 2007-2008	% of Schools in Compliance in 2008-2009, 2009-2010
25	Evidence that office referral data is collected and reviewed regularly in order to improve school practices and reduce referrals.	15.9%	23.8%
26	Evidence that suspension, expulsion, and opportunity transfer data is collected and reviewed regularly in order to improve school practices and reduce exclusionary discipline.	14.3%	15.9%
27	Evidence that data is summarized and shared regularly with staff in order to improve school practices and reduce exclusionary discipline.	4.8%	9.5%
28	Evidence that data is used to guide decisions by SWPBS team about interventions and effectiveness.	6.3%	11.1%

Zero schools by rubric category

Of equal concern is the percentage of schools that showed absolutely no evidence of implementation in any of the five categories, which indicates the need for immediate attention by LAUSD and LD7:

Number of LD7 Schools with Zero Points for Compliance by Rubric Category

Category	# of Schools with 0 Points for Compliance in 2007-2008	% of Schools with 0 Points for Compliance in 2007-2008	# of Schools with 0 Points for Compliance in 2008-2009, 2009-2010	% of Schools with 0 Points for Compliance in 2008-2009, 2009-2010
Team-Based Implementation and Administrative Leadership/Support	29	46.8%	10	16.1%
Parent and Community Collaboration	44	71.0%	22	35.5%
Behavior Expectations Defined and Taught	37	59.7%	4	6.5%
Evidence of SWPBS in Action	42	67.7%	9	14.5%
Data-Based Decision Making	48	77.4%	41	66.1%

Levels of implementation across Local District 7

The following table summarizes the numbers and types of schools at each SWPBS implementation level.

SWPBS Implementation Levels for Local District 7 Schools 2008-2009 and 2009-2010

# of Schools	Breakdown of School Types	Implementation Level and Explanation
1	High School (New)	<i>No Implementation</i> – Total rubric score equals zero. The school has done absolutely nothing to implement the SWPBS policy. The inaction of this school in implementing SWPBS is an immediate concern for students, parents, and the District.
8	1 Early Education Center (EEC), 3 Elementary, 1 Middle, 3 High (1 Continuation)	<i>Very Limited Implementation</i> – Total rubric score equals 1% to 19% of the total points possible. The school has made little or no effort to implement the SWPBS Policy. It may have implemented a few basic aspects of the policy but nothing that would be considered even minimally adequate.
25	1 EEC, 19 Elementary, 2 Middle, 3 High (1 Alternative)	<i>Limited Implementation</i> – Total rubric score equals 20% to 39% of the total points possible. The school has implemented only a few basic aspects of SWPBS and has generally done very little.
22	17 Elementary, 1 Middle, 1 K-8, 2 High (1 Continuation)	<i>Partial Implementation</i> – Total rubric score equals 40% to 59% of the total points possible. The school may be implementing some aspects of the discipline policy but there are areas of concern that require remedial action.
6	3 Elementary, 1 K-12 Learning Center, 1 Middle, 1 High	<i>Substantial Implementation</i> – Total rubric score equals 60% to 79% of the total points possible. The school is adequately implementing the policy overall but there are areas that require immediate attention.
0	Not applicable	<i>Full Implementation</i> – Total rubric score equals 80% to 100% of the total points possible. The school is diligently implementing the SWPBS policy in compliance with all or a majority of the discipline policy requirements.

CADRE parents' responses to assessment of LD7 implementation

After reviewing the rubric data, CADRE parents' principal concerns were:

- **The breakdown in SWPBS implementation in LD 7 schools.**

Parents were left wondering how things can get turned around if not all the schools can show evidence of having a team in place with the responsibility of putting SWPBS into action.

- **Exclusion of LD7 parents.**

The District cannot expect parents to support them in teaching and modeling positive behavior expectations to their children if they are not being valued enough to be included in training, planning, decision-making, and reviewing data. While 44% of schools have at least informed parents of SWPBS, the highest compliance in Category 5, this is still less than half of all schools in LD7.

- **Behavior expectations inconsistently taught and modeled.**

Even with this being the easiest aspect of SWPBS to do, all schools in LD7 still did not do this well, leaving thousands of students out of benefiting from a common message and understanding.

- **Exclusionary, punitive discipline practices are still going unchecked in most schools.**

Youth continue to be disciplined in ways that are not known or monitored by their administration or other staff, leading to the pushout crisis that continues in South LA.

- **Schools basing their discipline decisions not on data but rather on perceptions.**

Without data and data collection, parents have no way of knowing what prevention/intervention methods schools are using and what steps are taken to avoid suspending a student.

The Implications – suspension rates and implementation levels

- A number of schools in LD7 have unacceptably high suspension rates and the 10 schools with the highest percentages of suspension by enrollment also show low levels of SWPBS implementation.

While overall exclusionary discipline actions have decreased, a number of schools in Local District 7 still have extremely high percentages of suspensions (and other disciplinary exclusions) in relation to the overall student body. All but one of the Top 10 worst suspenders for 2008-2009 – those with the highest percentage of suspension by their total enrollment—had low overall rubric scores for their SWPBS implementation through 2009-2010. It is unacceptable that Markham Middle School in 2008-2009 had a suspension rate of 62% (number of suspensions divided by number of students). With an SWPBS rubric score of 3 out of 28, it is not entirely surprising that 935 suspensions were given out to students.

Schools with Highest Percent of Suspension by Total Enrollment and Rubric Scores for 2008-2009 and 2009-2010

School Name	Type	2008-2009 Total Enrollment	2008-2009 Total Suspensions	2008-2009 Suspension %	2008-2010 Rubric Score (Out of 28)
Markham	Middle	1505	935	62.1%	3
Gompers	Middle	1623	912	56.2%	3
Charles Drew	Middle	2198	572	26.0%	7
Jordan New Tech	High	243	54	22.2%	0
Manual Arts	High	3618	647	17.9%	4
Jordan	High	1711	285	16.7%	5
Foshay Learning Center	K-12	3240	491	15.2%	17

The school doesn't do any extreme things with suspensions. There is always an agreement [or plan created] between the parent and the teacher, and they try to solve problems in the classroom.

– Loren Miller ES parent

Data creates buy-in because you can see the results, the actual improvement, of your work.

– Edison MS Principal

IV. Evidence of Promise: Observations from Two Exemplary South LA Schools

In this section, we highlight the successful practices of two Local District 7 schools, Loren Miller Elementary School and Edison Middle School, chosen because of their low or declining disciplinary rates and their high scores in a number of key areas of SWPBS implementation. At both schools, administrators were key drivers of implementation efforts. The purpose of these case studies is to share emergent themes, help spread best practices, and show how two schools serving different populations have tailored their SWPBS efforts to meet the needs of their students.

Emergent themes of effective SWPBS implementation from case study visits

The themes that follow reflect lessons learned across both schools, and serve to remind us how SWPBS implementation can catalyze whole school change. The administration, teachers, and parents at both Loren Miller and Edison all agreed that the implementation of a SWPBS policy has transformed and changed the culture of the school, raised academic scores, and resulted in more children in the class learning and receiving consistent instruction.

Case study highlights

Meaningful parent partnerships

- The Principal and administration at Loren Miller, citing the substantial research showing that schools succeed when parents are actively involved, unequivocally believe that parents are a critical part of the school's effectiveness and success. Several elements of their successful parent partnerships are:

1) respect of parents and for parent input; 2) collaboration; and 3) ongoing and consistent mutual dialogue. Parents are also involved in the disciplinary process at school and are contacted as soon as problems arise to create team solutions.

Data-driven decision-making

- Loren Miller began collecting and analyzing discipline data in 2004, three years before the District required it, because of concerns about academic performance and discipline problems. Disaggregated racial data was presented to the staff and they were particularly concerned about the high number of referrals for African American and Latino boys. Based on this initial look at the data, the school established its SWPBS policy and procedures. The Principal believes that data helps the school put in place systems that will survive turnover or change and that it allows the school to consistently make improvements and provide necessary training to staff.

Strong leadership

- Prior to the arrival of the new administration in 2005, Edison teachers felt that clear protocols and disciplinary rules were not in place and the school felt out of control. In 2005, the Principal sent a school team to the District's BEST training (SWPBS training that pre-dated the policy and was provided through a grant the District received) and the school went to work at implementing SWPBS.

Clear expectations and consistency in implementation

- Every school staff member interviewed at Loren Miller agreed that one of the most effective aspects of the school's SWPBS program is that the school uses only four simple behavior expectations. According to school staff, this simplicity makes the expectations more effective because every student of every grade level can remember and understand them.
- Edison staff, parents, and students alike all shared that clear expectations were foundational to SWPBS implementation and creating a positive school environment. All commented that a focus on five foundational rules has changed the way staff and students engage about expectations.

Consistent school-wide training

- Training for each and every school participant—administrators, teachers, counselors, students, and parents—has been an important aspect of SWPBS implementation at Loren Miller. The SWPBS policy is also incorporated into ongoing professional development and staff meetings, and it has been embedded in the Safe School Plan.
- The many training opportunities that have been created for Edison staff flow directly from the strong leadership of the administration. Edison's Principal has taken full advantage of the trainings offered by the District and has offered staff repeat opportunities to reinforce tools to implement SWPBS.

Systems approach transforms school culture

- Edison staff has understood SWPBS as a systems approach to transform school culture. Most striking in Edison staff comments was how clearly SWPBS and the administrative leadership to implement it had changed the culture of their school, going from a chaotic environment where students were largely out of control and then excluded from class, to one where students are invested members of the school community.

The successful strategies for SWPBS implementation at Loren Miller Elementary and Edison Middle highlight the indispensable features of strong SWPBS implementation. Transformation of school culture must begin with administrative leadership, but it will not go far without parent involvement and teacher buy-in and support. Data-based decision-making and clear behavioral expectations are the backbones of SWPBS, and ongoing and consistent training is necessary for long-term success. Finally, a systems approach ensures consistent and thorough implementation, which will result in a positive transformation of school culture, improved academic performance, and reduced disciplinary problems, as it has at both schools.

Responding with Urgency

Top 4 Priorities and 12 Recommendations

LAUSD cannot wait any longer to fully enforce implementation of its SWPBS policy in all of its schools, and students and parents cannot afford to accept any obstacles or excuses to SWPBS becoming the standard operating procedure. This is especially true in South Los Angeles centered Local District 7, where discipline rates for African American students have stayed static for the last four years and despite the efforts to implement SWPBS, African American students are still suspended three times more often than their counterparts from other racial and ethnic groups. Notwithstanding the progress that LAUSD and LD7 have made, such an extreme disparity for African American students signals a crisis in the culture of our schools that affects *all* children, and to which we must respond immediately.

We demand that the District act with speed and with intention to turn the tide. We believe that the following recommendations, if implemented quickly and with haste, can make that happen. Recent budget woes are no excuse, particularly given the successes at Loren Miller and Edison, who implemented the policy effectively without new funding or resources. Our collective response to the extremely disappointing levels of implementation in Local District 7 is reflected in the following four priorities and twelve recommendations, each with concrete examples of what it would mean to fulfill them:

Priority 1. Cultivate Leadership, Provide Training, Build Buy-In, and Increase Participation

LAUSD needs to obtain the buy-in of other key players in the implementation process.

Recommendation 1. Require Local Districts to take a leadership and support role

- Each Local District shall develop a plan each year for how they are going to support and further the SWPBS efforts of the schools within their regions.

Recommendation 2. Ensure all school stakeholders are equipped to incorporate SWPBS into school culture

- Through a standardized curriculum and continuous training, the District and Local Districts shall repeatedly educate and engage parents, teachers, support staff, and administrators about the three-tiered approach and data-based decision-making in SWPBS and its proven benefits, including better academic performance, decreased classroom disruptions, and a healthier and safer school environment.
- The District shall develop a set of teaching plans or curriculum that makes it easier for teachers to incorporate SWPBS and behavioral expectations into classroom instruction.

Recommendation 3. Teach dignity and respect in the classroom and build relationships with students and community

Priority 2. Define Expectations

LAUSD must first ensure that it has positioned all schools to be successful at implementing SWPBS.

Recommendation 4. Clear requirements, timelines, benchmarks, and expected outcomes must be developed and put in one District-Wide policy manual

- All schools shall receive, and be oriented to, a policy implementation manual with clear instructions consistent with the SWPBS policy, and with measurable outcomes, benchmarks, and deadlines that schools are expected and supported to meet in order to fully implement the five main components of SWPBS.

Recommendation 5. Make expectations about data collection clear and defined

- Schools shall collect, analyze, and publicly report on a monthly basis, the following data:
Number of office referrals, in-school suspensions, out-of-school suspensions, opportunity transfers, and expulsions:
 - Disaggregated by students' demographic information, including age, grade, gender, race/ethnicity, eligibility for reduced meals, disability status, and English language learners; and
 - Including the reasons for each disciplinary measure, length of each measure, previous steps taken before resorting to exclusionary punishment, type, if any, of alternative instruction received by students while out of school, and due process protections given to students and parents
- Schools shall be provided with and use a standard, ready-made program for discipline and SWPBS data collection, such as the "School-Wide Information System" to collect, track, and report discipline information.
- Schools shall be provided with and use a standard office referral sheet created by a team of parents, teachers, and administrators and used by all schools to keep more accurate track of behavior and discipline incidents and responses.

Priority 3. Be Accountable

The complete lack of accountability mechanisms or measures to ensure SWPBS and remedy any gaps in implementation must be concretely addressed, especially in light of the ongoing disproportion of African American students being suspended and the startling continued inattention to fulfilling the legal and human rights obligations to serve the interests of all children.

Recommendation 6. Set measurable outcomes and benchmarks

- The District shall publicly set and commit to measurable outcomes and annual benchmarks for decreasing the number of students referred to the office, suspended, involuntarily transferred, or expelled from school, and report publicly on its progress on a regular basis.
- The District shall utilize the SWPBS Implementation Task Force called for in the policy to help establish these outcomes and benchmarks.
- Local District 7 shall use this report's findings to focus its implementation oversight in key categories and items, such as Parent and Community Collaboration and Evidence of SWPBS in Action.

Recommendation 7. Empower an independent auditor to monitor implementation and conduct audits and determine if outcomes and benchmarks are being met

- The existing independent auditor called for in the policy shall be given broad powers to monitor schools for their compliance with benchmarks and requirements and to conduct thorough investigations or audits into SWPBS implementation. The independent auditor shall be responsible and accountable to parents.

Recommendation 8. Implement a system of rewards and consequences for schools

- The District shall establish a clear and transparent system of rewards and consequences to ensure compliance and ongoing accountability at each and every school site.

Priority 4. Share Power with Parents

From the very beginning parents must be included in identifying issues and making decisions.

Recommendation 9. Share the first signs

- Schools shall contact parents at the first sign that something is wrong with a student's behavior so that there is an opportunity to take preventative measures rather than wait until an issue escalates into a major problem.

Recommendation 10. Share planning and decision-making

- Schools shall include parents on their SWPBS Implementation Teams and give them equal say in decision-making and planning related to SWPBS.

Recommendation 11. Create shared trainings

- The District and schools shall conduct SWPBS trainings jointly with administrators, teachers, and parents in the same room.

Recommendation 12. Enable parents to enforce accountability and transparency by schools

- Schools shall establish parent committees to observe discipline practices, especially in the classrooms, play areas, and cafeteria.
- Schools shall make disciplinary data, practices and procedures, and outcomes and benchmark data available on a monthly basis to parents and the community so they can also monitor implementation of SWPBS and do whatever necessary to hold LAUSD accountable.
- The District shall effectively inform parents of what schools are required to do according to SWPBS, and what parents should do if their schools are not following through.

Concluding Remarks: A Call to Action

Redefining Dignity in South Los Angeles Schools

We call upon Los Angeles Unified School District, its Board of Education, its principals and administrators, and its teachers and staff to take immediate steps to implement the recommendations in this report and enforce the SWPBS policy. The lack of implementation in the majority of Local District 7 schools is unacceptable. Any response that in these difficult times we cannot do more must be dismissed outright.

Schools like Loren Miller and Edison Middle are implementing SWPBS using creative and effective methods without additional resources or funding. These schools have transformed school culture, increased parent participation and involvement, lowered their exclusionary discipline rates and pushout, and provided more quality schooling for all of their students, all while using tools available to each and every school in this District.

In short, there is absolutely no excuse for the lack of implementation in Local District 7 that is evident from the data collected in this report.

We call upon the LAUSD School Board to immediately:

1. Hold a special session to review and adopt the recommendations in this report and require the District to put in place a plan of action and expedited timeline for implementation.
2. Require quarterly reports at the School Board meetings regarding implementation of the plan of action.

We call upon Superintendent Ramon Cortines to:

1. Immediately implement the recommendations in this report in full.
2. Hold a meeting with all of his Local District Superintendents and school principals to discuss the recommendations in this report and demand immediate accountability and implementation at schools throughout the District.
3. Require the SWPS Implementation Task Force to meet on a monthly basis with all stakeholders to carry out the recommendations in this report and to provide quarterly reports to the School Board and Superintendent regarding implementation.
4. Provide consistent and ongoing training to District and school-site administrations regarding SWPBS and this report's recommendations.

We call upon Local District Superintendents and school principals to:

1. Take immediate affirmative steps to implement the recommendations in this report and to bring their schools into compliance with the SWPBS policy.

We call upon the United Teachers of Los Angeles and its teachers to:

1. Demand that SWPBS be implemented in full at their school-sites.
2. Actively support the recommendations in this report.

- ¹ We received records from all LD7 Early Education Centers (EEC), but given our focus on K-12 schools, we only completed rubric reviews for two EECs.
- ² Advancement Project, *Test, Punish, and Push Out: How “Zero Tolerance” and High-Stakes Testing Funnel Youth Into the School-to-Prison Pipeline* at 8 (citing Education Week Research Center (2009) Ed Counts database. Retrieved July 4, 2009, from <http://www.edweek.org/rc/2007/06/07/edcounts.html>) (this represents the four-year graduation rate).
- ³ Alliance for Excellent Education, *The High Cost of High School Dropout* (2009).
- ⁴ *Id.*
- ⁵ Dan Losen and Johanna Wald, *Confronting the Graduation Rate Crisis in California*, The Harvard Civil Rights Project, March 2005. According to a study by Dr. Julie Mendoza of UC/ACCORD, as reported in *Confronting the Graduation Rate Crisis in California*, only 48% of minority students who enrolled in LAUSD schools in the Fall of 1998 successfully completed high school in LAUSD four years later. Among Latino students, this percentage was 41%. In subsequent years, the LAUSD has been reporting higher graduation rates, which were estimated to be 72.4% for the 2007-2008 school year. California Department of Education, Educational Demographics Office, “Graduation Rates Based on NCES Definition,” available at <http://data1.cde.ca.gov/dataquest/>. At any rate, minority students continue to make up the majority of students who do not complete school, and the current dropout figures are still unacceptably high.
- ⁶ Mitchell Landsberg, *The Vanishing Class: Back to Basics: Why does High School Fail So Many?* LA Times, January 29, 2006.
- ⁷ L. Lochner and E. Moretti, *The Effect of Education on Crime: Evidence from Prison Inmates, Arrests, and Self Reports*, 94 (1) Amer. Econ. Rev. 155-189 (2004). Freeman, R., *Why Do So Many Young American Men Commit Crimes and What Might We Do About It?* 10(1) J. of Econ. Perspectives 25-42 (1996).
- ⁸ See Advancement Project, *Test, Punish, and Push Out: How “Zero Tolerance” and High-Stakes Testing Funnel Youth Into the School-to-Prison Pipeline* (2010).
- ⁹ Russell J. Skiba, *Zero Tolerance, Zero Evidence: An Analysis of School Disciplinary Practice* 8 (2000).
- ¹⁰ Los Angeles Unified School District Profile, 2005-2006, available at www.lausd.net
- ¹¹ See, e.g., Skiba, *supra* note 9, at 13 (citing Bowditch, 1993, Costenader & Markson, 1994; Massachusetts Advocacy Center, 1986; Tobin *et al.*, 1996); The Advancement Project and The Civil Rights Project, *Opportunities Suspended: The Devastating Consequences of Zero Tolerance and School Discipline Policies* (2000).
- ¹² National Economic and Social Rights Initiative, *Unfair Punishment and Denial of Education Through Discipline*, Executive Summary (2007).
- ¹³ Skiba, R. & Rausch M., *Zero Tolerance, Suspension and Expulsion: Questions of Equity and Effectiveness*, in C.M. Everston & C.S. Weinstein (Eds.) *Handbook of Classroom Management: Research, Practices, and Contemporary Issues* (2005).
- ¹⁴ *Id.* (citing McFadden *et al.*, 1992; Shaw & Braden, 1992).
- ¹⁵ Skiba, *supra* note 9, at 11 (citing Brantlinger, 1991; Skiba *et al.*, 1997; Wu *et al.*, 1982).
- ¹⁶ Los Angeles Unified School District Profile, 2005-2006, available at www.lausd.net
- ¹⁷ *Serrano v. Priest*, 18 Cal. 3d 728, 767-768 (1976) (*Serrano II*).
- ¹⁸ *Hartzell v. Connell*, 35 Cal. 3d 899, 908 (1984).
- ¹⁹ See, e.g., Russell Skiba, *et al.*, *Are Zero Tolerance Policies Effective in the Schools? A Report by the American Psychological Association Task Force* (2006); Skiba, R. & Rausch M., *Zero Tolerance, Suspension and Expulsion: Questions of Equity and Effectiveness*, in C.M. Everston & C.S. Weinstein (Eds.) *Handbook of Classroom Management: Research, Practices, and Contemporary Issues* (2005); Russell J. Skiba, *Zero Tolerance, Zero Evidence: An Analysis of School Disciplinary Practice* (2000).
- ²⁰ *Serrano II*, 18 Cal. 3d at 760-768.
- ²¹ The Equal Protection Clause states, in relevant part, that “[n]o State shall...deny to any person within its jurisdiction the equal protection of the laws.” U.S. Const. amend XIV, § 1.
- ²² Title VI of the Civil Rights Act of 1964 provides, in relevant part, that “[n]o person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance.” 42 U.S.C. § 2000(d).
- ²³ Cal. Ed. Code § 200 (emphasis added). Section 220 provides that “[n]o person shall be subjected to discrimination on the basis of disability, gender, nationality, race or ethnicity, religion, sexual orientation...in any program or activity conducted by an educational institution that receives” funding from the state.
- ²⁴ Wayne Sailor *et al.*, *Handbook of Positive Behavior Support* (Issues in Clinical Child Psychology) 4 (2008).
- ²⁵ Geoff T. Colvin, *Seven Steps for Developing a Proactive Schoolwide Discipline Plan: A Guide for Principals and Leadership Teams* 15-38 (2007); Sailor *et al.*, *supra* note 24, at 5; Linda M. Bambara, Ph.D. & Lee Kern, Ph.D., *Individualized Supports for Students with Problem Behaviors* 77, 99 (2005);
- ²⁶ See, e.g., Sailor *et al.*, *supra* note 24, at 353-374; Bambara & Kern, *supra* note 25 at 339 Melissa Stormont *et al.*, *Implementing Positive Behavior Support Systems in Early Childhood and Elementary Settings* 6, 49, 52 (2007).
- ²⁷ See, e.g., Geoff T. Colvin, *Seven Steps for Developing a Proactive Schoolwide Discipline Plan: A Guide for Principals and Leadership Teams* 51-62 (2007); Sailor *et al.*, *supra* note 24 at 4; Bambara & Kern, *supra* note 25 367-372, 377.
- ²⁸ See, e.g., Bambara & Kern, *supra* note 26 at 275-302, 360-361; Stormont *et al.*, *supra* note 26, at 2-3.
- ²⁹ See, e.g., Linda M. Bambara & Timothy P. Knoster, *Designing Positive Behavior Support Plans* 7 (2d ed. 2009); Sailor *et al.*, *supra* note 24 at 375-420; Bambara & Kern, *supra* note 25 at 362-365.
- ³⁰ See, e.g., Colvin, *supra* note 27, at 77-92; Bambara & Knoster, *supra* note 29 at 5-6; Stormont *et al.*, *supra* note 26 at 95-108; Sailor *et al.*, *supra* note 24 at 551-580; Bambara & Kern, *supra* note 25 at 366, 373-374.
- ³¹ For the case studies we created a set of semi-structured interview questions regarding the main areas of the District’s SWPBS Policy and then met at each school with a focus group composed of stakeholders—teachers, parents, SWPBS implementation team members, and administrators. Our team spent four hours interviewing stakeholders at each school site during spring 2010 and reviewed additional information provided by the schools.

