

Los Angeles Board of Education Resolution on Reforming School Discipline
June 28, 2012

Ms. Martinez, Ms. Garcia, and Mr. Zimmer - Reforming School Disciplinary Policies: Restorative Justice and Equity for All Students (Noticed June 28, 2012)

Whereas, The Los Angeles Unified School District is fully committed to closing the achievement gap and to ensuring that all students receive a meaningful, robust and rigorous education and that all students have access to the resources they need to graduate college prepared and career ready;

Whereas, The District is currently working on creating and implementing strategies to establish positive behavior alternatives and interventions for all students rather than take an unnecessarily punitive approach that encroaches on instructional time for students;

Whereas, California has extremely high reported rates for out-of-school suspensions and expulsions; in 2009-2010, approximately 21,000 students were expelled and more than 757,000 suspended and in 2010-2011, approximately 700,000 students were suspended;

Whereas, Suspensions are disproportionately impacting students of color; in California, according to data from the U.S. Department of Education, African-American students are 3.5 times more likely to be suspended than their Caucasian peers;

Whereas, In the District, the-out-of-school suspension rate for African-American students is nearly six times the rate for Caucasian students (17.3% vs. 2.9%) and 5.2% for Latino students;

Whereas, Most suspensions do not involve violence or drugs; in California and the District, it is estimated that more than forty percent of out-of-school suspensions are for acts characterized as "willful defiance;"

Whereas, Studies report that schools with high suspension rates tend to be inequitably resourced, have ineffective school governance, high student-teacher ratios, low academic performance data, administrative indifference to school climate, and/or reactive disciplinary programs;

Whereas, Decades of research confirms that suspensions consistently result in poor outcomes for students; research includes a comprehensive statewide study establishing that students who had been suspended even once were five times more likely to drop out and eleven times more likely to become entrenched in the criminal justice system;

Whereas, Students who are suspended are often students who are least likely to have supervision at home resulting in unsupervised suspensions and a much higher likelihood of injurious and/or delinquent behavior;

Whereas, Studies have also shown that suspensions do not regularly result in improved behavior or socialization and can often exacerbate behavioral problems;

Whereas, The American Psychiatric Association has found that there is little evidence that suspensions and expulsions benefit students or their communities, and that disciplinary exclusion policies can have harmful health impacts such as increasing student shame, alienation and rejection, as well as fracturing healthy adult bonds, thereby exacerbating negative mental health outcomes for young people;

Whereas, The American Academy of Pediatrics (AAP) has found that children most likely to be suspended or expelled are those most in need of adult supervision and professional help because they have witnessed or experienced violence/domestic violence and are likely to be experiencing major home life stressors and depression that may predispose them to antisocial behavior and even suicidal ideation;

Whereas, An increasing number of highly effective, free or low cost evidenced-based alternatives to harsh disciplinary policies and practices are available for schools in California and nationwide;

Whereas, The District passed the Discipline Foundation Policy in 2005, thereby becoming a national leader through the District-wide adoption of the proven, evidenced based whole-school alternative discipline strategy, positive behavior intervention and supports;

Whereas, When whole-school strategies, like positive behavior intervention and supports, restorative justice, and social emotional learning are fully implemented, struggling students are held accountable, the entire school population succeeds, suspension rates decrease, school attendance improves, and academic achievement rates increase;

Whereas, Generally whole-school alternatives result in a more positive school climate for students, administrators, and teachers;

Whereas, The statewide data that California currently reports on suspensions is insufficient to inform effective education policy or to adequately inform the public because the state does not disaggregate data by subcategory or student status;

Whereas, There are a number of bills that have been recently introduced in the state legislature that would reform school discipline policies with a focus on restorative justice, positive behavior interventions and supports, and equity for all students;

Whereas, Senate Bill 1235 (Steinberg, Price, and Rubio) would strengthen existing law and require schools with high suspension rates to implement evidence-based school-wide behavioral strategies aimed at reducing behaviors that lead to suspension;

Whereas, Assembly Bill 1729 (Ammiano) would strengthen existing law and amend the Education Code to authorize the superintendent, or principal of a school, to use alternatives to suspension or expulsion designed to correct the pupil's behavior;

Whereas, Assembly Bill 1909 (Ammiano) would require school districts to notify a foster child's attorney and social worker, in addition to parental or guardian notification, when a foster child faces possible suspension or expulsion from school or is subject to a manifestation determination IEP meeting for offenses for which a response is discretionary;

Whereas, Assembly Bill 2242 (Dickinson), would reduce out-of-school suspension for low-level, subjective offenses by amending current law to specify that when a school district determines that a child has disrupted school activities or is deemed willfully defiant, the pupil would be subject to other means of correction, community services, or in-house suspension but would not be subject to an extended suspension or recommended for expulsion;

Whereas, Assembly Bill 2145 (Alejo and Dickinson) would require that expulsion and suspension data already collected by the state be disaggregated by pupil subgroups (race, ethnicity, special education status, English learner status, socioeconomic status, etc.) and made public on the California Department of Education website;

Whereas, Senate Bill 1088 (Price) would require a school district to conduct a second review for the readmission of pupils who have been expelled or denied readmission and prohibits schools from denying enrollment or readmission to pupils solely on the basis that the pupil has had contact with the juvenile justice system; and

Whereas, Assembly Bill 2616 (Carter) would define the parameters for an excused absence and would outline the penalties for successive tardiness and align California truancy law with research which shows that schools and parents should take the lead in truancy prevention and intervention; now, therefore be it

Resolved, That the Governing Board of the Los Angeles Unified School District supports the passage of and enactment into law of the following California State Senate and Assembly Bills:

- AB 2242 (Dickinson);
- AB 2145 (Alejo and Dickinson)
- AB 1729 (Ammiano)
- AB 1909 (Ammiano)
- SB 1235 (Steinberg, Price, and Rubio)
- SB 1088 (Price)
- AB 2616 (Carter)