

Subject: Resolution No. 96-23A1

**In Support of a Comprehensive School Climate, Restorative Justice,  
and Alternatives to Suspensions/Expulsions**

- Commissioners Jane Kim, Sandra Lee Fewer, and Kim-Shree Maufas

**WHEREAS:** In June 2005, the Board of Education adopted Resolution No. 55-24A5, “In Support of Equitable and Fair School Discipline Practices,” to ensure equity and fairness in all aspects of the District’s work with students, which included the cultivation of improved, positive school climates through fair, respectful, effective approaches to discipline, and

**WHEREAS:** The Coalition for Fair and Caring Schools (FairCare) and the SFUSD’s Discipline Taskforce has brought education stakeholders (administrators, principals, parents, teachers, students, and community based organizations) together to ensure that the Equitable and Fair School Discipline Practices resolution (No. 55-24A5) becomes a reality by providing guidance and oversight for the Student handbook provisions as well as assisting SFUSD and its schools in the development of:

- Alternatives to suspensions & expulsions,
- Analyze data related to school referrals on a quarterly basis to identify those students and teachers who need assistance with discipline,
- Provide professional development to assist school staff,
- Seek resources, to provide training to support staff and students for any schools experiencing high rates of suspension and/ or expulsion; and

**WHEREAS:** The Taskforce recommendations in May 2006, 2007 and 2008 highlight the ongoing need for:

- Professional Development,
- District Policy & Priority,
- Data Collection/Accountability,
- Identification of current data being collected and recommend additional surveys/data’s to be collected and analysis
- Timeline for implementation plan
- Budget and potential resources

**WHEREAS:** Primarily, the Discipline Taskforce recommends an accelerated “culture shift” in the way the district, system-side, approaches solutions to the student discipline problems in our schools; and

**WHEREAS:** The Board of Education is committed to creating and supporting a “culture shift” in the way the district, systematically, develops solutions to the student discipline challenges in our schools and to focusing on student strengths and abilities; and

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**WHEREAS:** California Education Code Section 48900.5 provides that “Suspension shall be imposed only when other means of correction fail to bring about proper conduct,” with the exception that principals may suspend for a first offense for a violation of offenses listed in Education Code Section 48900 (a)-(e), or if the conduct is such that the pupil’s presence causes a danger to persons or property or threatens to disrupt the instructional process; and

**WHEREAS:** California Education Code Section 48915(c) requires an immediate suspension and expulsion referral for any student that commits specific offenses, and Section 48915(a) requires an expulsion referral for specific additional offenses unless the principal or Superintendent determines that expulsion is inappropriate based on the particular circumstances; and

**WHEREAS:** The Board recognizes that the Equitable and Fair School Discipline Practices resolution is not being utilized to the fullest extent possible, in order to reduce the overall numbers of suspensions and expulsions within the District, and to address the disproportionate numbers of African-American, Latino and Pacific Islander students who are suspended in the District; and

**WHEREAS:** Although multiple strategies are being implemented as pilots including but not limited to: Peer Courts programs, Safe School Ambassadors program and other alternative methods as a means of offering alternatives to suspensions/expulsions, there still remains an overwhelming need for further reform to address the alarming rise in the suspension/expulsion rates; and

**WHEREAS:** This policy would also work to address the three main goals & objectives from Beyond the Talk: the 2008 SFUSD Strategic Plan:

- Goal 1: Access and Equity – Make Social Justice A Reality and to diminish the historic power of demographics.
- Goal 2: Student Achievement – Engage High Achieving and Joyful Learners to ensure the opportunity to have authentic learning for every student.
- Goal 3: Accountability – Keep Our Promises to Students & Families to create the culture of service and support: and

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**THEREFORE BE IT RESOLVED:**

That the Board of Education of the San Francisco Unified School District hereby adopts the following Resolution to create a School Climate-Restorative Justice Framework and Implementation Plan for SFUSD that will at minimum address all components cited above and policy components in Appendix A; and

**BE IT FURTHER RESOLVED:**

That the Board of Education dissolves the “SFUSD Discipline Taskforce” and creates a new “Restorative Justice and School Climate Taskforce” with an updated charge to advise the Board of Education and the Superintendent in designing, implementing and evaluating a student discipline framework based on restorative justice which reduces student suspensions, increases student attendance and creates school climates that support joyful learners; and

**FURTHER BE IT RESOLVED:**

That the new taskforce will be comprised of students, parents, school site staff members and other stakeholders; and

**BE IT FURTHER RESOLVED:**

The Board of Education requests the Superintendent and/or their Designee to monitor compliance with this resolution, and ensure that a comprehensive plan and timeline is developed by June 2010, including a funding plan that will not increase the SFUSD budget deficit for 2010-2011, and that the BOE receives quarterly progress reports to ensure timelines and outcomes are met and to review ongoing suspension and expulsion data with an anticipated beginning implementation in the 2010-2011 school year.

10/13/09

**Restorative Justice and Fair & Caring Schools Resolution  
APPENDIX A**

**Policy Component #1 -**

The Restorative Justice Framework (RJF) & Alternatives To Suspensions & Expulsions (or "ATSE", as described below in Policy Components 2 through 7) shall be implemented and integrated throughout Middle Schools and targeted Elementary and High Schools in the 2010-2011 school year. It is the Board's intention that ATSE will be expanded throughout the various divisions (CDC, ES, HS, and Continuation/Alternative HS Programs) in subsequent years, to build the culture of fair and caring schools in SFUSD. The Superintendent or Designee will outline an implementation plan and timeline for this expansion by the end of the 2009-2010 school year.

**Policy Component #2 -**

The first year (2010-2011) shall begin at all SFUSD middle schools and targeted Elementary and High Schools, considered to be our most vulnerable population, which would give students an opportunity to participate in restorative justice programs such as Peer Courts and/or other available alternatives to suspension and expulsion as the means of addressing all disciplinary offenses (as described in more detail in Policy Component #5), unless suspension and/or expulsion are required by law.

**Policy Component #3 -**

The participation in Peer Courts must be voluntary, and will require the written consent of the student who committed the offense (harm) as well as the victim(s) (person or community harmed), and each student's parent/guardian (in order to maximize accountability impact).

**Policy Component #4 -**

If such permission is not obtained from all required parties within a timely manner to keep campus safe from the offense, the principal shall, **unless strictly mandated by law**, utilize other alternatives to suspension and/or expulsion that are available at their school site, including but not limited to community service.

**Policy Component #5 -**

Suspensions and expulsions may be utilized only in the following circumstances: (1) if required by law (Education Code Section 48915(a), (c)), (2) if a student refuses to participate in Peer Courts and/or another alternative program (or does not get the required victim or parent/guardian consent) and/or fails to participate in any other available alternatives to suspension or expulsion, (3) if the student's conduct continues despite at least three repeated attempts to utilize alternatives to suspension and expulsion; or (4) if the principal determines that the student's continued presence at the school creates a danger to persons or property or threatens to disrupt the instructional process.

**Policy Component #6 -**

If suspension and/or expulsion (for example) is necessary for one of the aforementioned reasons as stated above, one or more of the four reasons must be identified to justify the suspension/expulsion, and specific facts must be provided that support the justification.

Policy Component #7 -

The SFUSD suspension and expulsion referral forms shall be revised to include a section that records the justification for suspension/expulsion based on one or more of the four circumstances discussed in Policy Component #6.

Policy Component # 8 -

Professional Development period(s) will include training in conflict resolution, de-escalation skills, and this New Restorative Justice Framework and Alternatives to Suspension and Expulsion policy.

Policy Component #9 -

Schools sites will collect school behavior, attendance and achievement data, regarding “lost” instructional minutes due to student behavior, tardiness, and suspension and expulsion. This includes hall time, time in the office (not in conversation with an adult, ATSE or peer mediation process), formal and informal suspensions (early release due to disruption or inappropriate behavior, in-house suspensions) and demographic and classroom specific data.

Policy Component #10 -

Data will be reported monthly to the Associate Superintendents of Support Services, LEAD and Academics and Professional Development who will prepare a detailed and disaggregated data report quarterly to the Superintendent.

Policy Component #11 -

The Restorative Justice and School Climate Taskforce will ~~continue~~ use **the analysis of this data** to monitor, evaluate and make recommendations about the implementation of the RJF and ATSE in SFUSD to the Executive Director of Pupil Services and Academic Professional Development.

Policy Component #12 -

Superintendent along with the Executive Directors of Academic Professional Development and Pupil Services shall work with the Restorative Justice and School Climate Taskforce to pilot innovative school climate programs at each division identified by the Superintendent to address the urgent and ongoing crisis of high suspensions and expulsions.