



Code of Conduct Update

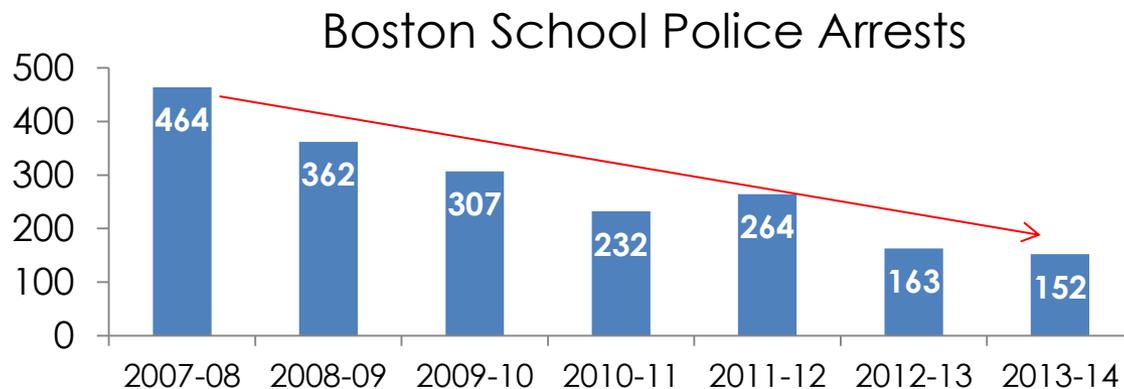
Presentation to School Committee
July 16, 2014

Background: 2013 changes to Code

- Our Vision: A Code of Conduct **aligned with student supports**
 - The goal was to maximize the learning of all students by minimizing disruptions and preserving learning time
 - Continued moving toward an approach that centers on progressive discipline, supporting students, and keeping students in school
 - We aimed to align the Code of Conduct with the system of tiered interventions and supports available in schools
- The changes also included **due process changes** to align with the law (Ch. 222)
 - Students' rights during an appeal hearing include the right to present testimony, cross-examine witnesses, and have counsel present
 - Reasonable efforts to include parents or guardians must be made before hearings take place

Training and Implementation

- We planned and carried out a series of five trainings for school leaders and staff, focused on various aspects of the Code:
 - Use of the Student Information System
 - Behavioral services and supports
 - Legal requirements and Special Education training
 - Counseling and Intervention Center
 - Operational Leaders
- We have seen a declining number of arrests in our schools over the past few years, a trend that continued last year



We are updating the Code of Conduct to align with new regulations

- Ch. 222 requires that Codes of Conduct be aligned with the new legal requirements starting in the 2014-15 school year
- BPS revised the Code a year early to give us additional time for implementation and to allow for adjustments based on our experience
- Because we revised our Code before the state issued regulations on Ch. 222, we now need to make some adjustments to align with those regulations (which came out in April 2014)
- This new set of revisions is also informed by our year of experience in putting the Code into practice

Just like last year, we worked with a variety of stakeholders to update the Code

- Key participants included:
 - Code of Conduct Advisory Council (COCAC)
 - Boston Parent Organizing Network (BPON)
 - Boston Student Advisory Council (BSAC)
 - Boston Teachers Union representatives
 - School administrators

- We are grateful to all our partners for their dedicated work and participation in this process

The new Code updates the definitions of school exclusions based on the regulations

- Clarifies definition of **“short-term” vs. “long-term” suspension**
 - Long-term suspensions are the exclusion from regular school activities for more than 10 days (but less than 90 days) per school year
 - Students are entitled to additional due process rights for long-term suspensions
- Allows the use of **in-school suspensions**, but specifies that days of in-school suspension count as days of exclusion
- Narrows the scope for **expulsions**
 - Defined as exclusions from school for more than 90 days (but less than 180 days)
 - Allowed only for 4 major types of offenses (possession of a dangerous weapon, possession of a controlled substance, assault on staff, or felony convictions)
- Provides for **emergency suspensions** to last up to three school days instead of just one school day



We have revised due process requirements based on state regulations

- For short-term suspensions, the Code updates the list of student rights at school hearings:
 - Students and parents have the opportunity to **present evidence** for the building administrator and may produce and cross-examine witnesses
 - Students may **review records and documents** prior to the hearing
 - Students may be represented by **counsel**
- For long-term suspensions, students have all of the above rights, and the Code also states that hearings will be recorded
- **BPS has chosen to allow appeals for all suspensions**, even though regulations require only for long-term suspensions
 - Code specifies due process rights for appeals hearings
 - Appeals hearings cannot result in a more serious penalty than original hearing

Other revisions to the Code

- We have **eliminated Disciplinary Transfers and Alternative Program Placements** as potential consequences for Code violations
 - Regulations specify that these may not be imposed, since they could essentially lead to permanent exclusion from the sending school
- **Principals must periodically review disciplinary data** by selected student populations, including by race/ethnicity, gender, socio-economic status, and special education status
- **Cell phones may be confiscated** and held during an investigation if there is a reasonable suspicion that they may contain evidence of Code violations

Next steps and implementation

- We will conduct trainings for all stakeholders, including parents, students, and community members, this fall
- We continue to expand our partnerships and services for students
 - Received grant funding to explore a Restorative Justice model in three schools this year
 - Working with the Boston Public Health Commission and the Gavin Foundation to improve our services for students with substance abuse issues
- As we develop a more coordinated model of student support services at the central office, we will be able to better align our work with schools