

# Memo

**To:** BVSD Board of Education

**From:** District Accountability Committee (DAC)

**Date:** May 4, 2021

**Re:** Recommendations on Revisions to Policies JDDA, JDDA-R, JRDC and JRDC-R

To fulfill the DAC responsibility: C.R.S. 22-11-302(1)(f) - *Each school district accountability committee has the power and duty to provide input to the local school board concerning the creation and enforcement of its school conduct and discipline code.*

## Process

The BVSD DAC convened virtually on April, 6 2021 to discuss the revisions to BVSD student code of conduct policies related to drug/alcohol use and student dress. The DAC policy subcommittee worked asynchronously to develop draft recommendations which were discussed and agreed upon on April 21, 2021. Minor modifications were made following that meeting and a redline version was presented to the DAC on May 4, 2021.

## Recommendations

The DAC's recommendations on these policies make two assertions: (1) major improvements can be made in these policies to ensure that they are as equitable, restorative, and as non-punitive as possible within the boundaries of existing law; (2) restorative policies and practices centralized at the district will help with consistent interpretation, application, and implementation of practices emerging from policy.

The DAC also asserts that for policy to be equitable and restorative, as well as consistent, it needs to be shaped by diverse impacted stakeholder groups. As a critical step toward this goal, the DAC requests that the Board and the district invite feedback from advocacy groups (MESA, OutBoulder, others), families/students who have been disproportionately impacted by past iterations of these policies, and school leadership teams. Such feedback and input will help ensure equitable policy language and consistent application.

## Recommendations regarding school dress policies JRDC and JRDC-R

Overall, the DAC encourages the board to adopt school dress policy language that is inclusive, universal, objective, and anchored in community safety. We know narratives of "disruption" lead to disproportionate discipline practices that target females and students of color. The DAC's redline of BVSD Policy **JRDC "Student Dress"** proposes several changes:

1. Frame the policy as an affirmation of personal identity, community safety, and student wellness.
2. Focus on schools being primarily responsible for maintaining safe environments for all students, and students and families being primarily responsible for personal appearance.
3. Establish minimum standards for allowable and non-allowable dress and reduce opportunity for disproportionate enforcement, e.g. removing hair and hair style from the scope of enforcement.
4. Prioritize restorative practices in the event of an infraction, which should involve school leaders, student support teams, guardians, student groups, and other stakeholders. Such practices further reduce the opportunity for disproportionate enforcement.

Regarding BVSD Policy **JRDC-R, "Guidelines and Regulations for Implementing a School Uniform Code,"** the DAC recommends striking this policy in its entirety. It repeatedly utilizes language out of alignment with the spirit and intention of policy JRDC, and is not currently widely adopted in practice by BVSD schools.

## Recommendations regarding drug and alcohol policies JDDA and JDDA-R

DAC recommends recalibrating the language and practice of enforcement and consequence to increase the presence of education, prevention, non-punitive intervention/mediation, and restorative practices focusing on mental health awareness and support *before* punitive disciplinary action. The DAC's redline of BVSD Policy **JDDA "Student Involvement with Drugs and Alcohol"** proposes several interventions:

1. Foreground education as a community health and school safety practice, sharing the responsibility for education and prevention across district staff, school staff, and the community.
2. Insert language promoting counseling and mediation, including school resources and/or referrals to health professionals, before punitive practices and consequences are established.
3. Refine and update the references to specific substances and items covered in the scope of use, possession, and distribution.

The DAC's redline of BVSD Policy **JDDA-R**, the regulation for "Student Involvement with Drugs and Alcohol," proposes the following:

1. Emphasize the shared responsibility of the entire BVSD community in creating positive and safe learning environments in and around schools.
2. Introduce language of restorative practices to counterbalance the existing language of discipline and punishment, and strike vague or subjective language about student conduct and behavior that opens opportunities for disproportionate action against marginalized populations.
3. Harmonize the procedural steps required of school staff in cases of suspected use, possession, and distribution; prioritize non-punitive intervention and leverage supportive and restorative resources.
4. Reorganize consequences for specific infractions to improve clarity and consistency. In each case of possession, use, and distribution, the DAC recommends that the first step is a conference with school leaders and counselors, as appropriate.
5. Calibrate consequences to reduce instances of suspension and expulsion and focus on restorative practices and student support.
6. Maintain records of JDDA violations and related disciplinary action in a manner similar to other violations of student code.

### **Additional discussion and deliberation topics**

In addition to the specific interventions reflected in the DAC's redlines, the DAC policy subcommittee identified some areas of concern it would invite the Board to consider while it studies the policies in question here.

1. Consider the connection between fragrances and the potentially harmful chemical components of perfumes, body sprays, and related consumables and school dress policies in the context of creating healthy and safe school environments, and to explore opportunities to include policy and or guidance language outside of the disciplinary policy cluster.
2. Evaluate all possible infractions within the Discipline Matrix and ensure that consequences for each escalate in a manner that is logical and consistent with the severity of the infraction.
3. Consider in the scope of enforcement of school dress an escalation path from the initial reporter through school staff and diverse student groups, paired with an empowered appeals process for students and BVSD community stakeholders who determine that policy has been inequitably applied and enforced.
4. The subcommittee acknowledges the tension between centralized/universal and distributed oversight with respect to school dress and substance use, but affirms the ultimate goal of reducing opportunities for disproportionality and inequality produced through disparate interpretation and implementation of policy and its related practices.

### **BVSD DAC Policy Subcommittee Members**

DAC Member	School	DAC Member	School
Amanda Brown	Community Montessori	Ram Satrasala	Summit Middle School
Christopher Haynes	Creekside Elementary	Amy Slaymaker	Eisenhower Elementary
Jax Jaramillo	Broomfield Heights MS	Erica Vaughan	Flatirons Elementary
Nicole Rajpal	Southern Hills MS & Foothill ES	Kirk C. Watkins	Jamestown Elementary
Kevin Reardon	Centaurus High School	Terri Wilson	University Hill Elementary
Jamillah Richmond	Whittier Elementary		

Special thanks to Kathleen Sullivan, BVSD Legal Counsel, our liaison to the district during this process.

### **Attachments**

1. DAC Redline JRDC
2. DAC Redline JRDC-R
3. DAC Redline JDDA
4. DAC Redline JDDA-R
5. Clean WORKING Copy of JDDA
6. Clean Copy of JDDA-R BVSD