

Beyond Everyone Belongs Here: Part II

January 30, 2018

AUSD District Office, Marina Conference Room

Welcome

January 30

Today's principle of nonviolence is **Beloved Community**.

The beloved community is a local and a global vision of community in which racism and all forms of discrimination, bigotry, sexism, and prejudice are replaced with an all-inclusive spirit of love and belonging. **Dr. Martin Luther King Jr. says, "The way of violence leads to bitterness in the survivors and brutality in the destroyers. But, the way of non-violence leads to redemption and the creation of the beloved community."**

Feedback from the last Beyond Everyone Belongs Here Event

- **Wanted more information about what the district is doing in regards to:**
 - **Anti Bias curriculum and training**
 - **Positive Behavior Intervention Support (PBIS)**
 - **Restorative Practices**
 - **Discipline**
 - **FERPA**
 - **Communication**
- **Time for community members to ask questions about district practices, training, curriculum and policy**
- **Opportunity for a more spontaneous interaction between staff and community**
- **Time for community to interact with specific staff and ask individualized questions**

Community Norms

- **Listen respectfully**
- **Appreciate differences**
- **Speak and tell our truth**
- **Assume best intentions**
- **One speaker at a time**

Agenda

- **Introductions**
- **Presentations on Curriculum, Positive Behavior Intervention Support (PBIS), Restorative Practices, Discipline, FERPA, and Communication**
- **Q&A**
- **Community time**

Curriculum and Instruction

Curriculum and Instruction

- Districtwide curriculum to support discussion of bullying, identity, discrimination
- Additional resources available for staff and community
- Professional Development and other educational opportunities
- Process for collecting data to understand what is happening across our schools

Instructional Program and Materials

Elementary (K-5):

- Caring School Community (CSC) – builds classroom and schoolwide community (Adopted 2008-09)
- Steps to Respect (STR) – Bullying Prevention program at grades 3-5 (Adopted 2009-10)
- Protected Class Literature Lessons – teacher-developed lessons linked to selected texts

Secondary (6-12)

- Courses (Comparative Cultures and Geography, Social Justice, Ethnic Studies, Current Life, Advisory, Link Crew)
- History-Social Studies Framework

Additional Resources for Staff and Community

[AUSD's Anti-bias resources page](#) highlights:

- Links to lesson plans from groups including the Anti-defamation League, Facing History, and Teaching Tolerance
- Parent/guardian resources for talking to students
- Survivor testimonies
- Bullying reporting form

Professional Development

AUSD has partnered with the Anti-defamation League (ADL) to provide foundational, anti-bias training to staff. Training to date includes foundational sessions for:

- Elementary teachers, paraprofessionals, and office staff
- Secondary teachers
- All site administrators and district office management team

Individual sites are engaging in additional efforts:

- Several sites are completing steps to become certified 'No Place for Hate' schools via ADL
- Some sites have offered professional development to parents/guardians via ADL and/or their school's Equity/Inclusion/Diversity committee
- Some sites have held assemblies and other student activities to expand awareness of hate and discrimination

Collecting Data

- Bias-related incidents may be reported through a number of channels including but not limited to:
 - Formal or informal complaints through established complaint procedures
 - Bullying reporting form to site or Student Support Services
 - E-mails, phone calls, or face-to-face with staff at any site or in any department
 - Reports to Human Resources
- District staff are working to develop and implement a process for unifying the collection and tracking of such data.
- Currently sites maintain records of discipline in the student information system (AERIES)

Next Steps

- Committee to review anti-bias/SEL curricula
- (re)Training for staff to implement new or existing curricula with fidelity
- Development of courses aligned to HSS framework
- Continued training for staff to support the inclusion of anti-bias instructional practices
- Development of process to track and assess bias-related incidents

References:

- [11.14.17 Board of Education Presentation: Anti-bias curriculum and PD](#)
- [10.24.17 Board of Education Presentation: SEL curriculum and PD](#)

Student Services and Supports

What is PBIS?

- Positive Behavioral Interventions and Supports (PBIS) is a framework for enhancing adoption and implementation of a continuum of evidenced-based interventions to achieve academically and behaviorally important outcomes for all students.

What is PBIS?

The 4 major tenets are as follows:

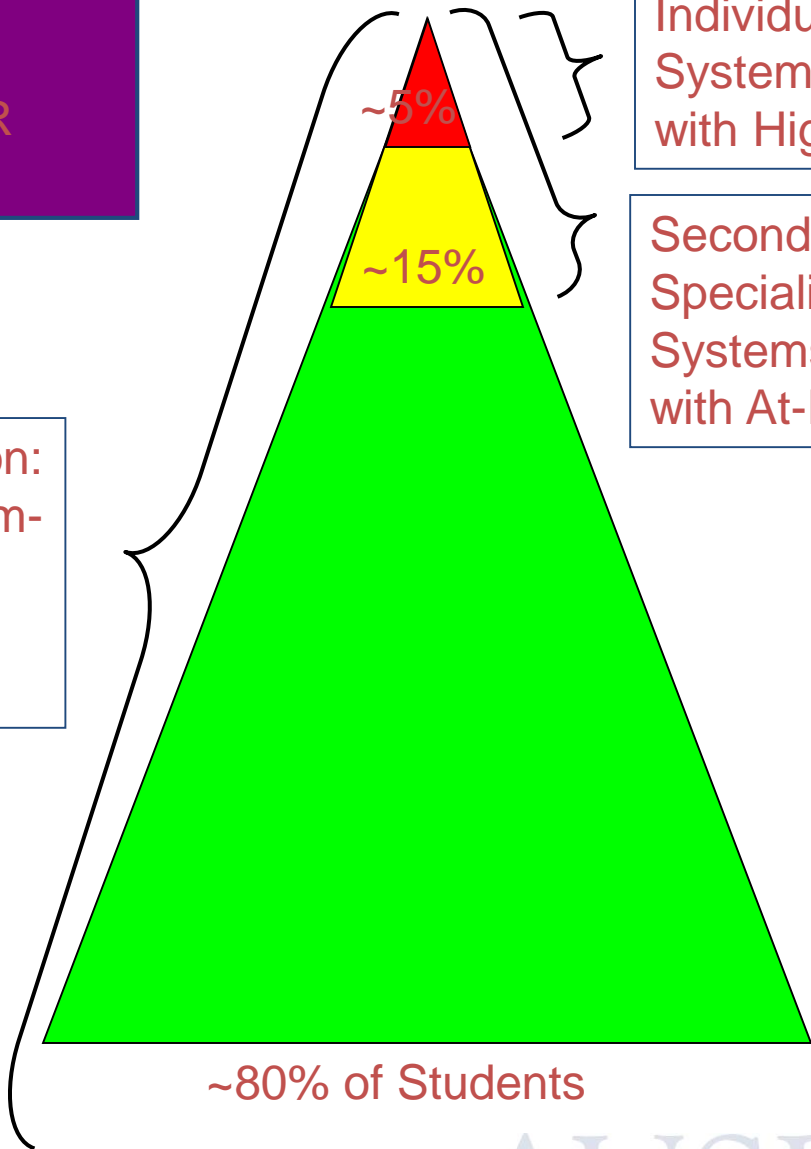
- Defining School-Wide Expectations
- Teaching Those Expectations Explicitly
- Acknowledgement
- Administrative Structures

The framework includes many evidence-based features:

- Prevention focus
- Define and teach positive social expectations
- Acknowledge positive behavior
- Develop consistent consequences for problem behavior
- On-going collection and use of data for decision making
- Continuum of intensive, individual interventions
- Administrative leadership - team-based implementation

CONTINUUM OF SCHOOL-WIDE INSTRUCTIONAL & POSITIVE BEHAVIOR SUPPORT

Primary Prevention: School-/Classroom-Wide Systems for All Students, Staff, & Settings



Tertiary Prevention: Specialized Individualized Systems for Students with High-Risk Behavior

Secondary Prevention: Specialized Group Systems for Students with At-Risk Behavior

Disciplinary Policy: *Shifts in Perspective*

- ***Punitive Discipline***

- *Harm is assumed to be primarily to the **institution***
- *Justice is appropriate **punishment** of the **offender***
- ***Accountability** defined in terms of **receiving punishment**. Assumes punishment is an effective method to modify behavior & enforce compliance to community norms*

- ***Restorative Discipline***

- *Harm is assumed to be primarily to **communities & relationships***
- *Justice is **making things right**, or as right as possible, which may include elements of punishment*
- ***Accountability** defined as **understanding impact of actions, taking responsibility for choices, & suggesting ways to repair harm...***

Shifts in Education Code....

- **48900.5.**
- (a) Suspension, including supervised suspension as described in Section 48911.1, shall be imposed only when other means of correction fail to bring about proper conduct. A school district may document the other means of correction used and place that documentation in the pupil's record, which may be accessed pursuant to Section 49069. However, a pupil, including an individual with exceptional needs, as defined in Section 56026, may be suspended, subject to Section 1415 of Title 20 of the United States Code, for any of the reasons enumerated in Section 48900 upon a first offense, if the principal or superintendent of schools determines that the pupil violated subdivision (a), (b), (c), (d), or (e) of Section 48900 or that the pupil's presence causes a danger to persons.
- (b) Other means of correction include, but are not limited to, the following:
 - (1) A conference between school personnel, the pupil's parent or guardian, and the pupil.
 - (2) Referrals to the school counselor, psychologist, social worker, child welfare attendance personnel, or other school support service personnel for case management and counseling.
 - (3) Study teams, guidance teams, resource panel teams, or other intervention-related teams that assess the behavior, and develop and implement individualized plans to address the behavior in partnership with the pupil and his or her parents.
 - (4) Referral for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an individualized education program, or a plan adopted pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794(a)).
 - (5) Enrollment in a program for teaching prosocial behavior or anger management.
 - (6) Participation in a restorative justice program.
 - (7) A positive behavior support approach with tiered interventions that occur during the school day on campus.
 - (8) After-school programs that address specific behavioral issues or expose pupils to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups.
 - (9) Any of the alternatives described in Section 48900.6.

Restorative Justice.....

- *Emphasizes values of empathy, respect, honesty, acceptance responsibility & accountability*
- *Provides ways to effectively address behavior & other complex issues*
- *Offers a supportive environment that can improve learning*
- *Improves safety by preventing future harm*



Restorative Practices.....

- **Affective Statements and Questions-** Statements and questions that appropriately communicate people's' feelings, and allow for reflection on how their behavior has affected others.
- **Restorative Dialogue-** A structured conversation used to resolve conflict or appreciate others and asks some version of the following questions:
 - From you point of view, what happened?
 - What do you remember thinking at the time?
 - How have you and others been affected?
 - What feelings and needs are still with you?
 - What do you think should happen next?
- **Classroom Circles-** A group discussion format which is a mainstay of Restorative Practices and can be used in a variety of ways including but not limited to:
 - Building community
 - Making agreements
 - Solving problems
 - Exploring class material

Restorative Discipline.....

- **Restorative Discipline and Other Means of Correction-** More formal actions taken by site administration that maintain high behavioral expectations for which all students are held accountable and may be used in lieu of, or in addition to, traditional means of discipline such as suspension. They may include:
 - Restorative conferences
 - Behavior support plans
 - Peer mediation
 - Restitution
 - Community service
 - Referrals to counseling, mentoring, or after-school programs

AUSD Progressive Discipline Matrix

Category II -- EC 48900

- (a)(1) Physical Injury
- (a)(2) Willful Violence/Fighting and/or Battery
- b: Dangerous object
- c: Drugs or Alcohol
- d: Look-Alike Substance
- e: Robbery/Extortion
- f: Property Damage/Vandalism
- g: Theft
- h: Tobacco
- i: Committed an obscene act or engaged in habitual profanity or vulgarity.
- j: Drug Paraphernalia
- K: Disruption/Defiance

Interventions

- Violations of any infractions on this chart are suspendable acts as defined by California Education Code 48900. AUSD Administration will determine consequences based upon the following criteria
- A. Seriousness of offense
- B. Circumstances of Situation
- C. Student's prior discipline records
- D. Any other extenuating circumstances
- ***Each situation or violation involving student conduct should be individualized and the least punitive action. The administrator shall, however, determine whether a specific infraction warrants the corrective action as described on the discipline matrix.***

Category II Infractions

EC 48900, Offenses Continued

- l: Receipt of Stolen Property
- m: Imitation Firearm
- n: Sexual; Assault/Battery
- o: Witness Harassment or Intimidation
- p: Prescription Drug Soma
- q: Hazing
- r: Bullying
- t: Aid/abets infliction of physical injury

Note: Applies to grades 4-12 only

- 48900.2 - Sexual Harassment
- 48900.3 – Hate Violence “hate violence” means any act punishable under Section 422.6, 422.7, or 422.75 of the Penal Code.
- 48900.4 – Threats
- 48900.7 – Terroristic Threats

Interventions

- ***Disciplinary consequences are coupled with interventions to help promote a positive change in behavior.***
- Administrator/Teacher/Student, Parent Conference
- Counselor/Student Conference
- Behavior Card
- Student Study Team (SST)
- Behavior Contract including incentives and consequences
- Referral to Community-Based Services
- ***Corrective action taken by administrator shall take place after progressive discipline interventions fail to bring about proper conduct.***
- *After ten days of suspension, a multi-disciplinary team (e.g. SST) must be held to attempt to correct and improve the student’s behavior, attendance and/or academic performance.*

School's Jurisdiction for Disciplinary Action

- Schools are mandated to uphold federal and state laws and Board of Education policies as they apply to students:
 - 1. *While on school grounds;*
 - 2. *While going to or coming from school;*
 - 3. *During the lunch period on or off the campus; and*
 - 4. *During, or while going to or coming from a school sponsored activity.*

These laws do not apply to students after they have reached their destination away from school or school activities. EC 48900 (s).

Progressive Discipline Category II & III

The following can result in recommendations for expulsion

48915 (a) *Category II*

- 1. Causing serious physical injury to another person...**
- 2. Possession of any knife or other dangerous object of no reasonable use to the pupil.**
- 3. Unlawful possession of any controlled substance**
- 4. Robbery or extortion.**
- 5. Assault or battery on a school employee**

48915 (c) *Category III*

- 1. Possessing, selling, or furnishing a firearm**
- 2. Brandishing a knife at another person.**
- 3. Unlawfully selling a controlled substance**
- 4. Committing or attempting to commit a sexual assault**
- 5. Possession of an explosive.**

Category II Infractions Require Additional Findings

48915 (a)

- 1. Causing serious physical injury to another person...**
- 2. Possession of any knife or other dangerous object of no reasonable use to the pupil.**
- 3. Unlawful possession of any controlled substance**
- 4. Robbery or extortion.**
- 5. Assault or battery on a school employee**
- 6. 48900 (a), (b), (c), (d), or (e)**

48915 (b)(1)(2)

- 1. Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
*And/or....***
- 2. Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.**

Category III Infractions: EC 48915c

1. Possessing, selling, or furnishing a firearm
 2. Brandishing a knife at another person.
 3. Unlawfully selling a controlled substance
 4. Committing or attempting to commit a sexual assault
 5. Possession of an explosive.
- *All violations of Education Code 48915(c) are MANDATORY expellable offenses. Students who commit these offenses will be automatically suspended and shall be recommended for expulsion by Administration. Police notification will take place in all instances.*

Bullying Definition

- “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:

Bullying Definition

- (A) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.
- (B) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
- (C) Causing a reasonable pupil to experience substantial interference with his or her academic performance.
- (D) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

Bullying Definition

- (2) (A) “Electronic act” means the creation or transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
 - (i) A message, text, sound, video, or image.
 - (ii) A post on a social network Internet Web site, including, but not limited to:
 - (I) Posting to or creating a burn page. “Burn page” means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (1).
 - (II) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
 - (III) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
 - (iii) An act of cyber sexual bullying.
 - (I) For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (A) to (D), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
 - (II) For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
- (B) Notwithstanding paragraph (1) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

Bullying Definition

- (3) “Reasonable pupil” means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

What Steps should you take to report bullying?

1. Ask the front office for the bullying form
2. Complete the form and turn it into the front office assistant and or principal. Attach any evidence to the complaint
3. Meet with the principal and or assistant principal that will investigate the complaint
4. Ask for an approximate time of how long the investigation will take and when the follow up meeting will take place.

Know that the principal and or assistant principal will not be able to share what occurred with the other student.

Next Steps

- Committee to review discipline matrices and embed restorative practices and discipline
- Training for staff on restorative practices and justice
- Completion of The AUSD Needs assessment to guide mental health support across all schools in AUSD
- Continued differentiated professional development for PBIS

Communications and Legal Considerations

Sources of Student Privacy Protections

- Federal (FERPA)
 - Applies to all student records
- State (Education Code)
 - Applies to student records AND discipline actions
- Local (AUSD Policy)
 - Applies to statements made by witnesses and complainants

FERPA

- Family Educational Rights and Privacy Act
- Enforced by U.S. Dep't of Education
- Penalty is loss of all federal funding
- Prevents districts from disclosing student education records containing personally identifiable information without written parental consent.
- Education records
 - Documents, pictures, computer media, video/audio tape
 - Directly related to a student
 - Maintained by a school district

FERPA

Personally identifiable information includes:

- The student's name and address
- Name and address of the student's parent or other family members
- A personal identifier, such as a social security number, student number, or biometric record
- Other direct identifiers

FERPA

Personally identifiable information includes:

- Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty
- Information requested by a person who the educational agency or institution reasonably believes knows the identity of the student to whom the education record relates

California Education Code

- Student discipline information
 - Students have right to privacy in discipline
 - Board must meet in closed session to discuss student discipline issues to avoid disclosure of student information (Educ. Code § 35415)
 - Trumps even Brown Act's requirement of open public meetings
- Additional confidentiality provisions for special education students

California Education Code & AUSD Policy

Safe Place to Learn Act (Educ. Code § 233)

- Applies to discrimination on the basis of disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crime
- Mandates that schools:
 - Adopt policies against discrimination and harassment;
 - Implement a process for receiving and investigating complaints;
 - Ensure complainant is protected from retaliation and identity is confidential as appropriate

Communication Goals

- Fact-based
- Transparent
- Responsive to community needs
- Legal

Communicating about bias incidents

1. Prior practice

- Limited to campus
- Principals' discretion
- Rarely district wide

2. Current practice is evolving

- Political climate has changed
- Community needs have changed
- Districts across the state are wrestling with defining best practice

Factors we consider

1. Has APD classified it as a hate crime?
2. How many students were involved as perpetrators?
3. How many victims were there?
4. What is the threat to school community?
5. What is the threat to broader community?
6. Is there a suspect?
7. Do we know how recent it was?
6. Will publicizing the incident impede the investigation?
7. Will publicizing the incident threaten student confidentiality?

Communication Methods

AUSD Website (www.alamedaunified.org)

The screenshot shows the Alameda Unified School District website. At the top is a banner with the AUSD logo and the tagline "Excellence & Equity For All Students". Below the banner is a navigation menu with links for Home, District Information, Departments, Schools, Parents, Students, Employees, and Board of Education. On the left side, there is a "Welcome to AUSD!" section with a list of links including Enrollment Information, Assessment/Performance, AUSD Calendars 2017-2020, Complaint Forms, District Finances, English Lang. Development / Title I, District Advisory Committee, Free & Reduced Price Meals Application, Homework Workgroup, LCAP, LGBTQ Resources, Lum Elementary Seismic Issue, Measures A & I, Quick Links for Families, School Menus/Purchase Meals, Soil and Structural Reports, Title IX Resources, Water Testing, Superintendent's Letter, Press Materials, Master Plan: Moving Forward, and Public Requests. The main content area features a "2018-19 Enrollment Information" section with a link to an enrollment page. Below this is a "SPOTLIGHTS" section with a red and black graphic for "HIP HOP AND JAZZ" and a "January 30: 2nd 'Beyond 'Everyone Belongs Here'' Workshop" announcement. There is also a "Board Briefs" section and a "Talking to Students about Hate Speech" section. On the right side, there is a search bar, a "Translator" section with a language selection dropdown, a "Community News" section with several news items, an "Immigration Resources" section, and a "Sign up for our Email Newsletter" form. At the bottom right, there is an "AUSD Twitter Feed" section with a "Follow @AUSDNews" button.

Communication Methods

AUSD Facebook Page

Alameda Unified School District
Published by Susan E. Davis [?] · November 16, 2017 · 🌐

Earlier this week, a student at Earhart Elementary School found a jump rope tied in what appeared to be a noose shape. In response, the principal of Earhart sent the following email to her families this morning:

"This week one of our students found a jump rope in our recess play box that appeared to be tied in a shape that resembled a noose. While we believe there is no evidence of harmful intent or harassment, out of an abundance of caution and concern we reported it to AUSD... [See More](#)

391 people reached [Boost Post](#)

Like Comment Share

3677970983921/about/?ref=pa...

AUSD Twitter Feed

ALAMEDA UNIFIED SCHOOL DISTRICT
Excellence & Equity For All Students

Alameda Unified

Tweets 11.4K Following 157 Followers 1,168 Likes 272 Moments 0

Alameda Unified @AUSDNews Jan 25
At our second "Beyond Everyone Belongs Here" event, district staff will present information on how AUSD responds to bias-related incidents on our campuses. The event will be held from 6-8 pm on January 30 at the District Office (2000 Challenger Drive).

How AUSD responds and connects students involved in bias-related incidents

What inspirational messages AUSD uses to promote positive school districts

JANUARY 30, 2017
BEYOND "EVERYONE BELONGS HERE": RESPONSIVE TO BIAS
SECOND MEETING!

Your Tweets earned 15,047 impressions over the last week

Who to follow

- Action Alameda News @...
- Maria Gilmore @MarieG...
- tony dzyrog @tonydzyrog

Communication Methods

Emails

ALAMEDA UNIFIED SCHOOL DISTRICT
Excellence & Equity For All Students

**Superintendent's Letter to the Community
(June 20, 2017)**

Dear AUSD families, colleagues, and community partners,

I am saddened to report more disturbing graffiti was discovered this past weekend at Edison Elementary School. As many of you know, this comes on the heels of several other graffiti incidents that have expressed racial, religious, and/or anti-LGBTQ bigotry at our schools. I was especially saddened to hear this weekend's graffiti referenced Hitler. On behalf of the district, I want to express our empathy and concern here for Jewish students and families who have been impacted by anti-Semitic acts.

This is not the first such anti-Semitic incident on an AUSD campus in recent months. Please be aware that as a district we denounce anti-Semitic speech as completely unacceptable because it makes our community both less inclusive and less safe for people of Jewish descent and faith. Indeed, anti-Semitic actions and speech diminish and threaten all of us, regardless of the faith we may (or may not) practice. We cannot ignore these incidents if we are to ensure a safe and inclusive learning community for all students, staff, and families. We cannot and will not condone any acts of hatred.

Like districts around the Bay Area and across the country that are experiencing an increase in hate incidents, we are working to develop appropriate, effective responses to them. In our classrooms, we will continue to teach students to resolve differences non-violently, respectfully, and empathetically. At our school

Robocalls



Elements we include

- ✓ Description of incident
- ✓ Denouncement of the incident
- ✓ Confirmation that incident is being investigated
- ✓ Confirmation that discipline/counseling will occur
- ✓ Links to resources for talking to children about the incident and symbols/speech involved

Case Study

1. Swastika found on outside table at Otis Elementary School
2. Small, no suspect
3. Otis staff removed it
4. Principal contacts superintendent
5. Superintendent and I talk to principal by phone
6. Principal sends emergency letter to Otis parents

Case Study

“It pains me greatly, to report that Friday afternoon one of our parents found a swastika drawn on an outside table located on the blacktop. The swastika is a significant and notorious hate symbol that represents anti-Semitism and white supremacy. At Otis, we are dedicated to upholding and protecting the rights of all people. Symbols of hate can and will not be ignored. We denounce the use of this hate symbol, and we encourage you to discuss the issue with your children.

A staff member erased the hate symbol, we have reported it to AUSD district office leaders, and we will also report it to Alameda Police Department so that they are aware. Regardless, we still think that it is important that students understand what a swastika symbolizes and its unfortunate history as a hate symbol.

Please take time this weekend to discuss the issue with your children and to let them know why this hateful symbol is counter to what we stand for as a school. Remind them that Otis is a No Place for Hate school, and we prioritize allyship. It is essential that students, families and community members report issues of concern like this to school staff when they happen. As an individual school and district-wide these issues are monitored, documented, and addressed.

We encourage you to support our promise to maintain a No Place for Hate school. The Otis’ Equity and Inclusion Committee has supported our work in educating students, families, and community members on issues of hate, exclusion, and injustice. I invite you to join our efforts.

Please review the district website on anti-bias resources for ways to discuss and educate children and families regarding anti-Semitism, racism, and other forms of bigotry. <https://www.alameda.k12.ca.us/antibias>.”

Questions

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