



City of Long Beach
Working Together to Serve

NB-36

Memorandum

Office of Councilmember Steven Neal
Councilmember, 9th District

Date: September 17, 2013

To: Honorable Mayor Bob Foster and Members of the City Council

From: Councilmember Steven Neal, Ninth District *SN*
Vice Mayor Robert Garcia, First District *RG*
Councilmember Al Austin, Eighth District *AA*

Subject: "2013 Every Student Matters" Resolution

Recommendation: Request City Attorney to draft a resolution in support of the "Every Student Matters" campaign for Restorative Justice, other alternatives to exclusionary practices, and one consistent discipline policy for all schools.

Background: The "Every Student Matters" program is a youth led policy advocacy campaign organized by the Building Healthy Communities Youth Committee. This program advocates using more effective and positive practices to address discipline and keep students in the classroom where they belong. Long Beach Unified School District (LBUSD) lacks a uniform discipline policy. Though the LBUSD guidelines for Parents and Students contain excerpts from the CA Education Code, it does not guide schools on how to apply these generic state laws. As a result, schools implement a variety of discipline policies, and some are harsher than others. Every Student Matters wants to work with LBUSD to ensure that every student is supported in a healthy, disciplined, and productive learning environment. Every day students in Long Beach are pushed out of school because of severe disciplinary practices. One LBUSD student is suspended every 19 minutes. One in five LBUSD High School freshmen will not graduate with their classmates four years later. Of those who graduate, only 42% will have completed the coursework necessary to enroll in a California four-year university. Every second counts. Substantial research demonstrates that students who are suspended are much more likely to drop out of school and to become involved with the criminal system both of which can, in turn, significantly impact community health and the local economy. A school district's policies therefore impact the community, as well as municipal and county governments.

Restorative Justice (RJ) is a process rooted in the value of building healthy relationships rather than distributing punishment that denies students' access to education. Restorative Justice Circles are used to strengthen community connections, as well as focusing on harms, needs, and obligations when a conflict happens by using regular classroom circles, training teachers to work with their students by reflecting on how their actions impact others, and also using small group circles when disciplinary issues happen. The regular practice of RJ circles on campuses has been shown to successfully improve attendance and decrease recidivism.

This resolution will demonstrate the importance of LBUSD disciplinary policies and how improved policies will affect the students, and the community, for the better.

Fiscal Impact: There is no fiscal impact.

Resolution by the Long Beach City Council in Support of “Every Student Matters” campaign

WHEREAS, zero tolerance policies are defined as any “philosophy or policy that mandates the application of predetermined consequences, most often severe and punitive in nature, that are intended to be applied regardless of the seriousness of the behavior, mitigating circumstances, or situational context; and,

WHEREAS, research indicates zero tolerance, willful defiance and associated policies for school exclusion result in an increased rate of suspensions, expulsions, referrals to the juvenile justice system, and student arrests nationwide, while school violence has generally been stable or declining; and,

WHEREAS, research indicates that zero tolerance, willful defiance, and associated policies for school exclusion ultimately result in an decreased academic achievement and increased involvement with the juvenile justice system, causing unintended harm to students and placing unnecessary strain on children, families, schools, courts, and society in general; and,

WHEREAS, research indicates zero tolerance/willful defiance-based referrals to the juvenile court and/or student arrests disproportionately impact students of color and contribute to disproportionately high minority contact (DMC) rates: and,

WHEREAS, the National Council of Juvenile and Family Court Judges (NCJFCJ) submit education is lifesaving, and that harsh or inappropriate responses to truancy and other school engagement issues – such as suspension or expulsion of students for non-attendance – erode a critical protective factor for our most venerable youth and disproportionately impact students from minority status backgrounds and those with disabilities; and,

WHEREAS, NCJFCJ opposes violence, weapons, and drugs/school. NCJFCJ supports the following to policies to promote these goals: school administration discretion in handling student misbehavior: restorative justice practices and similar interventions that identify and respond to the root causes of school disengagement, and reducing school exclusion through judicially led collaborations coupled with intensive training, technical assistance, and public education. NCJFCJ encourages schools to utilize alternatives to student arrests or referrals to juvenile court for behaviors that are best handled by schools. NCJFCJ also encourages the juvenile justice system and community agencies to work collectively with schools to foster positive relationships with students and to promote attendance and academic success; and,

WHEREAS, that the Education Coordinating Council urges all school districts in Los Angeles County to take bold actions to replace exclusionary discipline and to implement positive alternatives to improve school climate and student achievement; and,

NOW, THEREFORE, BE IT RESOLVED, *the Long Beach City Council urges the Long Beach Unified School District to take bold actions to address exclusionary discipline practices with effective and positive approaches to improve school climate and student achievement which has an impact on community health and local economy including but not limited to:*

- 1. Pilot and adopt smart and supportive discipline practices, such as Positive Behavior Interventions and Supports, Restorative Justice, and other positive alternatives that encourage student accountability while not limiting students’ learning time, specifically at schools with a combined in-school and out-of-school suspension rate of 10% or higher for all students or any particular subgroup of students based on gender, race/ethnicity, or disability, language, and socioeconomic status.*

2. *Establish common school discipline guidelines for LBUSD that prioritize keeping students in their regular classroom and school settings to the greatest extent possible by reducing reliance on in-school and out-of-school suspensions, expulsions, and school-based citations, arrests, or court referrals.*
3. *Provide supports and training to teachers, administrators and other District personnel to address discipline challenges in a way that protects students' human rights to education and dignity.*
4. *Meaningfully engage parents, students, teachers, administrators and community members in the development and implementation of more educationally sound and equitable policies and practices; ensure all students and parents are informed and educated about their responsibilities and rights; and provide written notification to families regarding student disciplinary actions and the right to appeal.*
5. *Collaborate with community-based organizations, service providers and agencies that can help prevent and reduce the incidence of in-school and out-of-school suspensions, and school-based citations, arrests, and referrals to law enforcement. Utilize community resources such as counseling, Positive Behavior Interventions and Supports, and Restorative Justice Programs in lieu of exclusionary discipline and criminalizing student behavior.*

***BE IT RESOLVED**, that the Long Beach City Council recognizes that all students regardless of race /ethnicity, gender, gender identity, sexual orientation, immigration status, socioeconomic status, ability, language, or geographic location- have a right to be in a safe, supportive and healthy learning environment, free from harassment, bullying, bigotry, unnecessary school removals and law-enforcement involvement, and discrimination in the application of discipline. The Council shall work with education, community, business, and philanthropic partners to ensure equal access to quality education for all students.*



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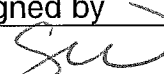
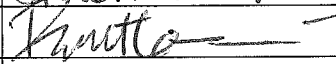
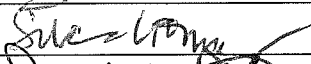
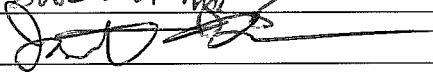
REQUEST TO ADD AGENDA ITEM

Date: September 17, 2013
To: Larry Herrera, City Clerk
From: Councilmember Steven Neal, Ninth District
Subject: Request to Add Agenda Item to Council Agenda of **September 17, 2013**

Pursuant to Municipal Code Section 2.03.070 [B], the City Councilmembers signing below request that the attached agenda item (due in the City Clerk Department by Friday, 12:00 Noon) be placed on the City Council agenda under New Business via the supplemental agenda.

The agenda title/recommendation for this item reads as follows:

“2013 Every Student Matters” Resolution

Council District	Authorizing Councilmember	Signed by
9	Steven Neal	
1		
8	Al Austin	

Attachment: Transmittal page dated September 17, 2013