A MODEL CODE
ON EDUCATION AND DIGNITY

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National Economic and Social Rights Initiative (NESRI)

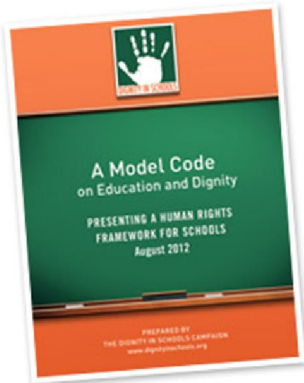Dignity in Schools Campaign (DSC)

Dignity in Schools Campaign (DSC)

- Challenges the systemic problem of pushout and advocates for the human right of every young person to education and dignity

- 74 organizations from 22 states:
  - Youth and parent base-building
  - Legal and advocacy
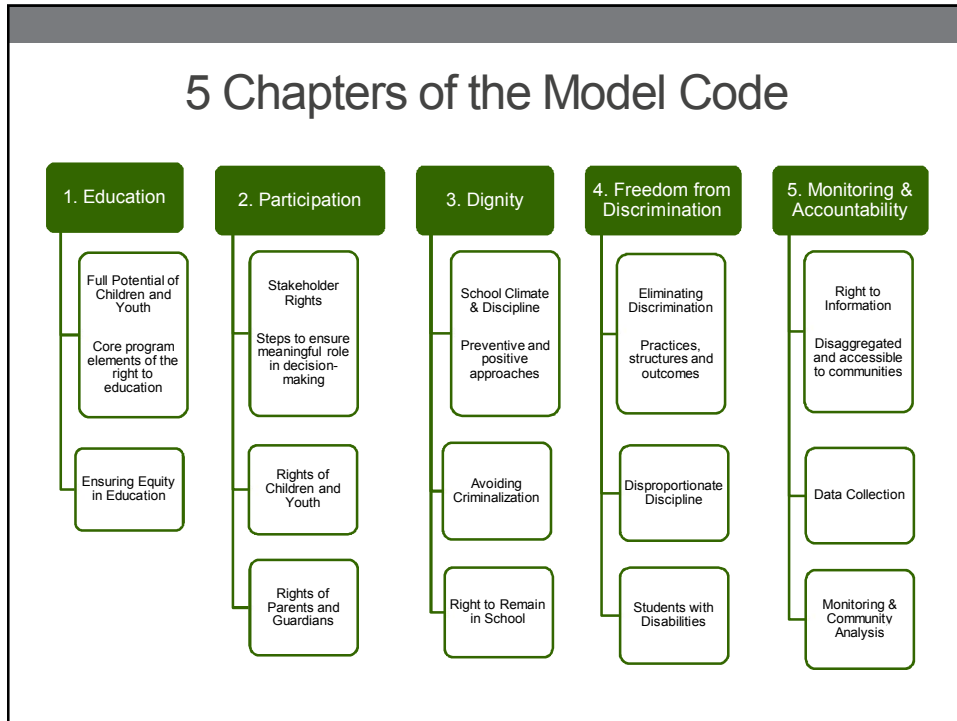 - Teachers and educators
  - Researchers

DSC Model Code

- Model policies for schools, districts and legislators to address school pushout and create safe and positive climates for learning

- Based on research, best practices and on the ground experiences of students, parents and educators

- Rooted in fundamental human rights principle that the goal of education is to develop each young person to their full potential

How was the Model Code developed?

- Drafted and reviewed by members of the Model Code Working Group

- Reviewed at two American Bar Association summits

- Reviewed and edited at community engagement sessions with students, parents and teachers in 8 different states (CA, FL, GA, IL, LA, MS, NY, PA)
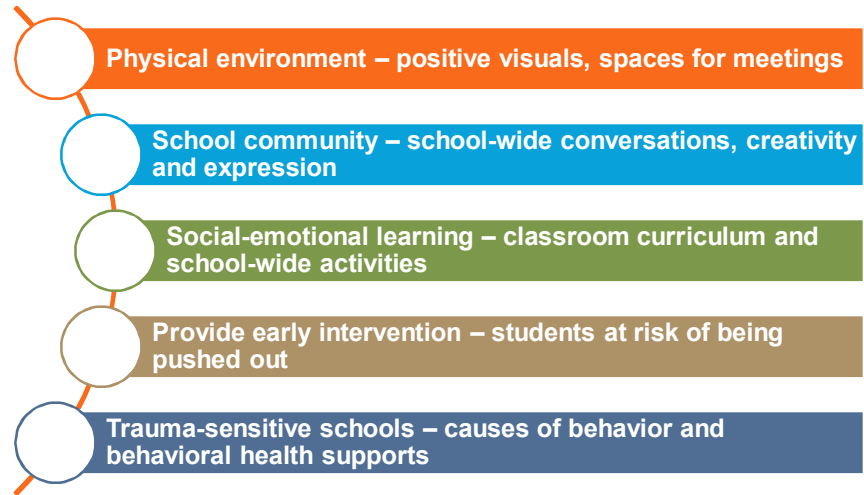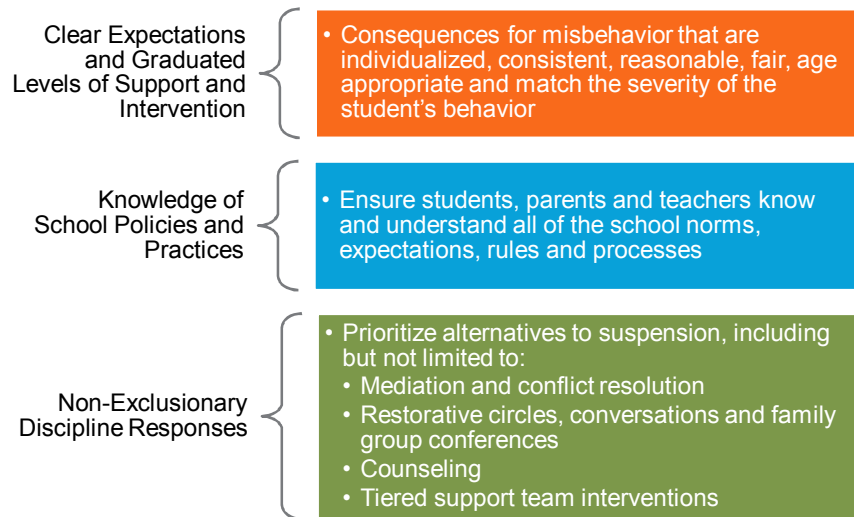
5 Chapters of the Model Code

1. Education	2. Participation	3. Dignity	4. Freedom from Discrimination	5. Monitoring & Accountability
Full Potential of Children and Youth	Stakeholder Rights	School Climate & Discipline	Eliminating Discrimination	Right to Information
Core program elements of the right to education	Steps to ensure meaningful role in decision-making	Preventive and positive approaches	Practices, structures and outcomes	Disaggregated and accessible to communities
Ensuring Equity in Education	Rights of Children and Youth	Avoiding Criminalization	Disproportionate Discipline	Data Collection
	Rights of Parents and Guardians	Right to Remain in School	Students with Disabilities	Monitoring & Community Analysis

Ch 3.1.a Key Elements of Positive Discipline (pg. 21)

- *Human Rights Goal:*
School discipline policies shall be aimed at creating a positive school climate, supporting the social and emotional development of students and teaching non-violence and respect for everyone in the school community.

- **Recommended Language:**
States, districts and schools shall adopt evidence-based, school-wide, preventive and positive discipline policies that are developed with participation of students, parents or guardians, educators and other stakeholders.

1. Establish Positive School Climate

Physical environment – positive visuals, spaces for meetings

School community – school-wide conversations, creativity and expression

Social-emotional learning – classroom curriculum and school-wide activities

Provide early intervention – students at risk of being pushed out

Trauma-sensitive schools – causes of behavior and behavioral health supports

2. Adopt a Positive Approach to Discipline

Clear Expectations and Graduated Levels of Support and Intervention
- Consequences for misbehavior that are individualized, consistent, reasonable, fair, age appropriate and match the severity of the student's behavior

Knowledge of School Policies and Practices
- Ensure students, parents and teachers know and understand all of the school norms, expectations, rules and processes

Non-Exclusionary Discipline Responses
- Prioritize alternatives to suspension, including but not limited to:
  - Mediation and conflict resolution
  - Restorative circles, conversations and family group conferences
  - Counseling
  - Tiered support team interventions

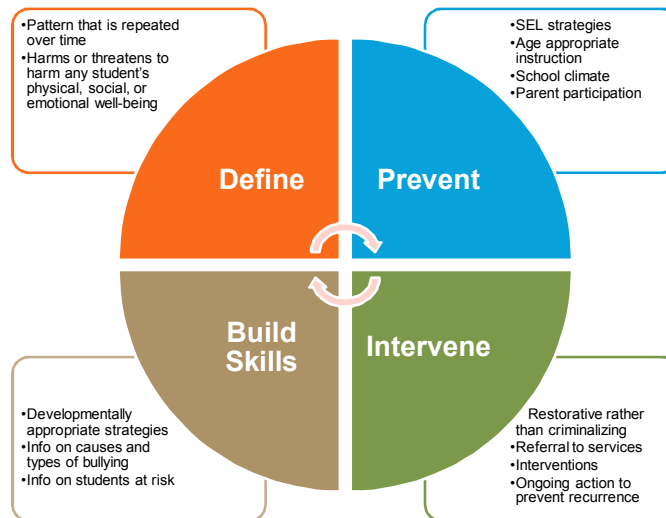## 3. Limits on Exclusionary Discipline

Limit Suspension and Expulsion

- Only the most serious offenses

- Only after non-exclusionary discipline alternatives have been carefully considered, tried and documented

- Only after it is determined that exclusion from school is absolutely necessary to protect the safety of the school community

End Zero-tolerance Policies

- Revise state laws, district Codes of Conduct and school discipline policies to eliminate any mandates for suspension or expulsion for specific offenses

(Except where mandated by federal law)

4. Prevention and Response to Bullying Behavior

- Pattern that is repeated over time
- Harms or threatens to harm any student's physical, social, or emotional well-being

- SEL strategies
- Age appropriate instruction
- School climate
- Parent participation

Define

Prevent

Build Skills

Intervene

- Developmentally appropriate strategies
- Info on causes and types of bullying
- Info on students at risk

- Restorative rather than criminalizing
- Referral to services
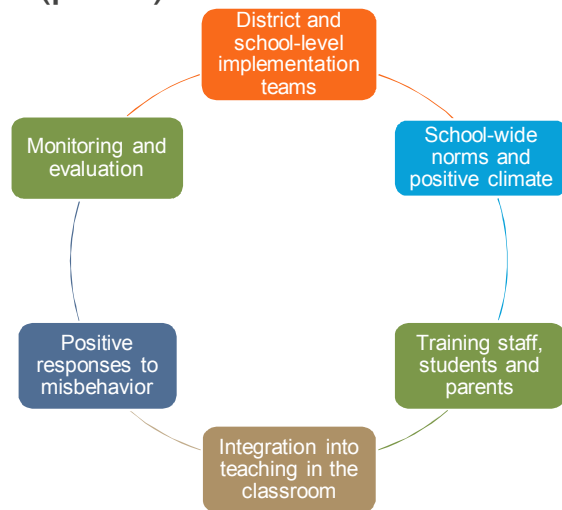- Interventions
- Ongoing action to prevent recurrence

Ch 3.1.b Examples of Two Model Policies (p. 26)

Two models that can be used together:

- Positive Behavior Interventions and Supports (SWPBIS)

- Restorative Practices

Six key implementation guidelines for any positive model

- District and school-level implementation teams
- School-wide norms and positive climate
- Training staff, students and parents
- Integration into teaching in the classroom
- Positive responses to misbehavior
- Monitoring and evaluation

Ch 3.1.c Guidelines for Exclusion (pg. 34)

Exclusion from school only for the most serious offenses

Factors to consider prior to exclusion (full list in the code):
- disciplinary history, academic history, what interventions have been tried
- severity of the offense, whether was acting in self-defense
- family situation, mental health and special needs

Right to remain in school and receive equivalent education services

No suspension more than 5 days in a row, or 10 days total in a year

Suspension shall be prohibited for minor misbehavior:
- Being late to school or class or being absent
- Violating school dress code or uniform rules
- Insubordination, defiance, disobedience, disrespect, or disruptive or rowdy behavior,
- Behavior that happens off of school grounds and not as part of school-sponsored activity

3.2 Avoiding Criminalization in School Discipline

Less Reliance on Law Enforcement

More Reliance on positive school climates

Create welcoming and positive environments

Avoid features and practices that create criminal environment

Training of SROs and other law enforcement

Establish clear limits on arrest and searches of students

Recognize principal as the primary authority responsible for school safety

Reduce reliance on SROs, police and security officers

Transparency and accountability mechanisms for role of law enforcement (ultimate goal- ending need)

Ch 4.2 Eliminating Disproportionate Discipline (pg. 66)

District-Level Climate and Behavior Committee – data, planning, monitoring

Culturally responsive classroom management
– physical classroom, norms, communication, family engagement
– community dialogues at the beginning of each year and throughout
– professional development to understand and address staff biases

Revise Codes of Conduct, eliminate suspensions for subjective behaviors

Safe spaces for LGBTQ students – policies, trainings, interventions, services

School Climate and Behavior Leadership Teams – track data, adjust practice

Student grievance procedure – biased or disproportionate practices

Using the Model Code

Identify which sections of the Code are most relevant to your community or school

Compare the Model Code to the existing law or policy

Use "recommended language" from the Code to help shape policy changes

Use guidelines in the Model Code to assist with implementation

Resources for Using the Model Code
http://www.dignityinschools.org/our-work/model-school-code

- Executive Summary and Model Code by Section

- Discipline Code Comparison Tool (breakout session)

- Community Toolkit and Workshop Exercises
  - Tips for sharing the Code with policy-makers, students, parents, educators and communities
  - Sample activities for holding workshops on the Code
  - List of resources (reports, model laws and policies, etc.) to help in implementing the Code

- Participate in Model Code Webinars or Hold a Training
  - Email liz@nesri.org