

**September 10 2020 Committee on Student Achievement and School Innovation**

**Item 3, Action on Resolution 2021R-007 by Directors Baez and Miller**

**COMMITTEE'S RECOMMENDATION:**

**To adopt the resolution with the following modifications:**

1. WHEREAS, In 2014-15, the United States' Office for Civil Rights (OCR), having completed a biennial data-collection review and subsequent investigation, found that MPS had a significant disproportionality in the number of African American students who had received disciplinary referrals, suspensions, and other disciplinary actions; and
2. WHEREAS, In response to the OCR's findings, the district assured the OCR that it would take action to comply with the Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d (Title VI), and its implementing regulation, 34C.F.R. Part 100, which prohibit discrimination based on race, color, or national origin by a recipient of federal financial assistance; and
3. WHEREAS, Administrative Policy 1.06, Equity in MPS, section (1), Background, states
  - a. The Milwaukee Board of School Directors is committed to the success of every student, regardless of race, ethnicity, family economics, mobility, gender identity, sexual orientation, disability, or initial proficiencies. The Board holds itself and all district and school-site decision makers, faculty, and support staff accountable for building a district-wide culture of equity.
  - b. The Board acknowledges the need to address the impact of inequities in the city of Milwaukee and the state of Wisconsin. Accordingly, the Board acknowledges that these inequities have a long-standing impact on access and opportunity for our students, families, staff, and community; and
4. WHEREAS, As stated in Administrative Policy 8.32, Student Expulsions, section (2), "Expulsion of a student from school is a very drastic step, one which the Board hopes shall be rarely necessary in the Milwaukee Public Schools"; and
5. WHEREAS, Other than in situations that involve acts of violence and use or possession of weapons or use of drugs, students are better served in the long term by interventions, not by suspension or expulsion; and
6. WHEREAS, When compared with school districts of comparable size and demographics, MPS has failed to make significant strides in the reduction of disciplinary actions and expulsions, especially those of African American and Latino students, the most

disproportionately affected, with 2019-20 figures showing that African American students continue to make up the vast majority of those expelled at 77%, followed by Hispanics at 17%, with Asians and Whites at 3% each and Native Americans at 0; and

7. WHEREAS, In MPS schools that emphasize restorative justice practices and trauma-related staff over disciplinary referrals, suspensions, and expulsions, data show that for other offenses (those unrelated to weapons or drugs), suspensions went down by nearly half; and
8. WHEREAS, Although the Administration over the years has worked to develop alternatives to suspension and expulsion of students, unless the District constantly strives to do all in its power to reduce suspensions and expulsions of its students, it is shirking its legal and moral responsibility to provide its students with the best educational opportunities possible; and
9. WHEREAS, Some districts no longer suspend students below the sixth grade or who are younger than 12 years in age while in MPS, in 2019-20, the percentage of students under 12 who were expelled nearly doubled; and
10. WHEREAS, If a school or administrator continually resorts to suspension or expulsion, rather than to less severe responses to behavioral issues, it may indicate a need for intervention with the administration of the school as much as with its students; and
11. WHEREAS, Families, as well as schools, need to take responsibility for and be involved in the behavior and discipline of their children and must work with their schools to encourage a climate of mutual respect, safety, wellbeing, trust, and learning; and
12. WHEREAS, Similar to other major urban school districts, some MPS students and families are victims of racism and racial segregation, poverty, and other social economic inequalities; and
13. WHEREAS, To counter systemic inequities, MPS continues to reaffirm its commitment to social and economic justice, and to the struggles that improve our lives. MPS wants to go beyond the traditional struggles for equity, and re-affirms its anti-racism stance in all functions of the organization and the community in which we live; and
14. WHEREAS, MPS is very cognizant of what academics have termed “stereotype threats,” a condition that often contributes to how African American and other students of color respond in a society plagued by racism and inequality, and stands against all practices that add the violence and its related consequences; and
15. WHEREAS, The District must maximize the work of the school discipline committees to engage with school staff, parents, and students in the exploration of practices of

intervention and reduction in disciplinary incidents; now, therefore, be it

1. RESOLVED, That suspensions and expulsions shall be tools of last resort in the reduction of disciplinary problems and shall be considered only when all other options have been exhausted; and be it
2. FURTHER RESOLVED, That the Milwaukee Board of School Directors directs the Administration to continually revisit its vision and policies in regard to reducing suspensions and expulsions; and be it
3. FURTHER RESOLVED, That interventions and practices, presented in the OCR Report of July 2020, be used by all MPS staff to make a concerted effort to significantly dismantle systems of racial and ethnic disproportionality and inequality; and be it
4. FURTHER RESOLVED, That the Administration explore further opportunities to train school staffs, parents, and students in a total change in the mindset that drives school suspensions, and in cultural awareness, conflict resolution, violence prevention, restorative justice, tolerance for divergent viewpoints, etc.; and that the school improvement plans of each school specifically address how the school community proposes to engage in alternatives to suspensions; and be it
5. FURTHER RESOLVED, That school staffs and students institute school-wide workshops and orientations for all incoming students to discuss with them acceptable conduct, resources available, restorative justice, what to do when they need to talk to a professional, etc. — whatever may curtail the need to suspend or expel; and be it
6. FURTHER RESOLVED, That as is currently stated in policy when a student is referred to the school's office for disciplinary action, the first response shall be to seek interventions and attempts to change the student's conduct, not to default to suspension or expulsion; and be it
7. FURTHER RESOLVED, That "chronic disruption" – described nationally as "willful defiance", defined as "disrupting school activities or otherwise willfully defying the valid authority of school staff" shall not constitute grounds for suspension, for fifth grade and below, unless clear interventions have been employed and documented and there is notification to the Regional Superintendent or designee, resulting in a suspension and resulting in meeting with the student's guardian (s); and be it
8. ~~FURTHER RESOLVED, That the District shall suspend no student below the sixth grade unless a student exhibits behavior that presents an imminent danger to the physical, emotional, or mental safety of specific students and staff, and with the approval of the Regional Superintendent or designee or under the age of 12; and be it~~

9. FURTHER RESOLVED, That a disciplinary referral of a student to a contracted school, ~~or other~~ alternative program, or appropriate placement including but not limited to online educational services shall not be considered an expulsion, but a reassignment, unless required by State statute transfer to a setting that will more appropriately address the student's needs; and be it
10. FURTHER RESOLVED, The Administration shall develop, or partner with community educators and non-profits and worked community-based organizations on interventions for parents and guardians to address and to mitigate student disciplinary issues; and engage the Milwaukee community on efforts to dismantle the structural conditions created by racism that breed conflict between children and adults; and be it
11. FURTHER RESOLVED, That the Administration shall ~~develop a~~ continue its current process, to include appropriate benchmarks and reasonable measurements, to monitor the rates of suspension and expulsion within each school, and if a pattern of excessive use of either appears, to investigate and, when necessary, to provide assistance in reducing disciplinary issues and professional development in alternate means of discipline; and be it
12. FURTHER RESOLVED, And that the administration will develop a monthly report on referrals, demarcating suspensions and expulsions resulting from those referrals, to the Board similar to the 24 areas in the OCR report spelled out in section "e" titled "The analysis for behavior data for the 2019-2020 school year." The areas reported monthly will give an overall district summary of referrals, suspensions and expulsions--including comparison of Black, Latino/a, Asian and white students--along with a breakdown for each school, including non-instrumentality charter schools; and be it
13. FURTHER RESOLVED, That the Administration shall ~~include~~ continue the implementation and the results of this monitoring-and-intervention process monthly and in its annual report to the Board; and be it
14. FURTHER RESOLVED, That this resolution will be implemented starting in January with the 2nd semester of the 2020-2021 school year and any necessary policy changes are to be brought to the Board for approval, prior to the January 2021 implementation.