

**Agenda Item #39 –
Code of Student Conduct, Discipline, and Due Process Policies**

Last November, I had the opportunity to hear Judge Brian Huff at a conference entitled “Safe Schools, Fair Schools,” held here in Raleigh. Judge Huff is the Presiding Juvenile Judge for Jefferson County, Alabama. After a few years on the bench, he realized that 80 percent of school referrals to his court were from a single school district, African American students made up 99 percent of those referrals, and 90 percent of the referrals were for misdemeanors and violations.

Judge Huff decided to address the problem by collaborating with the community. In his own words, the goal of his Reclaiming Our Youth initiative “is to improve the local juvenile justice system...by working with school officials, law enforcement, service providers and families to promote positive youth development, restorative justice and family involvement within their communities. The effort has reduced the juvenile incarceration rate in Jefferson County by more than 70%.”

Several of us in the room today are community “collaborators” who serve on the Suspensions PLT and the ED Task Force, among other committees. We are parents, lawyers, educators, businesspeople—concerned citizens who believe that it’s time for a comprehensive overhaul of our current student discipline policies and careful crafting of the rules and procedures that will guide the implementation of new policy.

Based on best practices from around the country, as well as our own experience with Wake County Schools, we have offered very specific, constructive recommendations and best-practices examples for changes to current policy.

- If we are to create a climate for affecting positive change, it is essential that policies be written in a **positive tone**—one that speaks to preventions and interventions, not just worst-case scenarios.

We have a Positive Behavior Intervention Support initiative in our schools, yet the tone of these policies run counter to that successful initiative.

- The Code of Conduct needs to be written in **simple, concise language** that can be easily understood by parents and students so the code is both accessible and effective. Otherwise, it is open to interpretation and highly susceptible to failure.
- Policies must not be vague or ambiguous, or they will again lead to zero tolerance practices, enormous racial disparities, and large differences in suspension rates among schools across the district. In the latest version of the Code, **long-term suspension is NOT broken down into various lengths...**so one student could get 11 days for fighting, while another could get 179 days.
- Despite overwhelming community support in the Suspensions PLT and ED Task Force, there is still no tier in which suspension is not allowed, and no requirement to consider mitigating factors when assessing a consequence for a student.

We have the opportunity to get this right. We have provided many fine examples from around the country to leverage. Why can't we sit down and collaborate on policies that will take us in a direction in which any top-ranking school district would want to head?