

UNITED TEACHERS LOS ANGELES

Bargaining Proposal

January 12, 2018

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ARTICLE XXIV

STUDENT DISCIPLINE, LEGAL SUPPORT AND PROPERTY LOSS
SCHOOL CLIMATE, STUDENT DISCIPLINE, AND POSITIVE BEHAVIOR
SUPPORT

- 1.0 District Code of Student Conduct and School Climate & Discipline Plan: It is the intention of the parties that ~~teachers and administrators~~ all stakeholders work in a mutually supportive manner to maintain healthy school climates that support effective proper student discipline practices. ~~There are three levels or sources of student disciplinary rules:~~
- a. In order to improve consistency and accountability in student discipline, the District shall develop and issue (and may revise from time to time) a Districtwide Code of Student Conduct. UTLA shall be one of the principal participating stakeholders in that process.
 - b. Local School Leadership Councils shall, pursuant to Article XXVII, Section 2.4, annually create, and approve by a majority vote, issue local rules of a School Climate & Discipline Plan student conduct, supplemental to and consistent with the District-wide Code of Student Conduct, prior to the first day of each school year. ~~and~~
 - c. Local School Leadership Councils shall annually review and evaluate the effectiveness of the existing School Climate & Discipline Plan as part of the process for creating a Plan for the following school year, in accordance with Article XXIV, Section 1.b. This process should start no later than March 1 of each school year.
 - d. The annual School Climate & Discipline Plan shall include, but not be limited to, the roles and responsibilities of students, classroom teachers, parent/guardians, HHS staff, out of classroom teachers, classified support staff, and school administrators in supporting the Plan. The annual School Climate and Discipline Plan shall also indicate ongoing efforts and supports for positive behavior support and learning, including, but not limited to, professional development and training for certificated, classified, and administrative staff, parent education, and student programming.
 - e. The annual School Climate & Discipline Plan shall include, but not be limited to, the process for referring students for school discipline and/or intervention outside of the classroom and possible consequences for violations within the Plan.

- f. A teacher shall also have the right to issue and enforce reasonable rules of classroom conduct applicable to students in the teacher's classes, supplemental to and consistent with the School Climate & Discipline Plan and District-wide Code of Student Conduct and local school rules.
- 1.1 Schools shall ~~annually, at or soon after the start of the school year,~~ post and distribute the School Climate & Discipline Plan and District Code of Student Conduct ~~and local school rules of student conduct~~ to students, parents, teachers and staff no later than the tenth school day of each school year. Any later changes to such rules shall also be posted and distributed.
- 2.1 Teachers who choose to impose suspensions from their class shall immediately notify ~~report same to~~ the site administrator and suspend ~~send~~ the student from the classroom in accordance with the School Climate & Discipline Plan ~~to the office~~. As soon as possible. The teacher shall also notify the parent or guardian of the student shall be notified about the classroom suspension, and/or a conference shall be scheduled with the parent or guardian of the student to meet with the teacher. Under special circumstances and upon request by the teacher, the site administrator shall take responsibility for contacting the parent or guardian. During the period of the suspension the student shall not be returned to the teacher's class without the consent of the teacher, or be placed in another regular class. The teacher may require the completion of tests and assignments missed due to the suspension. Apart from or in addition to a teacher-imposed suspension, the teacher may refer a student to the site administrator for consideration of a suspension from school or an expulsion.
- 3.1 If an employee's person or property is injured or damaged by the willful misconduct of a student while on school property, or while attending or being transported to or from a school-sponsored activity, or in retaliation for conduct of the employee within the course and proper scope of the employee's duties, the employee shall immediately notify the site principal in writing and may, in addition to any independent remedy the employee may have, request the District to pursue legal action against the student and/or the student's parents or guardians pursuant to Education Code Sections 48904 and 48905. After evaluating the circumstances, the District may bring such a legal action to recover damages. Under all circumstances, the site principal shall provide a written response to the affected employee(s) within five (5) days to confirm receipt and provide notification of what action shall be taken regarding the student and/or the student's parents or guardians. If such information is not available within five (5) days, the written response shall indicate all actions taken by the principal in response to the employee's request.
- 6.0 Positive Behavior Support & Restorative Practices Committee
- a. A district committee shall be formed and maintained, consisting of educators, parents, students, community, and administrators, to identify and collaboratively develop professional development models that support implementation of positive behavior support and restorative practices in our schools.

- b. The committee shall identify and develop curriculum and instruction approaches that are consistent with and supportive of positive behavior support and restorative practices (for example, ethnic and cultural studies, collaborative learning, etc.).
- c. The committee shall identify and develop school vision and structure models that are consistent with and supportive of positive behavior support and restorative practices (example: sustainable community schools). The school vision and structure model shall include particular attention to creating deep, ongoing engagement among students, parents, community, and school staff.
- d. The committee shall prepare a report on the resources, staffing, and support services for students and families that are necessary for successful implementation of positive behavior support and restorative practices in our schools. This report will include data on the use of full-time on-site PBIS and RJ experts.
- e. The committee shall identify demonstration schools that can be visited for others to learn about positive behavior support and restorative practices.
- f. The committee shall begin meeting no later than September 1, 2017 and provide an initial written report to the Board of Education, in accordance with d. above, no later than December 1, 2017.
- g. The committee shall be ongoing and will monitor the implementation of positive behavior support and restorative practices. In particular, the committee shall monitor the following elements, as they relate to positive behavior support and restorative practices: professional development, curriculum and instruction, school structure, stakeholder engagement, resources/staffing/support services, and support needed for schools moving towards implementation.
- h. The committee shall also identify, on an annual basis, schools for targeted school climate & discipline support and intervention.
- i. The committee shall meet no less than twice per month during District business hours. Certificated bargaining unit members appointed to the committee shall be released from their regular employee duties at no loss of salary or benefits.
- j. The committee shall consist of six (6) UTLA appointees and six (6) LAUSD appointees. Both UTLA and LAUSD will include among its appointees, respectively, one (1) parent, one (1) student, and one (1) community leader. Current UTLA represented Restorative Justice advisors, paid for by LAUSD or through grants, may be appointed to the committee or utilized for support of the committee's work.

6.1 In order to provide ongoing support to schools, the Positive Behavior Support & Restorative Practices Committee shall create a School Climate & Discipline Action Team (SCDAT) to provide necessary support and intervention for schools identified pursuant to Article XXIV, Section 6.0.j. above. The Team shall include no less than two (2) UTLA appointees and two (2) LAUSD appointees, who will also serve on the district committee defined in sections b-j (above). Under all circumstances, the team shall be composed of an equal number of UTLA and LAUSD appointees. UTLA appointees shall be released full-time to serve on the team. Targeted intervention and support may include, but is not limited to: professional development; development, implementation, and evaluation of a school-wide behavior support plan; peer coaching; recommendations for additional staffing and other additional resources.