

September 28, 2012

Summary Information on the Voluntary Resolution Plan between the Oakland Unified School District (OUSD) and the U.S. Department of Education, Office for Civil Rights (OCR)

Background

On Thursday, September 27, 2012, the Oakland Board of Education ratified a Voluntary Resolution Plan (VRP) with the U.S. Department of Education, Office for Civil Rights (OCR), to address OUSD's disproportionate discipline of African-American students. After conducting a compliance review, the Office of Civil Rights offered OUSD the chance to resolve this issue through a voluntary agreement, rather than a compulsory one.

This decision was made in recognition of the District initiatives to prioritize improved outcomes for black males since 2010, when OUSD created the Office of African-American Male Achievement (AAMA). The Office of AAMA fosters practices that address the disproportionate suspension rates for black males in OUSD. Specifically, AAMA and Districtwide initiatives to address the issue of disproportionality include:

- Developing Full-Service Community Schools that, in addition to high-quality academics, provide wrap-around services and attention to students' social and emotional needs
- Reviewing and promoting national best practices for reducing racially disproportionate suspensions
- Focusing on reducing "defiance" as a basis for suspension
- Rejecting zero-tolerance strategies as counter-productive
- Adopting Restorative Justice principles that change the approach from punitive discipline to restorative practices, emphasizing the harm caused and supporting the offender in providing reparations to the victim
- Introducing Positive Behavioral Intervention and Support Strategies to teach and reinforce positive school-wide behavioral expectations that are fair and equally applied to all students in all contexts
- Piloting Manhood Development classes to help black males better manage peer and adult relationships, producing a positive impact in attendance rates, discipline and GPA among program participants

To learn more about the steps OUSD is taking to address disproportionate discipline, visit: www.thrivingstudents.org.

These strategies were adopted in recognition of the inequitable discipline received by black males, as a group, in OUSD. This perspective was confirmed by a May 2012 report issued by the Urban Strategies Council which found that, in OUSD:

- Black boys comprise 17 percent of the population but account for 42 of percent suspensions
- One in 10 black boys in elementary schools, one in three black boys in middle schools, and one in five black boys in high schools are suspended annually
- Forty-four percent of black males were suspended solely for defying authority
- Black males with suspensions were less likely to rate as "proficient" or "advanced" in English Language Arts (ELA) or Math

The full Urban Strategies report is available at: <http://www.thrivingstudents.org/47/urban-strategies-council-deeper-look-african-american-males-ousd-report>.

COMMUNICATIONS

Also in May 2012, guided by Title VI of the Civil Rights Act of 1964, the U.S. Department of Education, Office for Civil Rights, initiated a compliance review of the District in order to investigate whether the District disciplined African-American students more harshly than white students. OCR has the authority to resolve the compliance review through a voluntary agreement before the conclusion of the investigation, an option it exercised in this case. The result is a two-phase agreement covering the school years from 2012-13 to 2016-17.

During Phase I (2012-13), OUSD will:

- Appoint a lead project manager with day-to-day responsibility for supporting implementation of the agreement
- Identify a Response-to-Intervention program that supports reduction in suspensions for schools in the initial Voluntary Resolution Plan “cohort” (this cohort is comprised of those schools with the highest disproportionality in suspension by race)
- Develop “trauma-sensitive” services and an implementation plan for cohort schools
- Identify possible revisions to Board Policies, Administrative Regulations and District Agreements related to discipline
- Create a District-wide Student Discipline Handbook
- Administer an annual survey to measure school climate and relationships within school communities
- Develop a school-based student/staff discipline forum in all cohort schools
- Design training programs to be delivered annually to cohort schools that explain discipline policies
- Offer an information program to parents and guardians of all OUSD students that explains discipline policies
- Identify the necessary changes in the student database (AERIES) required to meet the reporting and evaluation requirements of the agreement, including tracking site-based discipline and teacher initiated suspensions
- Establish an interdepartmental team with overall responsibility for implementation, compliance and evaluation of the agreement as well as annual reporting to OCR

During Phase II (2013-14 through 2016-17), OUSD will:

- Fully implement Phase I commitments
- Conduct end-of-year meetings between principals and teachers at cohort schools to discuss strategies for encouraging positive student behavior and to review student discipline
- See that principals take corrective action when a teacher fails to adhere to District’s student discipline policies or engages in discrimination
- Ensure that principals facilitate opportunities for teachers who demonstrate best practices to coach their peers and to be observed in action
- Hold an end-of-year meeting where the Superintendent or designee meets with the principals of the cohort schools to discuss data, disseminate practices of successful schools and take appropriate action when data suggests a school is not meeting the overall objectives of the agreement