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# Maintaining the Momentum

## **A Plan for Safety and Fairness In Schools**

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**Phase Two Recommendations**  
The Mayor's Leadership Team on  
School Climate and Discipline

July 2016

**NYC** Criminal  
Justice

**NYC** Department of  
Education



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## FOREWORD

A new public safety pattern has emerged in New York City – record lows in crime and incarceration, thanks to a broader and more innovative range of strategies that extends beyond traditional law enforcement. We know that we can have safer communities citywide while respecting all residents and neighborhoods. This holds true in our schools too. Rather than mere punishment, proactive approaches to discipline can ensure safe schools and develop in students greater independence and ownership of behavior. Ultimately, safer learning environments will drive student achievement inside and outside the classroom.

In February 2015, I called upon leaders from different corners of education and City government to join the School Climate Leadership Team. These leaders have worked to devise strategies that ensure safe school environments while minimizing overly punitive measures, which disproportionately impact students of color and students with Individualized Education Plans (IEPs), and can have damaging immediate and long-term impacts.

This is no small task. New York City public schools educate 1.1 million students each year, and with 1,800 schools, safety strategies must account for the unique needs of each school community. But there are concepts guiding our reforms that we know apply to all learning communities: students learn best when they're in a safe, supportive and inclusive environment. Research shows that suspensions and arrests increase students' chances of being held back in school, dropping out and/or entering the juvenile justice system. Overly punitive responses have been shown to be ineffective in improving student behavior and school climate.

We hold our schools to rigorous standards of instruction and accountability for student learning. Rather than simply punishing students, our schools are expanding resources to ensure that students are given opportunities to learn from and correct misbehavior moving forward. Since the launch of the School Climate Leadership Team, the City has allocated more than \$190 million over the next four years to expand mental health support, disciplinary resources, and social and emotional learning for schools. This will support schools with additional mental health resources and guidance counselors. The funding will also expand resources and trainings to implement restorative disciplinary practices, which support students by holding them accountable for their actions, resolving conflict, and learning how to correct behavior in the future.

My administration, the Department of Education, and the New York City Police Department are working together to ensure that all students are provided with an equitable and excellent education in a safe school building. We are grateful to the members of the School Climate Leadership Team for their dedication to developing meaningful reforms that will continue to improve school climate in communities around the city and positively impact the lives of students and school staff.

The Leadership Team partnered with several philanthropies, community-based organizations and universities. We'd like to thank the Atlantic Philanthropies, the Brooklyn Community Foundation, the New York Community Trust and John Jay College for their important contributions to the Leadership Team's work.

This work is far from over. Our partnerships with City agencies, educational organizations, and school communities citywide will continue to be essential as we identify additional areas of focus and invest our resources wisely. New York City must continue to innovate to bring about a new normal in our public school system – safe, respectful learning environments in which students can learn how to succeed in the classroom and beyond.

A handwritten signature in black ink that reads "Bill de Blasio". The signature is written in a cursive, flowing style.

**Bill de Blasio**  
Mayor

## BACKGROUND

*Maintaining the Momentum* presents the second and final set of policy recommendations from the Mayor’s Leadership Team on School Climate and Discipline (“Leadership Team”). Convened in February 2015, the Leadership Team’s charge was to develop policy recommendations to improve the climate for learning and reduce the number of students who are subjected to arrests, summonses and suspensions in New York City public schools.

Co-chaired by Ursulina Ramirez, Chief Operating Officer and Chief of Staff to the Chancellor at the NYC Department of Education, and Dana Kaplan, Executive Director of Youth and Strategic Initiatives of the Mayor’s Office of Criminal Justice, the 30-member team included representatives from city agencies, community organizations, unions, universities and service providers. Over the past year, the Leadership Team reviewed data, tracked progress on the City’s efforts and deliberated recommendations in order to:

- Improve the use of data to assess the effectiveness of current policy and practice, and spread promising positive discipline innovations system-wide.
- Reduce the frequency and duration of suspensions and minimize arrests and referrals to the justice system for school-based disciplinary offenses.
- Reduce disparities by race, gender, disability and LGBT status in student discipline, arrests and summonses.
- Increase access to mental health and other community-based supports for high-need students.
- Update the Discipline Code and the Memorandum of Understanding between the New York City Police Department (NYPD) and the Department of Education (DOE) to align the use of school discipline and the role of school safety personnel with supportive school climate goals.

The Leadership Team’s work was supported by five Working Groups that involved an additional 120 people with wide-ranging expertise related to the initiative’s mission. Members of the Leadership Team and Working Groups are listed in Appendices 1 and 2.

The Leadership Team conducted its work through two phases of investigation and deliberation. Its first phase (February 2015 – July 2015) culminated in a set of ten recommendations for strengthening the positive supports available to schools—through new policies, resources, training and personnel—and for building the capacity of the

City to deliver these supports effectively. These Phase I recommendations are listed below, and detailed in the report *Safety with Dignity*, released in July 2015.<sup>1</sup>

### Phase I Recommendations

1. Articulate a clear mission statement on student discipline that embraces positive supports and presents a strategy for implementing this mission.
2. Provide additional school climate supports, including staff and training, for schools with the highest numbers of suspensions, arrests and/or summonses.
3. Increase school climate supports system-wide.
4. Improve citywide and school-level data collection and use.
5. Implement protocols and training to improve the scanning process and remove scanners where appropriate.
6. Memorialize in writing, policies and protocols within the NYPD and DOE that promote de-escalation and integration between educators and agents.
7. Create Resource Coordination Teams within the new Borough Field Support Centers.
8. Implement strategies and supports to specifically reduce disparities in discipline and school-based arrests/summonses.
9. Improve training of staff in high-priority schools on how to identify and meet the needs of students with special needs.
10. Promote transparency, consistency and information sharing between schools that receive students via Safety Transfers and the central office of the DOE.

Following the release of *Safety with Dignity*, the Leadership Team convened again to examine how best to align existing policy with the new vision and approach to promote positive discipline and safety in schools. From February 2015 through February 2016, members studied best practices in schools throughout the City, as well as those employed by other jurisdictions across the nation. These deliberations produced a second and final set of recommendations that are intended to accelerate the implementation of effective reform.

*Maintaining the Momentum* offers eight recommendations developed from this second phase of deliberations. They are:

1. Train superintendents in positive discipline strategies so they have the knowledge and skill set necessary to promote these strategies and evaluate their execution.

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<sup>1</sup> The Leadership Team's first report, *Safety With Dignity*, can be found here: <http://www1.nyc.gov/site/sclt/index.page>

2. Increase mental health supports for high-need schools to address symptoms and behaviors with a medical model as an alternative to disciplinary action.
3. Reduce the length of superintendent's suspensions to minimize disruption to learning and engagement in school.
4. Improve supports for students returning to district schools from superintendent's suspensions at Alternate Learning Centers.
5. Improve supports for students returning to school from alternative settings such as the Rikers Island Correctional Facility and facilities managed by the Administration for Children's Services.
6. Update the Discipline Code to reflect the City's current vision and approach to positive climate and discipline in schools.
7. Rewrite the Memorandum of Understanding to clarify the role and authority of school safety staff, precinct officers and educators on safety and discipline matters.
8. Evaluate new initiatives, and improve and increase data collection on school climate and safety indicators.

These recommendations are proposed to be considered by the Mayor, Department of Education Chancellor, Police Commissioner, Director of the Mayor's Office of Criminal Justice and other relevant individuals.

## EXECUTIVE SUMMARY

### PHASE II RECOMMENDATIONS TO IMPROVE DISCIPLINE AND SAFETY IN NEW YORK CITY SCHOOLS

The following recommendations are intended to promote the Mayor's vision of a strong, just and safe City in which all youth can learn and grow. They seek to improve the supports for students in schools with high rates of suspensions, arrests and summonses, as well as for those who are returning from out-of-school suspensions and secure detention. They also aim to ensure citywide adoption of best practices in positive climate, safety and to fortify the City's commitment to a disciplinary system that fairly balances proper intervention with prevention of educational disruption. They aim to diminish disparities in suspensions, arrests and summonses based on factors such as race and disability.

These proposed changes build on promising practices from around the city and across the country to provide innovative responses to the most challenging issues in our City's schools. They also align with activities of other significant mayoral efforts, including the New York City Community Schools, the School Renewal Program, and UPK NYC (universal pre-kindergarten) and Equity and Excellence initiatives. Taken together, these efforts present a coordinated approach that incorporates structural changes, policy reforms and intensive supports to build safe and supportive communities in our schools.

#### **Recommendation 1: Train superintendents in positive discipline strategies so they have the knowledge and skill set necessary to promote these strategies and evaluate their execution**

In SY 2015, the DOE moved to refresh and invigorate the position of district superintendents and to vest the role with greater day-to-day oversight of local schools. With principals now directly under the supervision of superintendents, greater support is needed to help superintendents learn about why positive discipline and safety is important to student success, what roles they can play in helping schools to make this transition, and the range of resources and training available to support this process. To build superintendent understanding and capacity in this area, the DOE should:

- Provide training for superintendents on: (a) how to implement positive discipline supports; (b) the effects of such interventions on teaching and learning; and (c) how to evaluate such programs.
- Create regular opportunities for superintendents to plan steps they will take to assist schools in their districts to shift their disciplinary and safety practices.



**Recommendation 2: Increase mental health supports for high-need schools to address symptoms and behaviors with a medical model as an alternative to disciplinary action**

Through the *Thrive NYC* initiative<sup>2</sup>, the City intends to invest more than \$15 million in mental health supports annually. Funds from this initiative and elsewhere should be targeted to expand mental health supports in the high-need schools that lead the City in school-based arrests, summonses, suspensions and calls to Emergency Medical Service (EMS).

In addition, in order to more effectively support the needs of these students, and to reduce unnecessary EMS calls, the City should pilot a comprehensive mental health service continuum in 20 high-need schools in the South Bronx and Central Brooklyn with the highest numbers of EMS calls, suspensions, arrests and summonses. This pilot should include:

- Assessing mental health needs within the school.
- Using hospital-based clinics to support schools.
- Creating a call-in center that provides centralized mental health assessment and support.
- Creating and assigning “school response teams” comprised of mental health professionals.
- Providing whole-school Collaborative Problem Solving training.
- Planning for and assigning four full-time School Behavioral Health Consultants (SBHC) to the twenty pilot schools.
- Providing intensive in-home individual and family behavioral supports for high-needs students.
- Creating a “school behavior analysis and support team.”
- Evaluating and assessing the implemented programming.

**Recommendation 3: Reduce the length of superintendent’s suspensions to minimize disruption to learning and engagement in school**

In SY 2015, New York City students lost 355,100 days<sup>3</sup> of regular classroom instructional time due to suspensions (.1 percent of all potential school days). Suspensions ranged in length from 1 day to 1 year (see the chart below). The average length of suspension was eight days (down from nine days the year prior), suggesting that many young people are experiencing significant displacement from their regular

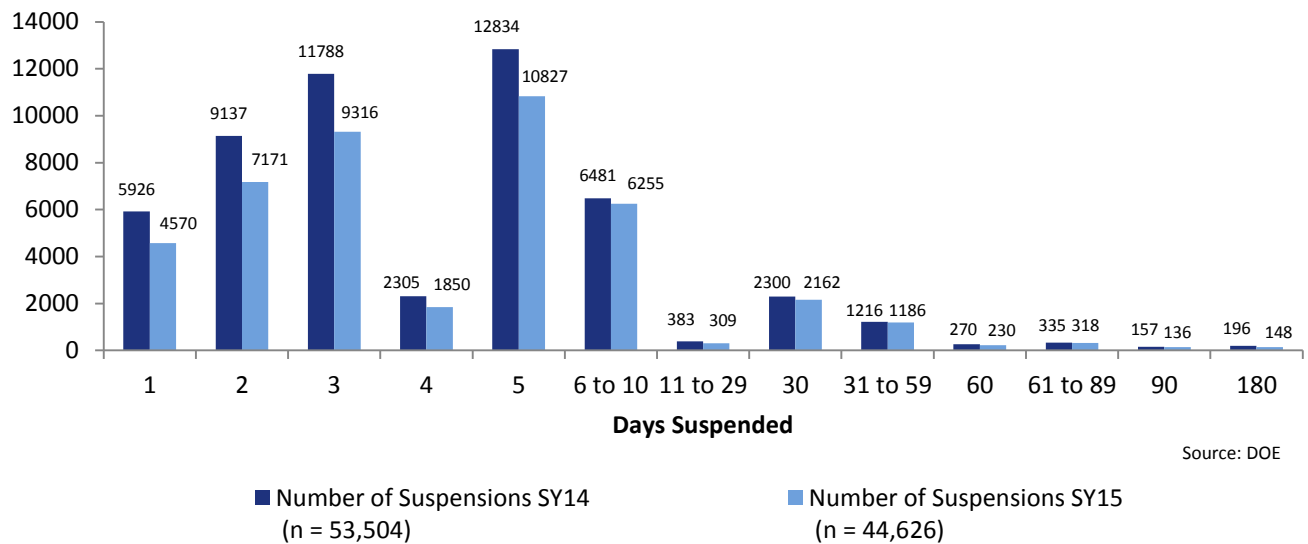
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<sup>2</sup> To learn more about the City’s comprehensive mental health plan, please go to: <http://www1.nyc.gov/nyc-resources/thrivenyc.page>

<sup>3</sup> In SY14 students lost 403,314 days of school or 13.5 percent more days than in SY15.

educational settings. School officials and other experts warn that suspensions increase the risk of further academic and social disengagement from school.<sup>4</sup> Substantial data demonstrates the negative consequences of suspensions on student outcomes, including lower academic achievement and higher rates of school dropout, as well as decreased levels of trust and belonging in school.<sup>5</sup>

Figure 1: Number of Suspensions, By Length of Suspension in Days, SY 2014 vs SY 2015



New York City regulations require that students receive alternative instruction for the duration of their suspensions at Alternate Learning Centers (ALCs),<sup>6</sup> which puts the City a step ahead of the curve. Yet an examination of New York City data reveals that students who receive long-term suspensions have lower attendance rates and earn fewer credits the year following their suspension than prior to being suspended. To minimize time spent away from their home school, the DOE, in collaboration with the Mayor’s Office of Criminal Justice (MOCJ) and the Leadership Team, should:

- Convene a multi-stakeholder team to conduct a thorough review of the length of superintendent suspensions with the goal of ensuring that the number of days is

<sup>4</sup> Pattison, B; Stephens, K.; Womack, G (2009). The road to reengagement: providing an education to long-term suspended and expelled youth. *Team Child*.

<sup>5</sup> Skiba, Ritter & Simmons. *The Safe and Responsive Schools Project: A School Reform Model for Implementing Best Practices in Violence Prevention*. 632-33.

<sup>6</sup> Alternate Learning Centers provide an educational setting for students who are serving a Superintendent’s Suspension up to one year. Their goal is to provide a continuity of education for ALC students. ALCs cultivate pro-social beliefs, attitudes and behaviors in students, and provide a variety of positive behavioral programs such as Positive Behavior Support Systems (PBIS), Restorative Approaches, and Life Space Crisis Intervention (LSCI).

appropriate and proportionate to the infraction and minimizing time away from the student's home school.<sup>7</sup>

- Examine best practices by other districts around the country and analyze the impact of long-term suspensions school environments and on students' academic trajectories in New York City schools.
- Incorporate the results of the review in the discipline code to be implemented in September 2016.

#### **Recommendation 4: Improve supports for students returning to district schools from superintendent's suspensions at Alternate Learning Centers**

On average, students in New York City who receive lengthy superintendent suspensions have lower attendance and credit accumulation rates the year after they complete their suspension.<sup>8</sup> Improving long-term outcomes for these students requires—at minimum—that they be helped to transition successfully back to their home school after completing suspensions in Alternate Learning Centers.

To promote successful transition and re-entry into school, the DOE should:

- Hire Reintegration Managers for each of the Borough Field Support Centers to assist returning schools and ALCS in developing and providing reintegration services for students who have received superintendent suspensions.
- Require an entry and reengagement meeting that involves the student, a family member, and relevant staff from the home school and ALC, for all students serving superintendent suspensions.
- Pilot mandatory reengagement restorative circles for students returning from superintendent suspensions within the 20 schools receiving Safe and Supportive Opportunity Expanded (SSOPE)<sup>9</sup> resources.
- Provide afterschool programs and support at ALCs.

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<sup>7</sup> See preliminary recommendations from the multi-stakeholder group in Appendix 5.

<sup>8</sup> The Leadership Team defined lengthy suspensions as 30 days or more.

<sup>9</sup> The Safe and Supportive Opportunity Program Expanded offers schools additional staffing and training to increase safety. For more information about SSOPE see Appendix 4.

**Recommendation 5: Improve supports for students returning from facilities within the criminal justice system such as the Rikers Island Correctional Facility and facilities managed by the Administration for Children’s Services**

In SY 2015, approximately 2,287 students were discharged from East River Academy and Passages Academy,<sup>10</sup> of which 1,272 returned to DOE schools. The majority of these students were “severely chronically absent”<sup>11</sup> from school before they were placed in court-ordered settings. Upon discharge from court-ordered settings, attendance rates further decreased.<sup>12</sup> Additionally, many students enter these two academies reading far below grade level. For example, according to data from the STAR Reading Assessment administered to Passages Academy students at the time they are admitted, more than 90 percent of Passages Academy students read at least one grade level below the national norm for students in their grade level. Without strong academic and social supports during detention and upon release, many of these students will continue to be discouraged to attend school and thus read behind grade level and ultimately not graduate high school.

In order to more effectively support the needs of these students and reduce recidivism, the City should:

- Extend mandatory schooling to twelve months for students in detention, placement and at the Rikers Facility.
- Provide intensive reading remediation for students in detention, placement and Rikers.
- Expand the programming targeted for over-age middle school and high-school students, including ReStart Academy, Career Technical Education (CTE) options, vocational programs and Pathway to Graduation programs.
- Increase funding for schools that accept students from detention, placement and Rikers during the school year.
- Create a pilot program in schools that traditionally receive the greatest number of youth from incarceratory settings, and additional schools that express an interest in working with court-involved youth. The program will help students stay on track

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<sup>10</sup> Passages Academy provides educational instruction and counseling for students ages 16 and younger in secure and non-secure detention and placement facilities operated by the Division of Youth and Family Justice of the Administration for Children’s Services.

East River Academy (ERA) serves students between the ages of 16 and 21 in multiple locations on Rikers Island Correctional Facility.

<sup>11</sup> Students are severely chronically absent if they miss 20 percent or more of school days during any given year.

<sup>12</sup> Attendance rates for students returning to DOE schools from Rikers decreased by 13.5 percentage points (from 48.6 percent to 35.1 percent). Attendance rates for students who left Passages and returned to DOE schools decreased by 4.9 percentage points (from 57.3 percent to 52.4 percent).

to complete high school or high receive a high school equivalency diploma while building skills to succeed in post-secondary opportunities.

*Figure 2: Average Grade Equivalent Scores on the STAR Reading Assessment Administered to Passages Academy Students at Intake by Grade Level, SY 2014- SY 2015*

Grade Level	Number	Mean
6	7	3.3
7	28	3.4
8	72	4.4
9	223	5.2
10	133	6.2
11	20	6.8

Source: DOE

**Recommendation 6: Update the Discipline Code to reflect the City’s current vision and approach to positive climate and discipline in schools**

In light of the City’s new mission statement (adopted in July 2015), further modifications are proposed to the DOE’s discipline code to bring it into alignment with the City’s current vision and approach to positive climate, discipline and safety. These revisions must be accompanied by sufficient resources for all schools to be able to provide positive and prevention-oriented interventions to students.

To further limit unnecessary classroom exclusion and reduce disparities by race, gender and disability, the DOE should:

- End suspensions in kindergarten through second grade and replace with appropriate positive interventions.<sup>13</sup>
- Require principal suspensions of students in third grade to be approved by the central DOE.
- Minimize the carry-over of suspensions between school years and systemize the early reinstatement process.
- Require documentation of positive support and intervention provided by the school prior to a principal’s suspension, and ensure that additional mitigating factors are considered in the determination of disciplinary action.

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<sup>13</sup> It should be noted that this recommendation was a non-unanimous recommendation from the Leadership Team. While it was supported by the majority of members of both the School Climate and Principal’s Working Groups, not all Leadership Team members were in support.

- Articulate within the Discipline Code, the expectations for the school, students and parents/caregivers in the disciplinary process and clarify the process for getting help if problems arise.
- Reformat the presentation of the Discipline Code to improve accessibility to students and their families, and require schools to discuss the new code with students and parents/caregivers.

In addition, given the continued rate of disparities based on race and disability in B-21 (“insubordination”)<sup>14</sup> suspensions and the concentration of these suspensions in a small subset of schools, there is agreement from the Leadership Team members that there should be a proactive strategy from DOE to address the amount of suspensions under B-21, with recognition that the significant decline in suspensions for this offense in SY 2015 is a promising trend that should be continued.

**Recommendation 7: Rewrite the Memorandum of Understanding to clarify the role and authority of school safety staff, precinct officers and educators on safety and discipline matters.**

The relationship between the DOE and NYPD in New York City public schools is governed by a Memorandum of Understanding that was developed in 1998. Originally intended for review and updating every four years, this document has not been revised since inception. As a result, it does not reflect the significant changes in school safety and police engagement in schools that have led to sharp declines in arrests and summonses over the last few years. It also fails to clearly delineate the role of educators in disciplining students for non-criminal behavior.

In order to ensure the effective deployment of school safety staff and precinct officers in schools, all adults in the school building must understand their roles and the protocols for working collaboratively to promote safety and order. The NYPD and DOE should update the MOU to:

- Clarify roles of school administration and staff, school safety staff and precinct officers in responding to both minor student misconduct and serious criminal and emergency incidents that occur in school, and clarify roles for contacting parents after an incident that involves restraints, summonses and/or arrests.
- Codify a ladder of referral within school administration to govern the initial response to minor student misconduct.

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<sup>14</sup> B-21 is a level 2 infraction code within the City’s Discipline Code. If a student commits a B-21 infraction, he/she may receive a principal suspension.

- Codify mandatory training for school safety staff and precinct officers who are assigned to schools. Training should include best practices for policing in schools as well as a multitude of safety techniques including conflict and crisis de-escalation and conflict resolution.
- Create a system-wide summons and arrest diversion program developed by City Hall, city agencies and community providers to reduce the number of students who are subject to criminal justice responses in schools and to ensure that students are not subject to unnecessary arrests, in most cases, for certain low-level offenses.
- Convene School Safety Community Partnership Meetings on a quarterly basis, coincident with the release of Student Safety Act data, with key stakeholders from the Leadership Team to review data and implementation of recommendations, training and other issues as they arise.

**Recommendation 8: Evaluate new initiatives, and improve and increase data collection on school climate and safety indicators**

Analyses conducted for the Leadership Team revealed complex patterns of disparities in length of suspension, type of disciplinary infraction codes and the prevalence of arrests and summonses. New climate and safety initiatives have the potential to improve these patterns. However, continuous evaluation of these initiatives is needed to assess whether they show results and to guide further improvements. Moreover, best practices from other districts show that racial and disability status disparities only decline when an intensive, data-driven effort is in place.

To ensure effective monitoring of school climate, discipline and safety initiatives, the DOE should:

- Evaluate existing programs—in particular, the use of warning cards and restorative practices—to determine if changes are necessary and how to appropriately expand to other schools.
- Create additional school climate questions within the NYC School Survey or create an additional climate survey for schools receiving restorative funding.
- Create an internal work group to track, monitor and assess school suspension, arrest and summons data by race/ethnicity, disability status and gender on an ongoing basis.
- Train principals and other key staff to understand the range of ways to improve school climate, from diversion programs to ways to use data to guide best practices in positive discipline reform.



## THE CONTEXT: PROGRESS TO DATE IN SCHOOL CLIMATE REFORM

Substantial research demonstrates that overly punitive responses to disciplinary challenges in schools are not the most effective way to improve student behavior, school climate or student outcomes. Studies show that when students are suspended from or arrested in school their chances of being held back, or dropping out, or entering the juvenile justice system increase exponentially.<sup>15</sup> Recent research also suggests that these risks are not only to those who are suspended or arrested in schools. Overly harsh discipline strategies are also associated with higher levels of anxiety and disconnection even among those students who are not disciplined.<sup>16</sup> In light of this evidence, national consensus has begun to shift away from punitive strategies and towards positive approaches that emphasize building safe and supportive communities in school.

New York City has been following this national trend since 2012. Several factors have influenced the City's actions, including the highly influential report of the New York City School-Justice Partnership Taskforce, which condemned the overuse of exclusionary discipline in New York City schools, the passage of the School Safety Act by the New York City Council, which brought greater transparency to the rates of arrests, summonses and suspensions in New York City public schools, and sustained advocacy by young people, parents and civil rights advocates. The DOE has made several significant changes to its Discipline Code in response and has worked closely with the NYPD's School Safety Division (SSD) to train staff in positive discipline strategies. As a result, many teachers, administrators and School Safety Agents have been exposed to and demonstrated leadership in Restorative Practices and Collaborative Problem Solving. In turn, rates of suspension, arrest and summons have sharply declined.<sup>17</sup>

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<sup>15</sup><http://civilrightsproject.ucla.edu/resources/projects/center-for-civil-rights-remedies/school-to-prison-folder/state-reports/sent-home-and-put-off-track-the-antecedents-disproportionalities-and-consequences-of-being-suspended-in-the-ninth-grade/balfanz-sent-home-ccrr-conf-2013.pdf>

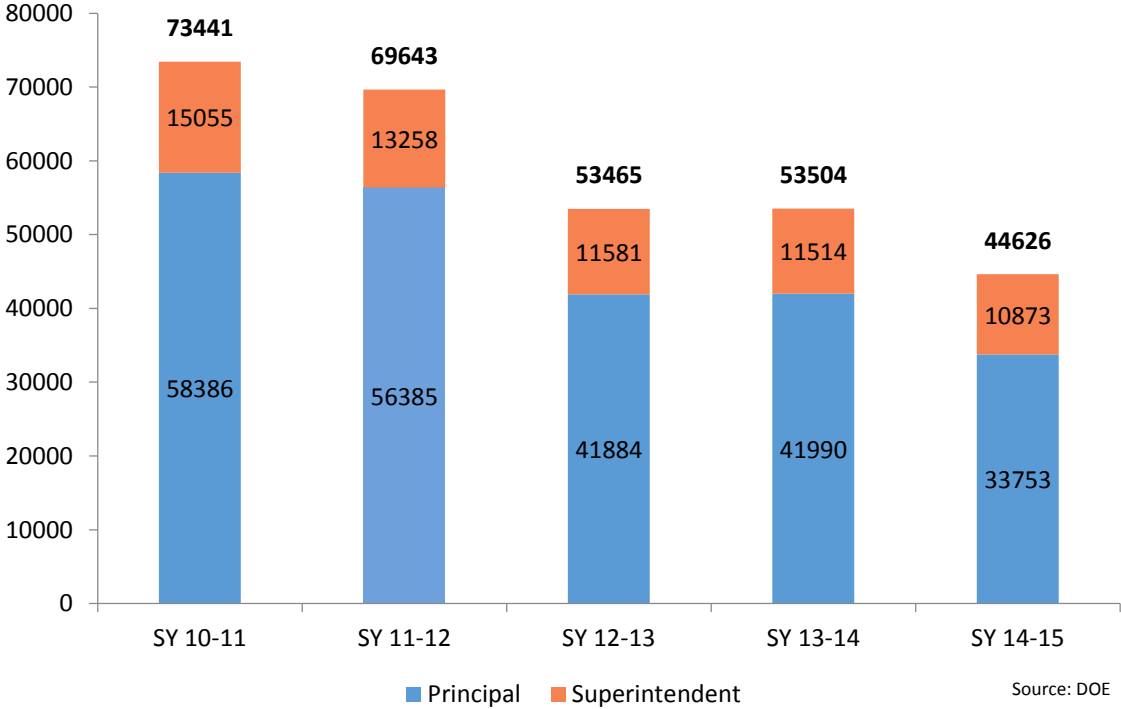
[3] [http://www.dignityinschools.org/files/APlusNYC\\_School\\_Climate.pdf](http://www.dignityinschools.org/files/APlusNYC_School_Climate.pdf)

<sup>16</sup> Owne, J, Wettach, J., Hoffman, K,C. Instead of suspension: Alternative strategies for effective discipline 2015 Duke Center for Child and Family Policy and Duke Law School.

<sup>17</sup> In SY 2014, schools trained in restorative practices showed a 21 percent decline in total suspensions compared to the prior school year (SY 2013), compared to a .1 percent increasing in all schools during the same time period. In addition, these schools experienced a 16 percent decline in the total number of IEP suspensions, in contrast with an increase of 6 percent in the total number of IEP suspensions system-wide.



Figure 3: Total Number of Suspensions, SY 2010 to SY 2015



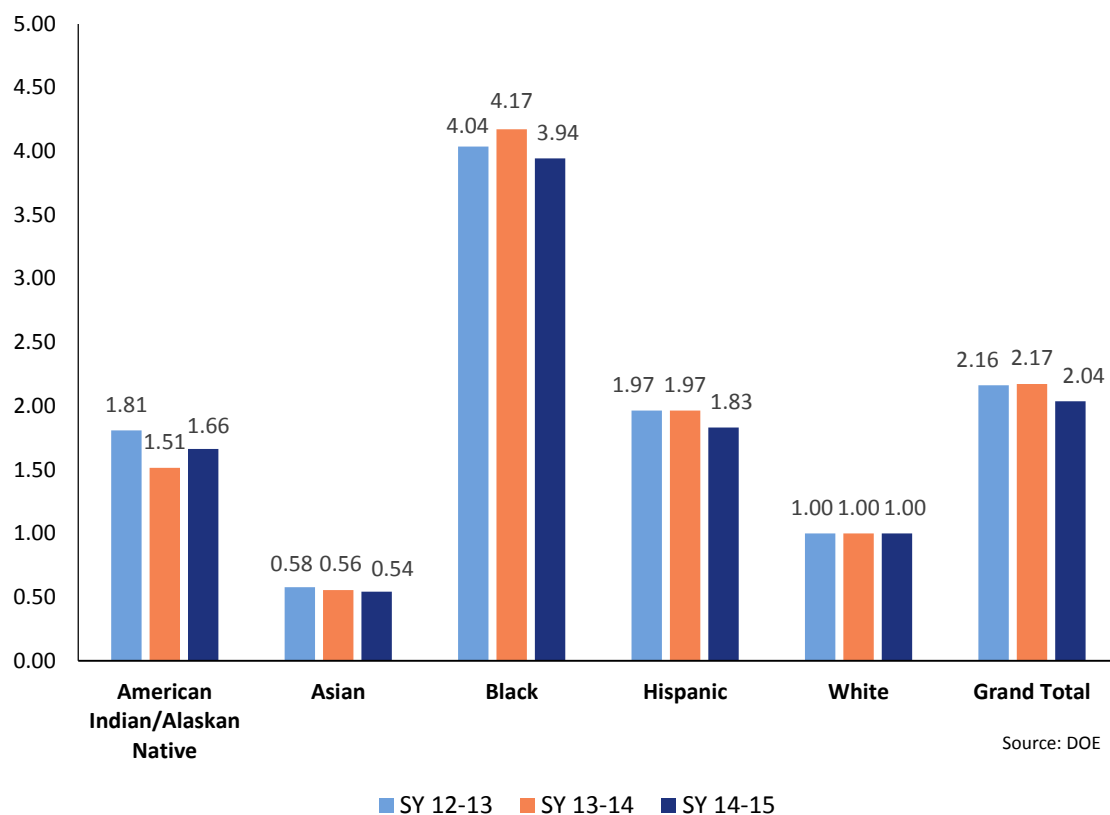
Concurrent with the launch of the Leadership Team last year, the administration announced several additional actions to address safety and discipline. The City launched the Warning Cards Program, in which school safety agents will be empowered to issue warning cards as an alternative to summonses for minor misbehavior. It also announced further revisions to the discipline code, including steps to minimize suspension under the B-21 infraction code for defying or disobeying authority—a category that has been associated with high rates of disparity not only in New York City but also in other school districts nationally. Adopted by schools in the fall of 2015, this new protocol requires principals to seek approval from the DOE’s Office of Safety and Youth Development (OSYD) prior to invoking a B-21 principal’s suspension. As a result, rates of suspension under this infraction have decreased substantially (from 22 percent of all suspensions to five percent of all suspensions).<sup>18</sup>

Nonetheless, despite these downward trends, analyses conducted for the Leadership Team indicate that more efforts are needed to reduce disparities in discipline practices.

<sup>18</sup> From July 2014 - April 2015, schools issued 45.4 B-21 suspensions per day and made up 21.7 percent of all suspensions. After the new Discipline Code went into effect, from April 2015 to July 2015 schools issued 6.7 B-21 suspensions per day or 5.2 percent of all suspensions.

Analyses of suspension disparities indicate a minor decrease in disparities across all races/ethnicities for school year 2014 for the first time in several years. However, Black students are still nearly four times more likely to be suspended than their white counterparts, as shown in Figure 4.

*Figure 4: Suspension Disparity Index, SY 2012-2013 to SY 2014-2015*  
*The Suspension Disparity Index compares the likelihood of being suspended compared to white students.*



### New Initiatives to Improve Climate, Discipline and Safety

Over the past six months, the City has continued its focus on improving school climate—accepting and implementing many of the recommendations from the Leadership Team. Key steps by the administration include: (A) adoption of a mission statement for this reform work; (B) hiring of new personnel within the DOE to assist schools; (C) design and implementation of new pilot programs that, if successful, will ultimately be scaled across the system; and (D) allocation of \$47 million in new resources for school-level training, personnel and mental health supports in the Mayor’s Preliminary FY2017 budget.

## A. Mission Statement

- Concurrent with the release of *Safety with Dignity*, the Mayor announced the adoption a new mission statement<sup>19</sup> for positive climate, discipline and safety in the City’s public schools. This mission statement was disseminated to administrators within the DOE through the Chancellor’s weekly newsletter, and at an informational session for superintendents of the City’s 32 community school districts and five high school superintendencies.

## B. New Personnel

- In July 2015, the DOE created a new position—Director of School Climate—within the Office of Safety and Youth Development (OSYD). This new position is responsible for building internal capacity and systems to expand positive discipline supports citywide.
- In addition, as part of an effort to strengthen professional coaching and training for school personnel the DOE created seven Borough Field Support Centers that include Student Service teams focused on student behavioral and social emotional supports. These personnel are responsible for school climate initiatives, de-escalation/crisis management, school counseling support and attendance.
- Finally, the DOE has taken steps to increase its in-house capacity to support adoption of restorative practices and social emotional learning by developing in-house experts who can provide training for schools.

## C. New Pilot Programs

Beginning in SY 2016, the DOE, NYPD and Mayor’s Office for Criminal Justice collaboratively launched four pilot programs to enhance safety and provide alternatives to exclusionary discipline, summonses and arrests.

- Warning Cards Program: Beginning in September of 2015, 32 schools on five campuses in the Bronx have been testing an approach that discourages the use of summonses for minor and non-violent offenses. In these schools, School Safety Agents are empowered to issue warning cards in lieu of criminal summonses and refer students to school administrators to determine an appropriate school-disciplinary response and/or intervention.
- Safe Public Spaces Program (SPS): SPS is a comprehensive program that establishes a safe and supportive school environment by equipping all staff with

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<sup>19</sup> See Appendix 3

the knowledge and skills they need to analyze, interpret, prevent, manage and respond to a wide range of disciplinary infractions in their schools. Beginning in the summer of 2016, 12 middle schools will receive intensive training from *Engaging Schools*. This program is funded through a \$2 million National Institute of Justice Grant, and will be evaluated by the American Institute for Research in partnership with the New York University Metropolitan Center for Research on Equity and the Transformation of Schools.

- **Conflict Resolution Teams**: As noted in the Leadership Team’s first report, many high-need schools would benefit from additional personnel focused on improving school climate and culture. Beginning this spring, The Mayor’s Office of Criminal Justice, in partnership with the DOE, will contract with community-based organizations to train and hire teams of “conflict resolution specialists” to mentor at-risk youth and support the implementation of positive discipline supports.
- **School-Based Summons Assistance**: Several thousand students between 16 and 18 years old have open warrants. Most of these warrants are for failure to appear in court for violations. The Mayor’s Office of Criminal Justice will launch a program designed to offer students in high-need schools legal assistance in clearing open warrants. Through “know your rights trainings” a community-based organization will identify students who could benefit from legal services and assist them in attending court.

#### **D. New Resources in the Mayor’s Preliminary FY2017 Executive Budget**

- The Mayor’s FY2017 budget includes \$6-7 million per year through FY2020 for Restorative Practices via the following initiatives:
  - a. *District 18 Restorative Practices Pilot*, to support district-wide implementation of restorative practices through training and targeted support from the district superintendent’s office.
  - b. *Safe and Supportive Opportunity Program Expanded*, to bring additional counselors, mentors and training in restorative practices to 20 high-need schools.
  - c. Training for Warning Cards Pilot schools, to provide training for school personnel and safety agents at the 32 participating schools.
  - d. Citywide restorative training, to ensure availability of training for other schools citywide.<sup>20</sup>
  - e. *District-Charter Partnership* initiative, to provide restorative justice training to a cohort of ten schools.<sup>21</sup>

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<sup>20</sup> Schools can request restorative practices professional development by contacting OSYDProfDev@schools.nyc.gov.

- More than \$15 million per year through SY 2020 to improve mental health supports through new teacher training and the hiring of additional staff, including 100 mental health consultants to work with schools to evaluate existing mental health capacities and improve the linkages with community-based mental health services.
- \$8 million per year through SY 2020 for social emotional learning in universal pre-K (UPK). Funding will provide professional development coaches and training for UPK social workers and staff to build nurturing learning environments.
- Nearly \$15 million per year through SY 2020 to increase the number of guidance counselors and social workers through the Single Shepherd initiative. Beginning in SY 2016-17, schools in Community School Districts 7 and 23 will receive extra support in order to ensure a 1:100 guidance counselor/social worker-to-student ratio for sixth to twelfth grades.

These steps, while significant, are just the beginning of what is needed to effectively support schools in developing safe and supportive communities in which all students succeed.

#### **E. Improved Data Collection and Transparency**

In October 2015, the Mayor signed the Student Safety Act Amendment as proposed by the City Council. The act, which was supported by the Leadership Team, requires the DOE and NYPD to report a host of new data to the public on an ongoing basis, including: (1) The number of EMS calls placed by school staff for psychological reasons; (2) incidents that occur during or as a result of scanning; and (3) the total number of students who are arrested, issued summonses or handcuffed in New York City public schools including by the School Safety Division and patrol officers. (Previously only arrests and summonses issued by the School Safety Division were reported in schools.)

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<sup>21</sup> The District-Charter initiative is designed to increase the sharing of best practices between the two kinds of schools. It is part of the Mayor’s Equity and Excellence Initiatives.

## MAINTAINING THE MOMENTUM:

### PHASE II RECOMMENDATIONS IN FULL

This section elaborates on the eight Phase II recommendations presented in the Executive Summary. If implemented, these strategies hold the promise of improving school climate, minimizing the loss of class time, reducing disparities, and giving teachers and administrators the tools and training they need to deal with disciplinary problems and address the underlying causes of behavioral issues.

#### **Recommendation 1: Train superintendents in positive discipline strategies so they have the skill set to promote these strategies and evaluate execution**

In SY 2015, the DOE moved to refresh and invigorate the position of district superintendent and to vest the role with greater day-to-day oversight of local schools. With principals now directly under the supervision of superintendents, these positions are a critical place of support to assist principals in evaluating practices in their schools and to identify and adopt alternative approaches to discipline and safety. As a first step, superintendents must be helped to understand why positive discipline and safety is important to student success, and the range of resources and training available to assist schools.

To build superintendent understanding and capacity in this area, DOE should:

- Train superintendents on: (a) how to implement positive discipline supports; (b) the effects of such programs on teaching and learning; and (c) how to evaluate such programs.
- Create regular opportunities for superintendents to plan steps they will take to assist schools in their districts to shift their disciplinary and safety practices.

#### **Recommendation 2: Increase mental health supports for high-need schools to address symptoms and behaviors with a medical model as an alternative to disciplinary action**

While there are nearly 1800 public schools citywide, roughly ten percent account for 41 percent of all suspensions, and for the vast majority of arrests and summonses issued by the School Safety Division of the NYPD. Most of these schools are located in school districts that have high rates of EMS calls for students with emotional and psychological conditions, and that serve a high percentage of students with disabilities. Interventions targeted at these high-need schools have the potential to substantially reduce disciplinary actions overall by providing training and support to school personnel to

effectively address the behaviors of struggling students. Because educational success is strongly linked to the future health and safety of individuals and communities, providing appropriate supports to keep more students in school is an urgent priority for our City.

As a first step towards increasing mental health supports for all high-need schools, the City should design and pilot an effort for twenty schools in the South Bronx and Central Brooklyn schools that have historically high rates of school suspensions, arrests, summonses and emergency medical service calls. Both communities have disproportionately high numbers of students who face suspension and involvement in the court system and insufficient mental health services to meet the need. Additionally, meaningful coordination between the schools and mental health providers does not currently exist.

The proposed pilot would create a network of mental health services in addition to already existing hospital and social service supports for students and their families in these communities. It would also provide training in multi-tiered systems of support for school staff, with the goal of developing the skills needed in evidence-based practices to support the students, and to connect students and families to services in and outside of school. Components of the pilot include:

- *Hospital-based clinic*
  - Formalize relationships with the Maimonides Medical Center Urgent Evaluation Service (UES) Clinic<sup>22</sup> and the identified schools in Brooklyn. The UES accepts referrals<sup>23</sup> for behavior that does not need to be assessed in the emergency department of a hospital, provides continuing short-term treatment and makes referrals to treatment in the community.
  - Create a UES-DOE protocol for referrals and treatment to reduce the use of the emergency room for behavioral or mental health conditions, keeping more students in school. This would also shorten the waiting period for follow-up mental health appointments and more effectively

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<sup>22</sup> The Maimonides UES clinic team is comprised of a consulting psychiatrist, social worker, resident, PT psychologist and psychology interns. The current budget for a part-time child and adolescent psychiatrist, a psychologist and a bilingual care coordinator (social worker or social work assistant) is approximately \$260,000. Additional funding would be necessary to collect data and evaluate the program.

<sup>23</sup> The current Maimonides UES has an informal relationship with the schools it serves. It is recommended that the relationship be formalized and the referral process be centralized and uniform similar to a program in use in Ontario, where the mental health system uses the HEADS-ED tool to triage acuity at the school and link to different levels of mental health services. (see, [http://www.heads-ed.com/en/headsed/HEADSED\\_Tool\\_p3751.html](http://www.heads-ed.com/en/headsed/HEADSED_Tool_p3751.html)) Such a tool can serve as the backbone of the linkage process to an UES.

connect students and families to mental health services. Payment for transportation vouchers should be provided.

- Expand the model of the Maimonides Medical Center Urgent Evaluation Service (UES) Clinic to the Bronx, and recommend funding the UES and the resulting Bronx clinic through the State Medicaid redesign process. If the UES is not included in that process, the City should identify other funding.
- *Call-in center for pilot and high-need schools.* Create a call-in center within the UES clinics to field questions and provide advice to school personnel interacting with high-needs students. Scaling up of these centralized mental health support/assessment services should include centralization and standardization of the referral process. Currently, each school makes its own interpretation of what constitutes a crisis. However, with little mental health experience or training, and scant access to mental health professionals, ER overuse is the norm. A centralized body of clinicians could field calls from school staff concerning students in crisis and help to walk them through the process and direct them to the appropriate level of care, including emergency room, urgent evaluation, expedited outpatient or school based crisis response teams.
- *School response teams.* Create and assign a “school response team” for every school with the pilot, based on the mobile response team model,<sup>24</sup> with each team consisting of three staff members, including one Masters-level social worker, one Bachelors-level social worker, and one parent advocate. School response teams should operate at two levels, offering services directly to students and families while working to enhance each school’s capacity to respond to the mental health needs of its students. At the student level, teams would conduct mental health assessments, make referrals to community-based mental health and other social services, and conduct outreach to engage parents. Teams should also conduct crisis interventions to avert unnecessary 911 calls from schools. At the school level, teams should provide training for teachers and parents, make classroom observations at the request of teachers or administrators, provide strategies for classroom management, and consult to the School-Based Support and Pupil Personnel Teams. Team interventions should be based on the results of school-wide needs assessments and catered to the specific strengths and needs of each school. Each team should spend approximately one day per week in each

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<sup>24</sup> Six teams currently are in place in Brooklyn (Interboro), Bronx (Astor Home), Queens (Child Center of NY); Staten Island (New York Foundling), Manhattan (Association to Benefit Children). These mobile response teams are funded by the NYC DOHMH and are managed jointly by DOHMH and the DOE. Each team is budgeted at \$235,000.



school within its cluster, with the ability to respond quickly to any crises that arise, regardless of its location on a given day.

- *Collaborative Problem-Solving Training.* Provide whole school Collaborative Problem Solving training for each pilot school for at least a three-year period in order to build their capacity. This training should include all school staff and school safety agents.<sup>25</sup> Use of CPS has been shown to help schools move away from a punitive model to a problem-solving, skill-building approach in which students take responsibility for long-term behavioral change in an environment where the adults are trained to support them.
- *School-based Behavioral Health Consultant.* Plan for and assign a full-time School Behavioral Health Consultant (SBHC) to a five-school cohort (four in total, to cover the 20 schools in the pilot) through the Medicaid redesign process. Currently, planning is underway under the name of the Delivery System Reform Incentive Payment (DSRIP) Program and Mental Health and Substance Use (MHSA) Infrastructure Project. Schools, primary care providers, community-based organizations, the Department of Health and Mental Hygiene (DOHMH) and the DOE should work as partners to strengthen the infrastructure that screens, assesses, refers, treats and manages the care of children and young adults ages 12-24 with mild to moderate mental health and substance abuse needs, as well as those at risk of developing such needs.<sup>26</sup> A full-time School Behavioral Health Consultant (SBHC), such as a social worker, should be assigned to work with a set of five schools and their partners to assess their needs and address issues related to mental health and substance use. This SBHC should be supervised by a psychologist or psychiatrist with experience in prevention, intervention and treatment of children, adolescents and young adults, and work directly with administrators, teachers and health support staff as a coach, educator and advisor on best practices.<sup>27</sup> In addition, the SBHC should serve as a

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<sup>25</sup> Estimated budget of \$25,000 per school. Most safety agents have received introductory training in CPS. CPS is an evidence-based practice developed at Massachusetts General Hospital based on two beliefs: that students want to do well and their chronic problems are the result of lagging skills and unsolved problems. CPS uses these three steps: (a) gather information from the student to better understand the student's concerns that drive the behavior (b) the adults bring their concerns or perspective to the problem-solving table (c) the student is invited to identify realistic solutions while the adults help the student develop the strategy and coaches its use. <http://www.thinkkids.org/>

<sup>26</sup> DSRIP is the "Delivery System Reform Incentive Payment." It is a NYS Medicaid program aimed at redesigning service delivery and coordination of care in an effort to reduce costs and promote better, more seamless/integrated care. The training component will be provided for by the NY Academy of Medicine and JBFCS.

<sup>27</sup> The SBHC would implement three levels of interventions: 1) Coach and support schools and their partners to provide universal, selective and targeted interventions that are consistent with school needs and priorities. 2) Integrate collaborative care model into schools, equipping school support staff to perform clinical assessments and interventions for students with mild to moderate MHSA needs. 3) Strengthen school linkages and referral channels to community mental health and substance use clinics, other addiction and mental health services, Health Homes, and pediatric primary care practices using the Collaborative Care model.

liaison with mental health clinics in order to partner with schools and develop more robust relationships. If funding for the SBHC is not available through DSRIP, payment should be shared by City agencies.

- *Use of an assessment tool.* The city should examine the tool used by Community Schools for its applicability to the 20-school pilot to support identification of mental health needs.
- *School behavior support team.* Create a “school behavior support team,” consisting of at least one administrator, one teacher, and a social worker or guidance counselor. The team should meet regularly to analyze school-wide and student-level behavior data with a focus on creating a multi-tiered system of support for behavior (one example is Positive Behavioral Interventions and Supports – PBIS) and to promote the use of evidence-based practices to support all students.
- Provide for the evaluation and assessment of the implemented programming.
- Provide intensive in-home individual and family behavioral supports for high needs students.<sup>28</sup>
- Explore drawing down Medicaid dollars to fund behavioral health services provided for by an Individualized Education Program (IEP).

### **Recommendation 3: Reduce the length of Superintendent Suspensions to minimize disruption to learning and engagement in school**

In SY 2015, New York City students lost 355,100 days<sup>29</sup> of regular classroom instructional time due to suspensions (.1 percent of all potential school days for all students). Suspensions ranged in length from 1 day to 1 year (see the chart below). The average length of suspension was eight days (down from nine days the year prior), suggesting that many young people are experiencing significant displacement from their regular educational settings.<sup>30</sup> School officials and other experts warn that suspensions increase the risk of further academic and social disengagement from school.<sup>31</sup> Substantial data demonstrates the negative consequences of suspensions on student outcomes, including lower academic achievement and higher rates of school dropout, as well as decreased levels of trust and belonging in school.<sup>32</sup>

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<sup>28</sup> Funding for these services should be provided through ACS’ prevention programming

<sup>29</sup> In SY14 students lost 403,314 days of school or 13.5 percent more days than in SY15.

<sup>30</sup> Long-term suspension is defined as 6 or more days in New York City, where suspensions can be as long as one year.

<sup>31</sup> Pattison, B; Stephens, K.; Womack, G (2009). The road to reengagement: providing an education to long-term suspended and expelled youth. *Team Child*.

<sup>32</sup> Skiba, Ritter & Simmons. *The Safe and Responsive Schools Project: A School Reform Model for Implementing Best Practices in Violence Prevention*. 632-33.

New York City regulations require that students receive alternative instruction for the duration of their suspensions at Alternate Learning Centers,<sup>33</sup> which puts the City a step ahead of the curve nationally. Yet an examination of New York City data reveals that students who receive long-term suspensions have lower attendance rates and earn fewer credits the year following their suspension than prior to being suspended. To minimize time spent away from their home school, the DOE, in collaboration with the Mayor's Office of Criminal Justice (MOCJ) and the Leadership Team, should:

- Convene a multi-stakeholder team to conduct a thorough review of the length of superintendent suspensions with the goals of ensuring that the number of days is appropriate and proportionate to the offense and minimizing time away from the student's home school.
- Examine best practices by other districts and analyze the impact of long-term suspensions on school environments and on students' academic trajectories in New York City schools
- Incorporate the results of the review in the discipline code to be implemented in September 2016.

**Recommendation 4: Improve supports for students returning to district schools from lengthy suspensions at Alternate Learning Centers.**

On average, students in New York City who receive lengthy superintendent suspensions have lower attendance and graduation rates the year after they complete their suspension.<sup>34</sup> Improving long-term outcomes for these students requires—at minimum—that they be helped to transition successfully back to school after completing suspensions in Alternate Learning Centers. To improve supports for students returning to school after lengthy suspensions, the DOE should:

1. Hire a Reintegration Manager for each of the Borough Field Support Centers (nine to ten positions in total) to assist schools and ALCs in supporting reintegration services for students who have received superintendent suspensions and in coordinating academic, social and emotional support for suspended students. One

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<sup>33</sup> Alternate Learning Centers provide an educational setting for students who are serving a Superintendent's Suspension up to one year. Each borough has a principal that oversees 5-9 sites (Brooklyn is split in half). Each site has a site supervisor, four core content area teachers, one special education teacher, one counselor, one paraprofessional, and one school aide. Their goal is to provide a continuity of education for ALC students. ALCs cultivate pro-social beliefs, attitudes and behaviors in students, and provide a variety of positive behavioral programs such as Positive Behavior Support Systems (PBIS), Restorative Approaches, and Life Space Crisis Intervention (LSCI). ALCs offer the same Core Curriculum materials schools have for consistency, and provide intervention measures that build students' capacity to return to school better able to be productive and engaged members of their school communities.

<sup>34</sup> The Leadership Team defined lengthy suspensions as 30 days or more.

position should be dedicated to supporting District 75 in implementing reintegration protocols and services. Reintegration Managers should operate in the student support services team, and be responsible for:

- Collaborating with Office of Enrollment, the student, and the family to discuss best placement for students returning from lengthy suspensions.
  - Assisting suspending and returning schools and ALCs to host entry and reintegration meetings (see below).
  - Monitoring implementation of new mandated protocols and supports.
  - Offering training in best practices for conducting reintegration meetings and/or circles.
  - Partnering with ALC staff to best support students who are serving superintendent suspensions.
  - Assisting with early reinstatement meetings by ensuring that the ALC and suspending school participate in a meaningful consideration of early reinstatement.
2. Require an entry meeting with the student, family member (if possible), relevant home school staff and ALC staff for each student serving a suspension.
- Every school should be required to designate at least one educator to serve as a transition liaison.<sup>35</sup> Within the first few days of a student's arrival to the ALC, the transition liaison should meet with the student, family member, home school and ALC staff to discuss the student's academic/social emotional needs as well as a transition plan.
  - Suspending schools should be required to bring relevant information about the student to the meeting, including information on his/her academic curriculum, current level of progress, social and emotional needs and services received at the home school. The DOE should provide schools with a template to use in compiling and presenting this information.
  - The reintegration manager or ALC staff should provide parents with a list of potential services from the DOE and outside organizations that could benefit their child and/or family. The reintegration manager should also discuss the process for early reinstatement.
  - The suspension plan meeting, which is required under the E.B. settlement for students with IEPs, could occur at the same time as the entry meeting.

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<sup>35</sup> Schools could designate transition liaisons for specific grades or for students with disabilities, etc. Based on STAR assessments administered at Passages Academy during the 2013-2014 school year.

3. Require a reintegration meeting with the student, family member (if possible), relevant home school staff and ALC staff for each student serving a suspension.
  - A reintegration meeting should occur within two weeks before a student returns to his/her home school or transitions to a new school. This meeting should take place at the ALC and it should be the responsibility of the ALC to schedule the meeting with the home school or returning school.
  - At the reintegration meeting, the student, parent(s), home school staff and ALC staff should discuss progress reports, work completed and credits earned (or were in the process of earning)<sup>36</sup> at the ALC. Home school staff should bring information regarding the student's curriculum/current unit in his/her core classes to help prepare the student prior to reentering. The ALC should provide the home school with a packet of the student's work, a progress report and other relevant information. DOE Central should provide a template or checklist regarding what the home school and ALC should provide in this meeting.
4. Pilot mandatory reengagement restorative circles for students returning from superintendent suspensions within the 20 schools receiving SSOPE funding. Circles should be coordinated by restorative coordinators. The reintegration restorative circles pilot should be evaluated within the overall evaluation of the restorative practices initiative.
5. Require the home school principal or administrator to participate in early reinstatement meetings.
6. Provide for afterschool services during and after placements at an Alternate Learning Center.
  - Require the Department of Youth and Community Development (DYCD) to hold seats available in their afterschool programming at community centers for students who are serving suspensions.
  - Provide CBO funding for afterschool programs at ALCs – students could receive certificates in anger management, etc.

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<sup>36</sup> If the student is transitioning to a new school, the new school should send their transition liaison to the reintegration meeting.

## **Recommendation 5: Improve supports for students returning to school from court-ordered settings (detention, jail, placement, prison)**

There are currently more than 1,272 students returning to school from incarceratory settings (East River and Passages Academies).<sup>37</sup> Students at these academies often have long histories of disengagement from school before their incarcerations<sup>38</sup> and many find themselves academically behind.<sup>39</sup> For example, according to data from the Reading Test of Adult Basic Education (TABE), a brief diagnostic assessment administered to East River students at intake and after every 150 instructional hours, 45 percent of East River Academy students read below a sixth-grade level and only 26 percent read at a ninth-grade level or higher.

Some young people use their time in these facilities to earn credits and make academic progress, yet can run into challenges in transferring this work back into their receiving schools. Without substantial supports, both during and after a young person is in a court-remanded setting, post-detention educational outcomes appear grim. An examination of eighth graders in the 2009-2010 school year at Passages Academy reveals that by September 2015, among the 272 students who were discharged as dropouts or graduates, 35 (13 percent) were discharged as graduates and 237 (87 percent) were discharged as dropouts.<sup>40</sup> Given the substantial barriers to reengagement that these students face and the need to achieve better post-detention educational outcomes, the following actions are recommended:

1. Improve educational information sharing and transition planning.

Successful educational reengagement for court-involved youth requires attention to a complex combination of factors. Multiple agencies and organizations must work together, alongside students and their families, to identify specific strengths and challenges; to plan and provide appropriate programming and services; to develop strategies for how to reasonably and effectively proceed with individualized

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<sup>37</sup> Passages Academy provides educational instruction and counseling for students ages 16 and younger in secure and non-secure detention and placement facilities operated by the Administration for Children's Services. East River Academy (ERA) serves students between the ages of 16 and 21 in multiple locations on Rikers Island Correctional Facility.

<sup>38</sup> Attendance rates for students returning to DOE schools from Rikers decreased by 13.5 percentage points (from 48.6 percent to 35.1 percent). Attendance rates for students who left Passages and returned to DOE schools decreased by 4.9 percentage points (from 57.3 percent to 52.4 percent).

<sup>39</sup> According to data from the STAR Reading Assessment administered to Passages Academy students at the time they are admitted to the program, more than 90 percent of Passages Academy students read at least one grade level below the national norm for students in their grade level. Further analysis reveals that initial grade equivalency scores hover around a fourth grade reading level for students entering Passages in the 2013-2014 school year.<sup>39</sup>

<sup>40</sup> Data from District 79, DOE analysis of Educational Outcomes for Students who were 8<sup>th</sup> graders in Passages Academy in the 2009-10 SY completed in Oct 2015.

educational transition plans; and to conduct sustained monitoring and advocacy while students transition through multiple school settings and often difficult life circumstances.

To facilitate the communication, collaboration, and continuity of support necessary for successful educational reengagement, the DOE, ACS and Department of Corrections (DOC) (where appropriate) should:

- Establish mechanisms and procedures, with oversight, to ensure that relevant student records are transmitted from sending schools to the education programs in incarceratory settings, and back to receiving schools.
  - Records should include report cards, transcripts, IEPs, evaluations, social histories, and state test scores for the last two school years.
  - Within ten days of a child’s admission to detention or placement, an Education Transition Specialist should be required to create or update a portable educational transition plan for each youth. The plan should be updated regularly and should include:
    - Educational goals, including social emotional learning goals and vocational skills;
    - A description of coursework in progress, including grades on classwork, quizzes and tests;
    - Academic history, such as middle school course grades, high school credits, Regents exams passed;
    - Recommended educational services and supports; and
    - School-related psychological information and social history
- For students in placement with special education needs, the Education Transition Specialist should convene a meeting 60-75 days prior to release with provider agency staff, the youth, the family and ACS to consider whether new evaluations and an updated IEP are appropriate, and whether recommendations should be made for different educational programs or services.
  - When creating a new IEP, the receiving school (if known) should be included at the IEP meeting.
  - Any additional educational needs that are identified for youth while in incarceratory settings should be documented in the Special Education Student Information System (SESIS) and communicated to the receiving school.

- Ensure that Education Transition Specialists shall, upon a student’s release from an incarceratory setting, convene a reintegration meeting at the receiving school that:
  - Includes the youth, parent/guardian, and other adults or peers that may support the youth’s educational success (e.g., aftercare provider, clinician, community mentor, other family members, foster care agency provider);
  - Includes a review of the educational transition plan, and a discussion about how different stakeholders may provide support;
  - If appropriate, includes a reintegration restorative practice component.
- Create a guidance document and provide training for all principals and school-based teams regarding:
  - Data sharing and records transfer procedures;
  - Appropriate scheduling of highly mobile students;
  - Ensuring students sit for appropriate exams;
  - Criteria for awarding credits or recognizing academic value of mastering academic subjects while in incarceratory settings.
- Develop a working group of principals, District 79 personnel, and CBOs to develop, discuss, share and disseminate best practices to serve the education-related needs of highly mobile students.

## 2. Enhance educational services for youth in incarceratory settings.

Youth in incarceratory settings are, on average, several years behind in their reading and math levels, which greatly hinders their self-confidence as learners, contributes to disruptive behavior at school out of frustration or to avoid embarrassment, and often leads to truancy or violation of court-ordered conditions of release. In addition, many also need help developing the skills to regulate their behavior and navigating challenging situations in schools and communities. Moreover, youth receive very limited education during the summer months, despite a clear need for additional time in school to catch up academically.

To provide students in incarceratory settings with services that are critical to successful educational reengagement, the DOE, ACS and DOC should:

- Expand intensive, research-based remedial reading and math instruction and resources (including materials and staffing) for students with extreme delays, with standard expectations for growth based on each student's individual profile.
- Train all ACS, provider agency and DOE staff who work with students in detention, placement and jail in Collaborative Problem Solving.



- Provide year round middle school and high school education programs to youth while in detention, placement and jail.

3. Facilitate appropriate school transfers for court-involved youth.

Many students exiting the juvenile justice system require a new school environment in order to receive appropriate educational programming and services, or to distance themselves from negative peer influences or staff members who may have prejudicial views of the student’s history. Finding a suitable school is crucial, as being forced to attend an inappropriate school increases the chances of truancy and recidivism. Currently, a small number of schools enroll a disproportionate share of students who are involved in the juvenile justice system, which overburdens the resources of those schools and makes it difficult for students to successfully reengage with their education. This challenge stems in large part from the fact that not all schools with available seats are being presented as options for enrollment.

To provide students returning from incarceratory settings with access to the full range of schools that can enroll them during the school year, the DOE should:

- Amend the Chancellor’s regulations to clarify that high school students exiting detention, placement or jail are entitled to either enroll in their previous school or to choose from any other school with available seats.
- Amend the Chancellor’s regulations to clarify that middle school students should be entitled to enroll in their previous school or choose from any other school in the district that has available seats.
- Some schools will not enroll students in the middle of the school year, and the schools that are willing to enroll students mid-year often lack the knowledge, capacity or resources to serve them effectively. To promote successful mid-year transitions, the DOE should:
  - Support high schools to create flexible curriculum models, including blended learning options, which would better support mid-year transfers.
  - Establish citywide guidelines on credit accumulation for mid-year courses.
  - Allow students the option to finish the school year, semester, trimester or exam cycle in the school program they attended while in non-secure detention or residential placement, provided DOE and ACS agree that it is appropriate under the circumstances for each student. This option should also be extended to students who attended a non-public school during their time in an incarceratory setting, provided ACS and the school staff agree it is appropriate under the circumstances for each student.
  - Ensure that students who are sent to placements outside of New York City are able to participate in the high school selection process. Currently,

students who apply for high school in December are not included in the high school application system if they are released during the matching process. Similarly, students who are placed out of New York City during the application process are not given an opportunity to submit an application.

- Over-age middle school students also would benefit from mid-year promotions and transfers as part of a strategic package of academic and social service support, but too few schools have been provided with the information and resources to implement education plans that involve this element. To support the educational reengagement of over-age middle school students, the DOE should:
  - Provide strategic, targeted supports to middle schools and high schools to facilitate mid-year promotion for over-age middle school students.
  - Establish citywide guidelines on mid-year promotions.
  - Create a guidance document and provide training to support implementation of guidelines.
  - Provide resources and technical support to middle schools and high schools to facilitate provision of mentoring, remediation services, social emotional learning, vocational opportunities, and counseling for this population.
- Students with special education needs may encounter additional challenges. They may not have new evaluations or IEPs completed in time to avoid delays in school placements and enrollment post-release. The New York City Committee on Special Education generally does not provide school placements to students with IEPs who attended non-DOE schools while in an incarceratory setting until the students are released, leading to even more extensive delays. To facilitate timely and appropriate school placements upon release, the DOE should:
  - Provide students with new school offers at least ten days prior to release (when appropriate for a student to return to a new school placement post-release).
  - Eliminate the Central Based Support Team’s requirement that all students classified as “Emotionally Disturbed” have a new psychiatric evaluation as a pre-condition for placement in a non-public school. The New York City DOE is the only Local Education Agency (LEA) in New York State that has this requirement, and there is already adequate related information in psycho-educational evaluations.
  - Provide expedited psychiatric evaluations for students who may require placement in a school or day treatment program that requires such an evaluation as part of its admission procedure.

- It is not uncommon for court-involved youth and other students to be denied safety transfers when they are unwilling to identify specific perpetrators at their school due to safety reasons. To enable safety transfers to be granted in a greater number of situations where they are needed, the DOE should:
  - Revise the Chancellor’s regulation on safety transfers to also allow for consideration of a written statement by the student or parent, or other documentation supporting the transfer request.
  - Such documents should be considered even in the absence of a police report or a school incident report.

#### 4. Create and expand appropriate education options for court-involved youth.

Currently, too few schools in New York City can successfully address the wide range of education-related challenges encountered by many court-involved youth. These young people often require programs like transfer schools or the ReStart Academies that are specifically oriented for students who are over-age and/or under-credited, or vocational programs like Career and Technical Education (CTE). And yet, students returning from incarceratory settings find it exceedingly difficult to gain admission to those programs due to limited existing capacity. Meanwhile, certain schools, such as District 75 specialized schools, are continually receiving disproportionately large numbers of students.

Since the educational reengagement issues involved are often very complex and multi-faceted, a concerted effort should be made to expand the existing school options that have been successful in addressing some of the most common problems. A sustained allocation of resources, training and technical support also must be made available to schools that are working with disproportionately large numbers of court-involved youth, to enhance their expertise and capacity to work well with large segments of this population. District 79 is uniquely positioned to assist in much of this effort, provided they are given the necessary authority and resources.

To provide youth and young adults returning from incarceratory settings with a more appropriate range of educational options, the DOE should:

- Create a pilot program, administered by District 79, which supports ten schools identified as traditionally receiving the greatest numbers of youth from incarceratory settings, and ten additional schools that express an interest in developing the capacity and expertise to work with court-involved youth, and that commit to enrolling at least five youth returning from incarceratory

settings each school year. See “Reengagement Schools Pilot Program” in Appendix 5 for a longer description of the proposed pilot.

- Youth would remain on District 79’s register until they have completed one full semester in the program. After the semester is completed, a collaborative decision would be made with the student and parent/guardian to place the student on the school’s register or to transfer to a more appropriate placement.
- Because participation would be voluntary, students exiting an incarceratory setting should retain the right to return to their school of origin or any other school that they are entitled to attend if they do not wish to participate in the pilot.
- Both transfer schools and regular high schools should be eligible to participate in the pilot program.
- The DOE should create a funding stream through District 79 to ensure critical academic and social emotional supports, and staff to deliver the supports, for students at participating schools.
- Return transfer schools to the purview of District 79.
  - District 79 should revise the admission requirements for transfer schools and provide assistance and training for how to best serve court-involved youth.
  - Resources should be provided for training and support services.
- Expand ReStart Academy sites for over-age middle school and high school students.
- Expand CTE options and create vocational programs and education programs for over-age middle school students.
- Designate seats at DYCD community centers for youth and young adults returning from court-ordered settings.
- Revise the eligibility requirements for Pathways to Graduation programs to allow all students who are 17 years old to enroll.<sup>41</sup>

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<sup>41</sup> The eligibility requirements for youth to attend the DOE’s Pathways to Graduation programs, which provide assistance with High School Equivalency (HSE) exam preparation, are overly restrictive. Currently, enrollment is limited to individuals who are no longer of compulsory school age (i.e., when the school year in which they turn 17 has ended). This reflects the NY State Education Department’s eligibility requirements for HSE testing. However, even if students are not yet eligible to take the HSE exam, they can begin to prepare for the test. Moreover, the state has established a range of exceptions to its rule, e.g., for students in prison or jail and for adjudicated youth under the supervision of a probation or parole officer. Opening classes for 17 year old students returning from incarceratory settings would align District 79 policy with NYSED regulations. To facilitate more appropriate access to HSE prep programs in New York City, the DOE should revise the eligibility requirements for Pathways to Graduation programs to allow all students who are 17 years old to enroll.

5. Provide systemic supports to all receiving schools.

Schools are not receiving ample institutional support when they enroll students returning from incarceratory settings. While young people are released back to the community at various and unpredictable times throughout the school year, the schools where they register do not receive additional budget allocations if students enroll after October. Furthermore, the school accountability metrics in use by the city and state do not recognize the additional academic and social emotional challenges court-involved youth are often dealing with. In effect, current budget allocation and accountability systems actually present *disincentives* for schools to reengage a large swath of this population.

To provide sensible systemic supports to schools reintegrating students from incarceratory settings, the DOE should:

- Allow budget adjustments for schools accepting students from incarceratory settings at various points throughout the school year.
- Through the DOE's Office of Policy and Evaluation, develop an accountability metric for schools that provides additional weights for the academic performance and social emotional learning of youth returning from incarceratory settings, and that accounts for the additional academic challenges of working with this subgroup of students.
- The DOE Office of Policy and Evaluation should also propose changes to NYSED's current regulations for school accountability metrics, which would reflect the challenges of working with this subgroup of students and appropriately weight their performance outcomes.

**[Recommendation 6](#): Update the Discipline Code to reflect the City's newly adopted vision and approach to positive climate and discipline in schools.**

In light of the City's new mission statement (adopted in July 2015), further modifications are proposed to the DOE's discipline code to bring it into alignment with the City's current vision and approach to positive climate, discipline and safety. The following code revisions must be accompanied by sufficient resources for all schools to be able to provide positive and prevention-oriented interventions to students. Behavioral infractions in the classroom and school should be addressed through an approach that takes into consideration what is going on for the child and how his or her underlying needs can best be met. In general, disciplinary practices should aim to minimize every student's time away from his or her regular classroom, while maintaining safety and order.

1. Communicate the DOE's vision and expectations for discipline and climate in New York City schools by updating the discipline code to include:
  - The mission statement adopted in July 2015 by the Mayor, Chancellor and Police Commissioner, and relevant reform objectives and targets.
  - A glossary and definitions of key terms (e.g., harassment and intimidation) to ensure that all members of the school community and other stakeholders understand behavioral expectations and standards, as well as disciplinary measures that may be taken.
  - Clarification of expectations for all parties in the disciplinary process. Specifically, this clarification should describe procedures regarding Principal's Suspensions and the expectations for the school in providing positive supports and interventions, including academic support, to students during a suspension as well as in providing parental notice and ensuring due process. In addition, a document/template should be provided to families that streamlines information for students and parents on what they should expect and clarifies expectations for parental participation in the process.
  - Clarification of how to get help if problems arise, such as information on what to do if a student experiences bullying, and forms to report concerns or incidents when procedures in the discipline code are not being followed by school personnel.
  
2. Clarify protocols and procedures to ensure that schools are effectively implementing the new vision and approach. The Discipline Code should be revised to:
  - Require documentation of positive interventions and supports provided by the school prior to a principal's suspension for Level 1, 2 and 3 infractions.
    - Use of the term "guidance intervention" in the discipline code should be aligned with the DOE's new vision and approach, e.g., switching to the terminology of "positive support and intervention."
    - Appropriate levels of documentation should be specified for each school level, as well as procedures for schools that wish to use their own platforms for recording interventions at the school level.
    - Protections and monitoring should be put in place to ensure that schools are documenting interventions appropriately.
  - Resources should be prioritized to ensure that students (particularly at the high school level) who have a principal's suspension are receiving a full day of instruction, in addition to other support and interventions they may need to re-enter the classroom successfully.

- Require consideration of additional mitigating factors in the determination of disciplinary action. The current list of factors in the discipline code should be amended to include trauma sensitivity and awareness of what is going on in the home, and to ensure that decisions consider the best interests of all children involved.
3. Improve the access that students and families have to the discipline code, and make the code itself more easily understandable.
    - Convene students, parents, teachers, administrators, and other members of the school community to contribute to a re-design of the document for accessibility.
    - Explore whether platforms such as a web-based layout would make the document more user-friendly and less cumbersome for readers.
    - Train and require schools to share the new code with parents, as part of a discussion about school climate and culture, behavioral expectations for students, positive supports and interventions that are available, and when and why suspensions are used.
  4. Take steps to further limit unnecessary classroom exclusion and reduce disparities in disciplinary actions by race, gender and disability.
    - End suspensions in grades K-2 and replace with appropriate positive interventions, and continue to require suspensions of students in 3<sup>rd</sup> grade to be approved by the central DOE. Determination of suspension for students in the 3<sup>rd</sup> grade should recognize the academic stressors that students may be experiencing from testing as well as the additional needs of children who are over-age for their grade.<sup>42</sup>
    - Minimize carry-over of suspensions between school years by providing students the option of serving their suspension days over the summer.
    - Prepare district-wide and school-level reports on the number of home-school instruction days lost due to suspensions.

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<sup>42</sup> It should be noted that this recommendation was a non-unanimous recommendation from the Leadership Team. While it was supported by the majority of members of both the School Climate and Principal's Working Groups, not all Leadership Team members were in support.

**Recommendation 7: Rewrite the Memorandum of Understanding to clarify the role and authority of school safety staff, precinct officers and educators on safety and discipline matters.**

Since SY 2012, the NYPD's School Safety Division has shifted its approach to policing in schools to emphasize de-escalation of conflict and Collaborative Problem Solving, in recognition that non-criminal, school-based discipline matters are best addressed by school staff. This shift in approach is associated with sharp declines in arrests and summonses in City schools. From SY 2012 to SY 2015, arrests have declined by 29 percent. Unfortunately, to date, this shift in practice and philosophy has not been written into official policy nor have precinct officers been exposed to it.

The MOU, written in 1998, should be revised/ to codify the collaboration between the NYPD and DOE and the agencies' shared philosophy for ensuring a safe school environment for students and school staff. The proposed agreement would provide guidance to the parties on day-to-day interactions to ensure that school-based arrests, summonses and school-based crime continue to decline and that New York City schools promote a positive school climate.

The following recommendations form the basis of an updated MOU:

Clarify roles of school administration and staff and school safety staff and precinct officers, and codify a school-based ladder of referral<sup>43</sup> for responding to minor student misconduct. Clear language should be provided to:

- Delineate the roles of school administration and staff and school safety staff and precinct officers. Suggested language follows: "School administrators have primary responsibility for intervening in and addressing student misbehavior and for ensuring consistent application of school rules and policies as set forth in the Discipline Code."
- Clarify when it is appropriate for staff to request the support of school safety staff/School Safety Agents during a behavior incident.
  - Safety agents should be requested to intervene in student misconduct when (1) it's necessary to protect the physical safety of students and staff (2) required by law (3) appropriate to address criminal behavior of persons other than students.
  - School Safety Staff should not be requested to intervene in a situation that can be safely and appropriately handled by the school's code of conduct.

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<sup>43</sup> To see DOE's definition of a "ladder of referral" go to <http://schools.nyc.gov/NR/rdonlyres/CD69C859-524C-43E1-AF25-C49543974BBF/0/DiscCodebookletApril2015FINAL.pdf>



If it is unclear whether a particular situation meets the criteria above, the school principal or designee should be contacted as soon as possible to make a determination.

- Establish protocols for school safety staff and precinct officers to confer with principals and/or a designee before restraining and/or arresting a student when possible.
- Include language that ensures continuing discretion of School Safety personnel and reinforces the need for school administration and School Safety personnel to work together. Suggested language:

All adults in the building should work together to maintain safety and order. If a member of the School Safety Division witnesses a student engaging in dangerous or seriously disruptive behavior, and no school employee is available to respond, the School Safety personnel shall intervene and shall immediately escort the student to the principal and advise the principal of the situation. Wherever possible, School Safety personnel should attempt to verbally engage the student to stop the behavior or employ age-appropriate conflict resolution techniques to de-escalate the situation and should not use handcuffs or other law enforcement tactics.

- Encourage principals to monitor numbers of request for School Safety Division personnel in classroom management and removal and determine whether additional supports are necessary to decrease the requests for school safety staff intervention.
- Superintendents should track the numbers of 911 calls from schools and determine whether additional supports are necessary to decrease the use of 911 calls.
- Codify mandatory training for school safety staff and precinct officers who are assigned to schools. Training, before deployment and through regularly scheduled in-service trainings to ensure best practices of policing in schools continue, should include child and adolescent development, conflict and crisis de-escalation techniques, conflict resolution, children with disabilities, the effects of trauma, implicit bias and cultural competence, the school discipline code, and best practices for policing in schools as well as topics currently addressed in paragraph 12(a) and (b) of the current MOU.
- The MOU should incorporate the recommendations of *Safety with Dignity* regarding inclusion of School Safety Division staff in opportunities for professional development with other school staff and to participate in joint orientation with all school staff where the overall building, where more than one school is co-located, or school philosophy regarding school climate, the

student code of conduct and best practices for policing in schools as agreed to in the MOU, including the consequences of suspension, arrest and involvement in the criminal justice system on student life outcomes are presented and discussed.

- Convene “School Safety Community Partnership Meetings” on a quarterly basis with key stakeholders from the LT to review data and implementation of recommendations; practice issues, address training needs and emerging best practices and, at least annually, make recommendations regarding training and best practices. The School Safety Community Partnership would have the ability to recommend that identified issues be referred to borough managers for consideration of convening borough-based multidisciplinary stakeholder groups to address the issues.
- Create a system-wide summons and arrest diversion program developed by City Hall, city agencies and community providers to reduce the number of students who are subject to criminal justice responses in schools and to ensure that students are not subject to arrests, in most cases, for certain low-level offenses.
- Mandate that the school administration take all steps to expeditiously contact a student’s parent after every arrest, summons issuance and/or use of restraints.
- Implement new handcuffing protocols to ensure the minimal level of restraint possible is used in all circumstances and that handcuffs are only applied in extreme circumstances for students under age 12.
- Limit police searches for non-criminal behavior.
  - MOU should describe the kind of contraband that would warrant school safety staff and precinct officer searches. This description should discuss the difference between legal (prohibited by the code of conduct) and illegal contraband. Only illegal items and/or pre-identified weapons should warrant school safety staff and precinct officer intervention. This rule would not apply to routine searches conducted in schools employing scanning.
  - MOU should describe procedures school safety staff and precinct officer should take to ensure students are not searched in front of peers when possible (see example of Denver MOU in Appendix 6 for more details).
  - MOU should describe procedures police should take to ensure principal or designee is consulted prior to searches for illegal contraband (absent exigent circumstances) and that the principal or designee is present during any search of a student and/or his or her belongings.
- Mandate the reading of an age-appropriate version of the Miranda admonition prior to questioning for an official investigation that could lead to a student’s

arrest for a school-based incident. School safety staff and precinct officers should inform students that their parent/guardian can be present (if available) during questioning. If parent/guardian is unavailable, students should be given the opportunity to request an adult of their choice in the school building to be present during questioning (see language below from San Francisco MOU in Appendix 6 for more details). As soon as possible and except in exigent circumstances before any questioning begins, the principal and/or designee should contact the student's parents/guardians if student is questioned for an official investigation on school property.

- Codify central role of the School Safety Division as the appropriate law enforcement referral point for crimes that occur on school sites.
- Chancellor's regulations, patrol guide and MOU should have parallel language regarding all joint policies regarding interaction with students.
- Delete sections of the MOU that encourage police officers to intervene in minor student discipline issues that are not crimes.

### **Recommendation 8: Evaluate new initiatives, and improve and increase data collection on school climate and safety indicators**

Analyses conducted for the Leadership Team revealed complex patterns of disparities by length of suspension, type of disciplinary infraction codes, the prevalence of arrests and summonses. New climate and safety initiatives have the potential to improve these patterns. However, continuous evaluation of these initiatives is needed to assess whether they show results and to guide further improvements. Moreover, best practices from other districts show that racial and disability status disparities only decline when an intensive, data-driven effort is in place.

To ensure effective monitoring of school climate, discipline and safety initiatives, the DOE should:

- Evaluate existing programs—in particular, the use of warning cards and restorative practices—to determine if changes are necessary and how to appropriately expand to other schools.
- Create additional school climate questions within the NYC School Survey or create an additional climate survey for schools receiving restorative funding.
- Create an internal work group to track, monitor and assess school suspension, arrest and summons data by race/ethnicity, disability status and gender on an ongoing basis.

- Train principals and other key staff to understand the range of ways to improve school climate, from diversion programs to ways to use data to guide best practices in positive discipline reform.

## APPENDIX 1

### MEMBERS OF THE MAYOR'S LEADERSHIP TEAM ON SCHOOL CLIMATE AND DISCIPLINE

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Vincent Schiraldi, Senior Advisor, Mayor's Office of Criminal Justice (*Co-Chair; February –September 2015*)

Dana Kaplan, Executive Director, Youth and Strategic Initiatives, Mayor's Office of Criminal Justice (*Co-Chair; September 2015 – Present*)

Ana Bermudez, Commissioner, Department of Probation

Ian Bassin, Deputy Counsel to the Mayor

Gary Belkin, Executive Deputy Commissioner, Department of Mental Health & Hygiene

Gladys Carrión, Commissioner, Administration for Children's Services

Assistant Chief Brian Conroy, Commanding Officer, School Safety Division, NYPD

Kathleen DeCataldo, Executive Director, NYS Permanent Judicial Commission on Justice for Children

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Honorable Monica Drinane, Former Supervising Judge, Bronx Family Court

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Randi Herman, First Vice President, Council of School Supervisors & Administrators

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## APPENDIX 2

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## APPENDIX 3

### NEW YORK CITY'S MISSION STATEMENT FOR POSITIVE CLIMATE, DISCIPLINE AND SAFETY IN SCHOOLS

*In late July 2015, the de Blasio administration issued the following Mission Statement on School Climate and Discipline:*

The New York City Mayor's Office, Department of Education and New York City Police Department believe the City's schools must foster environments most conducive to learning. We believe all children deserve such environments and that all children have the potential to learn and succeed. That means, first and foremost, that our schools must be safe. It also means that in keeping them safe, we must preserve their essential character as places of learning.

New York City believes that overly punitive methods of discipline are not in the best interests of students, fail to advance school safety and can harm students' long-term potential and contribute to racial and other disparities in educational outcomes. Research has shown that students facing disciplinary measures, and the schools they attend, are better served by providing positive supports that teach students the social, emotional and behavioral skills necessary to participate and learn. Therefore, New York City will train school personnel and safety personnel in research-driven best practices on how to provide these supports, including providing enhanced support to students with special needs or those suffering from trauma due to exposure to poverty or violence. Recognizing that some schools will need additional resources as well as training, New York City will provide the staffing support needed to implement non-punitive and non-exclusionary forms of discipline in particularly high-need schools. We will build on local and national models to simultaneously improve school climate and safety. In this way, New York City will reduce the use of suspensions as a disciplinary tool and will eliminate the use of summonses and arrests for minor school misbehavior while continuing to advance school safety.

New York City does not tolerate discrimination and will use every tool to eliminate inconsistencies and disparities in the punishment of students based on race, disability, sexual orientation, and gender identity and expression.

Read more here: <http://www1.nyc.gov/site/sclt/impact/impact.page>

## APPENDIX 4

### SAFE AND SUPPORTIVE OPPORTUNITY PROGRAM EXPANDED (SSOPE)

Beginning in SY 2017, the SSOPE initiative will provide 20 schools with the supports listed below.

#### 1. School Climate Planning/Coordination

- Provide a .6 FTE School Climate Coach/Resource Coordinator responsible for:
  - Establish and facilitating a School Culture Committee/Climate Action Team
  - Liaise between OSYD and the school
  - Identify staff for training in restorative approaches, Life Space Crisis Intervention (LSCI) and Collaborative Problem Solving, under the direction of the school principal
  - Facilitate collaboration between partner organizations, social worker, and the school and community based organizations
  - Convene regular meetings of DOE/school staff and core agencies to ensure coordinated services to students and identify and address gaps in service

#### 2. Professional Development

- Restorative interventions training
  - Tier 1 Restorative Circles and social emotional learning for 5 – 8 staff/school
  - Tier II Restorative Conferencing for 4 staff/school
  - Onsite coaching and support
- Peer mediation training for two to three staff on creating student mediation teams
- Collaborative Negotiation Skills training for counselors and school staff
- Gatekeeper training for staff on early warning signs/symptoms of mental health issues

#### 3. Student Supports

- Full-time DOE social worker (in addition to existing school staff)
- Mentoring for high-need students from social work interns and trained school staff

## APPENDIX 5

### PRELIMINARY RECOMMENDATIONS FROM THE LONG-TERM SUSPENSIONS SUBCOMMITTEE

- Reinststate the 11-29 day suspension option and train early resolution counselors to use it in lieu of suspensions of 30 days or more when appropriate.
- Develop a handout for parents that explains the hearing process and what evidence a parent can submit that might result in a shorter suspension. This handout should accompany the suspension letter.
- In suspension cases where a hearing officer finds school failure to follow due process, notify the supervising attorney, as the designee of the CEO of OSYD, so that appropriate action can be taken to ensure the school complies with DOE regulations.
- Revise the process for considering early reinstatement of students who are suspended, such that reviews may be conducted upon student request or the request of the principal or parent.

## APPENDIX 6

### **GUIDANCE FOR A PILOT PROGRAM ON REENGAGEMENT SCHOOLS** *From the Reengagement Committee of the Mayor's Leadership Team on School Climate and Discipline*

Perhaps no population of students in New York City has been more intensely impacted by institutional failure than the young people who end up in incarceratory settings. The vast majority of youth sent to detention, placement and jail every year have previously not received the services needed to help them succeed with their education. Instead, when they struggled in school and acted out, they report having experienced stigmatization, alienation and contact with the justice system. Upon release back to the community, those who try to get back on track with their academics find that appropriate educational options and services may now be even harder to access than before. And almost every student in the city's incarceratory settings is a person of color. It is an insidious cycle that must be reversed. The systemic failures involved are longstanding and deeply entrenched. Most court-involved youth have reading and math delays that were not effectively addressed through the instruction they needed when they were in school. As a result, the average reading and math skills for youth in juvenile detention and placement are both at a fourth-grade level. In addition, the vast majority of incarcerated youth have undergone multiple traumas, and many have experienced impediments to the development of their cognitive-behavioral skills as a consequence. And yet most did not receive sufficient assistance in learning how to manage their emotions and behavior prior to their court involvement.

It can come as no surprise, then, that anecdotally, disproportionately large numbers of court-involved youth have histories of acting out or leaving the classroom when asked to perform academic work in front of their peers, and most incarcerated youth had stopped going to school with any regularity well before they were arrested. It is also an ongoing occurrence that a large proportion of court-involved youth have previously been classified as Emotionally Disturbed and sent to specialized schools where students disproportionately end up in court-ordered settings.

All of these factors are reasons why the vast majority of court-involved youth have effectively disengaged with their education by the time they are incarcerated. Educators, caseworkers and clinicians try to help them regain basic skills, and to restore some faith and confidence in themselves as learners, but when the youth are released, the services and schools that would could address their educational needs are largely not available. Unfortunately, over 80 percent of youth are chronically absent from school within three months after release from an incarceratory setting, and the vast majority of youth eventually drop out completely.

To date, our education and child welfare systems have failed to effectively serve most of the youth who end up incarcerated. Nevertheless, the situation, while complex, is not without hope. Each and every youth who has been sent to an incarceratory setting has important strengths and the ability to reengage with their education, provided appropriate opportunities and supports are accessible. The recommendations below represent a collective effort to facilitate the strategic educational planning and provision of school-related services; allow for a continuity of approaches across multiple settings; open doors to schools that have traditionally been closed to youth who have been incarcerated; and support schools that are committed to addressing the academic challenges of court-involved youth.

We wish to note that addressing issues this broad will require ongoing, periodic reforms, and that additional recommendations are especially necessary to meet the educational needs of youth who are beyond compulsory school age. Nevertheless, the adoption of these recommendations will be a tremendous step towards ensuring that youth who have been incarcerated are provided with critical systemic support, and true opportunities to fulfill their educational goals.

To best meet the needs of students returning from incarceratory settings, the DOE should look at reframing the organizations engaging in the process. To do so requires a redefinition of inputs and outcomes for these youth, aligned with the principles of youth development.

The following recommendations, viewed from reorganizational theory, require a shift in how instruction is delivered, how students are placed and how resources and funds are allocated. These recommendations also assume the formation of non-traditional learning environments that allow for creativity in credit accumulation.

### **Staffing:**

Building capacity is an important component of this proposal. There is a need to identify those school leaders who are firmly committed to embracing and engaging these youth in their schools and communities. These leaders must be able to identify school and community resources and allocate the space within their building and community to implement a non-traditional program. The Reengagement committee is recommending a pilot program that consists of 20 schools citywide. Each of these schools would commit to providing intensive evidence-based reading and math instruction along with social emotional learning (*definition below*). Each site would conduct a school climate survey both prior to participation, and then at regular intervals thereafter. Family involvement and agency participation would be necessary, critical components within each of these 20 schools. Ongoing training and program evaluation would be essential

to ensure that staff is well-versed in: relational trust, youth development principles, Collaborative Problem Solving, trauma-infused care, adolescent literacy, restorative justice and systems theory, among others. A system for collecting and analyzing input and outcome data at regular intervals would be required. In turn, this data would inform programmatic changes and progress.

### Resources:

An “entry support team” for each receiving school, consisting of social workers, school leaders, guidance counselors, instructional coaches, special education specialists, transition specialists, life coaches, family specialists, mental health specialists, community support specialists, vocational/career technical coaches, would be assigned at least five cases per year. The purpose of this team is to develop an individualized program for each student, ensure adequate transition time and to support and understand the needs of the student, family, school and agencies involved. This requires that a comprehensive training program be implemented and that in-depth knowledge of the student’s life barriers be clearly understood. A roadmap to success should be developed that includes the establishment of teams, training, developing individual profiles and information sharing at least six months prior to a student’s arrival at one of the pilot schools.

### Sample Curriculum Areas:

Curriculum developed for these youth should represent meaningful, authentic instruction designed to recognize and overcome life barriers that prevent post-secondary success. Assessment of progress should be based on industry certification competencies and/or portfolio, performance-based models. Universal Design for Learning frameworks will be used in the creation of multiple means of access and assessment. In each curricular area the focus should be on successful post-secondary college and career options with academic skills embedded into the learning. Specific reading intervention should be built into daily schedules for those indicated by pre-entry assessment. The daily/weekly schedule should not replicate traditional high school models and thought should be given to the set-up of the learning environment, how instruction is delivered and how paid internships can be included in the daily schedule. Instructors and coaches should be well trained in adult learning and youth development principles. Youth should participate in the creation of their “work schedule,” selecting courses that meet their specific interests and strengths.

*Social emotional learning:* skills to build resilient relationships, emotional competence, self-advocacy, perspective taking, problem solving, conflict resolution, social competence, emotional competence, restoring your place in the community. In addition,



leadership, peer mentoring, and peer mediation skills should be embedded into the curriculum.

## APPENDIX 7

### DETAILED RECOMMENDATIONS FOR REWRITING THE MEMORANDUM OF UNDERSTANDING

#### Recommendation 1: Preamble

*Current MOU:* Short preamble regarding the goals of safety and clauses regarding the purposes of parties' initial agreement.

*Proposed additions:*

1. Preamble should show NYPD strengths and efforts to keep schools safe while respecting dignity. The preamble could include the following:

“The goal of this MOU is to codify the working relationship between the DOE and NYPD since the transfer of school safety functions to the NYPD. The MOU reflects the shared commitment between the NYPD and DOE to ensure a safe school environment for students and school staff as well as the shared commitment to the philosophy of de-escalation. Through implementing de-escalation techniques and other best practices, NYPD has simultaneously reduced crime and the number of school-based arrests, summonses and instances of handcuffing.”

2. Add additional “whereas clause” regarding multi-stakeholder participation in leadership team and input into MOU.
3. Add clause regarding purpose of the agreement is to provide guidance to the parties for collaboration and day-to-day interactions to ensure that school-based arrests, summonses and school-based crime continue to decline, recognizing that most school-based discipline matters and student behavior are best addressed by school staff.
4. Make reference to Mayor’s Office of Criminal Justice’s role as a convener of the Joint Committee and School Safety Community Partnership (see below).

#### Recommendation 2: School Safety Community Partnership

*Current MOU:* No mention of a structure or vehicle for community representation or input.

*Proposed additions:*

1. Create a vehicle, called the School Safety Community Partnership, for ensuring community input after the expiration of the Leadership Team. The School Safety Community Partnership would meet quarterly to (1) discuss and make recommendations regarding implementation of Leadership Team recommendations; (2) review student safety data; (3) discuss efforts to help high-need schools; and (4) address other issues as they occur. School Safety Community Partnership will also review practice issues, address training needs and national best practices and, at least annually, make recommendations regarding promising practices and additional training.
  - Membership of School Safety Community Partnership: MOCJ would convene the necessary city partners including DOE, Office of Safety and Youth Development, NYPD and SSD representatives, with slots reserved for a certain number of educators, advocates, students and parents. The language should also provide a process for replacing advocacy groups if they cease to exist.
  - Frequency of meetings: School Safety Community Partnership should meet quarterly to coincide with release of student safety act data.
  - Local Meetings: School Safety Community Partnership should have the ability to refer identified issues to borough managers to convene borough based multi-stakeholder groups that could meet quarterly to accomplish the same goals as above.

### **Recommendation 3: Joint Committee**

*Current MOU:* Equal members appointed by Mayor and Chancellor, meet regularly, provide annual evaluation, review model school safety plan, directives and regulations and recommend necessary changes (p. 1, 16, 24).

*Proposed additions:*

1. Add language regarding purpose. For example: “The purpose of Joint Committee is to track fidelity to this agreement in schools and determine appropriate recommended interventions when there are increases in the use of summonses and arrests in particular schools or school campuses.” Other language could include “The Joint Committee shall examine Student Safety Act data, including suspensions, with particular attention paid to trends and disparities based upon race, ethnicity, or special needs as well as results from assessment of schools employing scanning.”
2. Keep annual evaluation requirement.
3. Add mention of the role of the Mayor’s Office of Criminal Justice as a convener of Joint Committee Meetings.

4. Add new sentence encouraging “joint committees” to meet on borough or district level to determine best practice plan to address particular issues at schools or campuses that have increases in arrests or summonses or that have relatively high numbers of these incidents.

#### **Recommendation 4: Training**

*Current MOU:* Addresses training, including specific topics such as operating in a school environment, disciplinary rules, coordination with school principals, mediation, crisis intervention, scanning procedures, and DOE collaboration with NYPD in determining and participating in training of School Safety Agents (SSAs); mentions training of NYPD uniformed personnel.

*Proposed additions:*

1. All SSD personnel (including uniform taskforce members who work in public school buildings on a daily basis) should be trained in child and adolescent development, conflict and crisis de-escalation techniques, conflict resolution, the effects of trauma, the impact of certain disabilities on student behavior, implicit bias and cultural competence, the school discipline code and best practices for policing in schools, as well as topics addressed in paragraph 12(a) and (b) of the current MOU. Training should occur before deployment and through regularly scheduled in-service trainings to ensure best practices of policing in schools continue.
2. The MOU should continue to use language regarding the DOE’s collaborative role in SSA training found in paragraphs 11 and 12 of the MOU.
3. The MOU should incorporate the recommendations of *Safety with Dignity* regarding inclusion of SSD staff in opportunities for professional development with other school staff, and in joint orientation with all school staff regarding policing in schools. Orientation should include information on the consequences of suspensions, arrests and other legal system responses.

#### **Recommendation 5: SSD Integration**

*Current MOU:* Each SSA is a member of the school safety plan committee and a mandatory participant in the plan’s and committee’s development (p. 15).

*Proposed Additions:*

1. The MOU should reinforce integration protocols recommended by the Leadership Team in the Safety with Dignity Report that require the incorporation of SSD staff by school administrators in school meetings on an ongoing basis, including: daily

briefings, Parent Teacher Organization (PTO) meetings and Town Hall meetings. The MOU should also describe the integral role of SSD staff in school safety meetings, and in building council and principals' council meetings in school campuses where more than one school are co-located when school safety issues are addressed.

2. The MOU should keep language in the current MOU in paragraph 15 regarding the development of the school safety plan for emergencies.
3. The MOU should include language from the NYPD Patrol Guide that established School Safety as the hub of safety in each school.

### **Recommendation 6: Parent/Guardian Notification of Arrests, Summons and Incidents of Handcuffing**

*Current MOU:* Does not address parental notification but does address SSA notification of the principal in p. 19 (a) and p. 20 (c).

*Proposed additions:*

1. Add a clause stating: The school principal must take all steps necessary to expeditiously inform the parent that his or her child has been arrested or involved in a criminal process on school property.
2. The current MOU language in Paragraph 19 (a) should be amended as follows: "Unless there has been a prior consultation with the school principal regarding an incident, upon placing a student enrolled at a school under arrest or issuing any form of criminal process on school property, whether by SSD staff or a precinct officer, SSD staff must notify the principal of the school the student attends, or his or her designee, of the occurrence."
3. A data collection mechanism should be developed to track notification of parents.

### **Recommendation 7: Defining Law Enforcement vs. Disciplinary Issues**

*Current MOU:* p. 2, p. 12 (a), pp.18, 19, 20, 27.

1. P. 2 encourages school staff to avail themselves of "appropriate NYPD assistance in ensuring student discipline."
2. P. 12(a) requires training on code of conduct and coordination of activities with school principals.
3. P. 18 states that in addition to the enforcement of all laws it is otherwise authorized to enforce within the City, the NYPD SSD and precinct officers are authorized to enforce rules, regulations or procedures of the "Board" in furtherance of school safety. And they may have additional duties as agreed by Chancellor and NYPD.

4. P. 19 (a) “SSD and/or NYPD must notify principal or designee of arrest or summons.”
  - (b) “Except in instances requiring immediate arrest or other immediate action, SSD and/or NYPD officers shall consult with principal prior to placing student under arrest and shall take into account any information provided by the principal. Principal may consult with a precinct supervisor or “Board” supervisor where appropriate.”
5. P. 20 (a) states that if acts on school property are “criminal in nature” the principal must “promptly report such acts to NYPD. Nothing shall preclude any school staff or SSD personnel from reporting acts which may be criminal in nature directly to the NYPD.”
6. P. 27 states that nothing in the MOU shall be construed to limit the powers of the NYPD to take all steps necessary to protect public safety, in and around city public schools, “including enforcement of applicable criminal laws.” Nothing in MOU shall be construed to affect current Discipline Code policy that “when a student is believed to have committed a crime, the police must be summoned.”

*Proposed additions:*

1. The MOU and discipline code should share the same language regarding differences between school discipline and law enforcement issues.

The following language in the current MOU that encourages intervention of SSAs into school discipline matters should be deleted:

- Paragraph 2 which encourages school staff to avail themselves of “appropriate NYPD assistance in ensuring student discipline.” Also states: “imposition of school-based discipline is a pedagogical function ...according to discipline code.”
- Paragraph 18 which states that in addition to the enforcement of all laws it is otherwise authorized to enforce within the City, the NYPD SSD and precinct officers are authorized to enforce rules, regulations or procedures of the “Board” in furtherance of school safety. And may have additional duties as agreed by Chancellor and NYPD.
- Paragraph 20(a) delete language requiring prompt notification to NYPD precinct acts on school property which are “criminal in nature”. In the following sentence, replace NYPD precinct with School Safety Division: “Nothing shall preclude school staff from reporting such acts directly to the NYPD precinct.” The MOU should recognize that SSD personnel, who undergo special training to work with youth in schools, should be contacted first when possible for most criminal incidents.

2. The MOU should contain language that clearly delineates when SSD personnel can be called in to intervene and the responsibilities of school staff. For example:

*School Safety personnel are responsible for responding to serious criminal matters where there is a real and immediate threat of serious physical injury to a member of the school community. and;*

- Department of Education personnel should only request assistance from School Safety personnel to intervene in an incident with a student when:
  - necessary to protect the physical safety of students and staff
  - required by law; or
  - appropriate to address criminal behavior of persons other than students.
- Department of Education personnel have primary responsibility for addressing student misbehavior and for ensuring consistent application of school rules and policies as set forth in the Discipline Code.
- Department of Education personnel should follow their ladder of referral for the vast majority of behavioral issues. When issues are minor and not in violation of the law, school staff should request assistance from educators. The following incidents should trigger an educator response when possible, following the ladder of referral as outlined in the discipline code:
  - Minor misbehavior defined as level 1 or 2 infractions in the Discipline Code
  - Minor altercations that do not result in injury
  - Behaving in a rude or “insubordinate” manner
  - Non-threatening defiance of authority
  - Making excessive noise
  - Violating the dress code or uniform policy
  - Failing or refusing to provide identification upon request
  - Profane, obscene, vulgar, or lewd language, gestures, or behavior used in a non-threatening manner
  - Possession of cellphone or other non-illegal items (that are not weapons) that may not be allowed in the school building
  - Cutting class, tardiness and unexcused absence
- Unless there is a clear and evident threat of physical injury to a member of the school community, School Safety personnel should not be requested to remove students from classrooms for routine disciplinary matters or in other situations that can be safely and appropriately handled by the school’s disciplinary procedures. If it is unclear whether a particular situation meets the criteria above, the school principal or designee should be contacted as soon as possible to make a determination

- All adults in the building should work together to maintain safety and order. If a member of the School Safety Division witnesses a student engaging in dangerous or seriously disruptive behavior, and no school employee is available to respond, the School Safety personnel should intervene and immediately escort the student to the principal and advise the principal of the situation. Wherever possible, School Safety personnel should attempt to verbally engage the student to stop the behavior or employ age-appropriate conflict resolution techniques to de-escalate the situation and should not use handcuffs or other law enforcement tactics.
  - Principals should monitor numbers of requests for School Safety Division involvement in classroom management and removals and determine whether additional supports are necessary to increase compliance with this section.
3. Develop a central system to track all requests for SSA assistance in classroom incidents (including interventions in classroom management and classroom removals).
  4. Chancellor's Regulation A-412 should be updated to reflect these changes.

### **Recommendation 8: Arrest/Summons Diversion**

*Current MOU:* Provides that students should be arrested and/or issued a summons for all crimes (p. 2, p. 12 (a), pp.18, 19, 20, 27).

*Proposed additions:*

1. Outline criminal offenses that should not warrant an arrest or summons.
2. Use currently existing programs through the SSD Community Affairs Office as alternatives to arrests or summons.
3. Expand existing programs as an alternative to arrests or summonses and develop new ones as appropriate, including possible in school, city-wide or borough specific programming.
4. Create programs in schools for arrest diversion, including community service programs.
5. Provide for the possibility of a graduated response if a student commits the same conduct more than one time.
6. Determine if the MOU should require a conference with the principal prior to any non-emergency arrest or issuance of a summons to student. Delineate a procedure for "appeal" if the principal and School Safety Division staff disagree on the proposed action.
7. Add a clause that states: Low-level school based offenses such as those listed below may, on a case-by-case basis that takes into account the totality of the



circumstances, be eligible for diversion through a referral to the school administration or to a school-based diversion program, if available.

- Low level marijuana possession
- Disorderly conduct
- Consumption of alcohol
- Trespass
- Harassment
- Spitting in public
- Possession of non-illegal items that may be banned in schools
- Other low-level misdemeanors that may be best handled by school administration

### **Recommendation 9: Precinct Officers**

*Current MOU:* p. 2, p. 12(a), pp.18, 19, 20, 27.

1. P. 2 encourages school staff to avail themselves of “appropriate NYPD assistance in ensuring student discipline. Also states: “imposition of school-based discipline is a pedagogical function ...according to discipline code.”
2. P. 12(a) requires training on code of conduct and coordination of activities with school principals for SSD personnel but *not* precinct officers.
3. P. 18 states that in addition to the enforcement of all laws it is otherwise authorized to enforce within the City, the NYPD SSD and precinct officers are authorized to enforce rules, regulations or procedures of the “Board” in furtherance of school safety. And may have additional duties as agreed by Chancellor and NYPD.
4. P. 19 (a) SSD and/or NYPD must notify principal or designee of arrest or summons.  
(b) Except in instances requiring immediate arrest or other immediate action, SSD and/or NYPD officers shall consult with principal prior to placing student under arrest and shall take into account any information provided by the principal. Principal may consult with a precinct supervisor or “Board” supervisor where appropriate.
5. P. 20 (a) If acts on school property are “criminal in nature” principal must “promptly report such acts to NYPD. Nothing shall preclude any school staff or SSD personnel from reporting acts which may be criminal in nature directly to the NYPD.
6. P. 27 Nothing in MOU shall be construed to limit the powers of NYPD to take all steps necessary to protect public safety, in and around city public schools, “including enforcement of applicable criminal laws. Nothing in MOU shall be construed to affect current Discipline Code policy that “when a student is believed to have committed a crime, the police must be summoned.”

*Proposed additions:*

1. In a safety or medical emergency, call 911.
2. If there is no immediate danger to students or others, the school principal or designee should always be contacted to make the decision about whether to request School Safety Division personnel assistance for an incident involving potentially criminal behavior by a student, based upon the criteria in the paragraph “Interventions by School Safety Division” within the current MOU.
3. If there is no safety or medical emergency, School Safety Division staff should always respond first to an incident involving potentially criminal behavior by a student. (911 calls by schools should also be monitored by OSYD to determine whether additional supports are necessary to increase compliance with this section).

**Recommendation 10: Handcuffing of Students**

*Current MOU:* Not addressed.

*Proposed additions:*

1. Clarify that patrol officers have to abide by the same handcuffing protocols as the School Safety Division.

**Recommendation 11: Questioning and Searches of Students**

1. Include language regarding the questioning of students from the Memorandum of Understanding used in Denver, CO. For example:

“The high school/middle school SRO [School Resource Officer] will: question students in a manner and a time when it has least impact on the student’s schooling so long as the delay in questioning does not interfere with the effectiveness of the investigation.”

2. MOU should include language that provides guidance for the circumstances and parameters in which a school staff member can request SSD assistance in conducting a search.
3. Include language regarding searches from the Memorandum of Understanding used in San Francisco, CA, which requires that a parent be contacted prior to questioning a youth in an official investigation. For example:

“If a parent cannot be found, the school site should offer the student the option of having an adult of his or her choice from the school available during the interrogation. Immediately prior to questioning a juvenile, [the SFPD officer] shall again advise the [student] of the Miranda admonishment. Such admonition shall be given in language appropriate to the age and the sophistication of the [student] in accordance with General Order 5.20. In addition to the Miranda admonishment, the officer shall tell the juvenile that he or she may have a parent/guardian present before and during an interrogation.”

### **Recommendation 12: Alignment with Chancellor’s Regulations**

*Current MOU:* Not addressed.

*Proposed additions:*

1. There should be consistency between the Chancellor’s regulations and NYPD policy as it pertains to the schools and there should be an effort to align those within the MOU revisions.

## APPENDIX 8

### NEW FUNDING IN THE MAYOR'S EXECUTIVE BUDGET

<b>Program Description</b>	<b>FY2016</b>	<b>FY2017</b>	<b>FY2018</b>	<b>FY2019</b>	<b>FY2020</b>
<b>Social Emotional Learning for UPK</b>	NA	\$8.10 Million	8.70 Million	9.10 Million	9.10 Million
<b>Mental Health Services for High-need Schools</b>	NA	6.2 Million	6.2 Million	6.2 Million	6.2 Million
<b>Mental Health Trainings (for DOE Staff)</b>	4K	1.17 Million	1.11 Million	1.13 Million	1.15 Million
<b>Roadmap School Mental Health</b>	1.14 Million	8.26 Million	10.46 Million	10.46 Million	10.46 Million
<b>Safe and Supportive Opportunity Program Expanded (Restorative Justice Programs)</b>	NA	5.39 Million	5.52 Million	3.88 Million	3.9 Million
<b>Restorative Practices Training for Staff at District 18 and Schools in the Warning Cards Pilot</b>	330K	860K	870K	880K	900K
<b>Restorative Internal Capacity Building (Restorative Training for DOE Staff at Select Schools)</b>	NA	580K	NA	NA	NA
<b>Therapeutic Crisis Intervention (Training for DOE Staff at Select Schools)</b>	440K	1.34 Million	1.40 Million	880K	900K
<b>School Safety Agent Training (Collaborative Problem Solving Training)</b>	120K	140K	70K	NA	NA
<b>Single Shepherd (Counseling)</b>	500K	15.80 Million	16.90 Million	16.90 Million	16.90 Million