


Dignity in Schools Campaign - Model Code on Education and Dignity

 A model code that provides recommendations and policy language for ending school pushout and the school-to-prison pipeline, upholding human rights in schools, protecting the right to an equitable education, and ensuring that all young people are treated with dignity and given the opportunity to reach their full potential

Policy Background

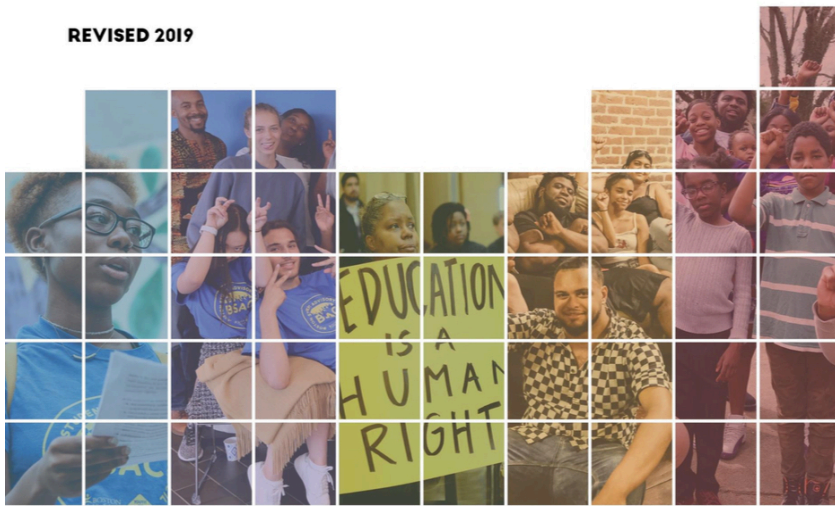
The [Dignity in Schools Campaign](#) is a national coalition that challenges the systemic problem of [school pushout](#) and works to dismantle the [school-to-prison pipeline](#). The Dignity in Schools Campaign advocates for policy change at the federal level, leads state-level campaigns to end school pushout, and provides resources and training for members and the public on strategies to effect change.

The Dignity in Schools Campaign published the [original version](#) of its Model Code in 2013, and a supplement addressing law enforcement and criminalization was added in October 2018. The most recent version—[the Model Code on Education and Dignity](#)—was released in October 2019.

A MODEL CODE on Education and Dignity

PRESENTING A HUMAN RIGHTS
FRAMEWORK FOR SCHOOLS

REVISED 2019



DIGNITY IN SCHOOLS

The Dignity in Schools Campaign’s Model Code on Education and Dignity is a set of recommended policies to end school pushout and protect the human right to an education that is dignified and free from discrimination. The Model Code is intended to be used as a menu of sample language that schools, districts, communities, and legislators can use or adapt as needed. “We’ve done the research and the drafting for you to use how you see fit,” says Chap. “We know that parents, students and organizers on the ground are in the best position to determine what the most urgent needs are, and what policy changes could lead to meaningful changes.” Source: *Model Code on Education and Dignity*, Dignity in Schools Campaign.

The Dignity in Schools Campaign provides a description of the Model Code on its website:

“This resource provides recommendations for schools, districts, states, and federal policy-makers to end school pushout, protect the human right to education, and ensure that all young people have the opportunity to reach their full potential. In particular, the code calls for an end to zero-tolerance discipline policies, removal of the regular presence of law enforcement in schools, and other policies and practices that criminalize students. Instead, the model policies provide guidance for how to utilize

positive school discipline policies like Restorative Justice Practices and Positive Behavior Interventions and Support, and to use supportive school staff to get to the root of problems in schools and keep the entire school community safe. The model policies are based on best practices, research, and the experiences of students, parents, intervention workers, peace-builders, and educators from around the country, and on a human rights framework for schools. They are designed so that communities and policy-makers can identify specific areas of concern and implement the recommended language, including changing laws and policies, while taking into account the diverse needs and characteristics of individual communities.”

In response to a need for policy alternatives that could replace punitive discipline policies at the state, district, and school levels, members of the Dignity in Schools Campaign began developing model policies in the late 2000s. At the time, many existing disciplinary policies, their members found, were harsh, overreliant on exclusionary practices, and often so vaguely worded that they opened the door to bias, discrimination, and inconsistency when applied across districts, schools, and classrooms.

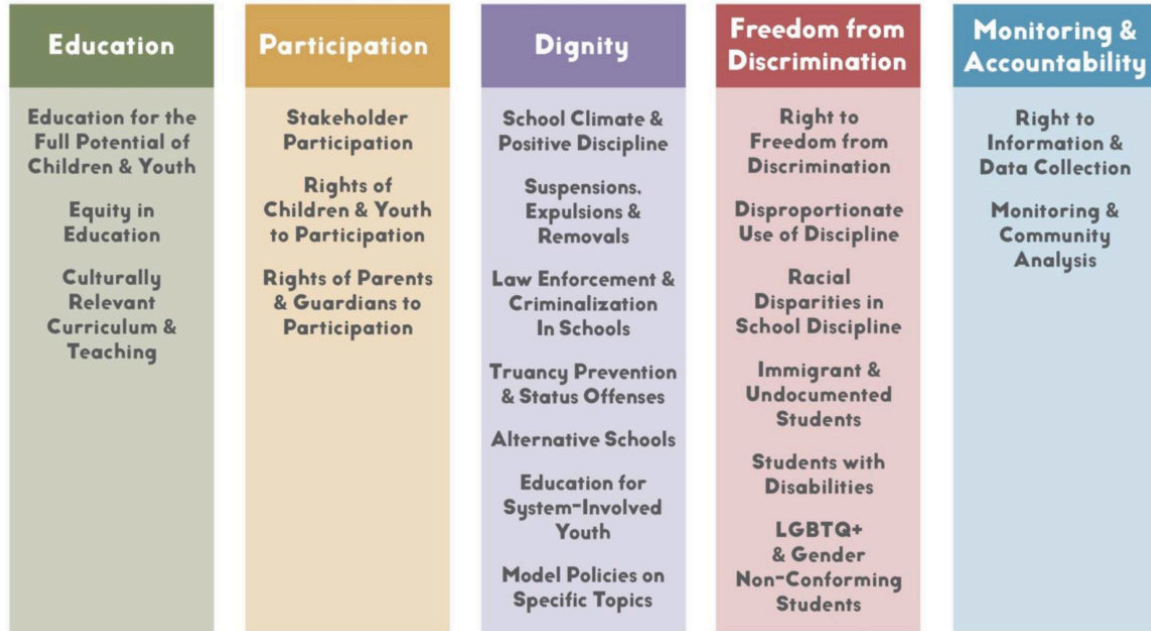
In addition, the increase of police presence in schools and use of arrests creates what many call the school-to-prison pipeline, where some young people are put on a track to the criminal justice system rather than a pathway to success.

“Criminalizing young people and using school discipline policies to push students out of school is a denial of the human right to education. Communities across the country have seen how students of color, particularly black students, are being directly targeted by these practices, along with other marginalized students,” says **Natalie Chap, National Campaign Coordinator for the Dignity in Schools Campaign**. “The model policies in the code are intended to help people transform their schools holistically so that no young people are denied the right to an education.”

This Model Code, DSC points out, is intended to be a resource for those developing or advocating for policy at all levels—from the state to the district to the school—and it can be viewed as a menu of options. Even if states, districts, or schools don’t adopt the code in its entirety, the Model Code provides enough policies that anyone referencing it should be able to find a relevant and useful policy within it, and can either use that policy as written or customize it to their local context.

The updated 2019 Model Code includes new sections on using an Intervention Support Team model to conduct “Threat Assessments,” culturally responsive curriculum, summary recommendations and resource guide of racial disparities in school discipline, LGBTQ students, immigrant students and their families, trauma-sensitive schools—among many other additions and updates.

5 Chapters of the Model Code



The five chapters in the Dignity in Schools Campaign Model Code on Education and Dignity address (1) educational equity and culturally relevant learning environments; (2) the participation of students, families, and community stakeholders in school decision-making; (3) supportive school climates, positive disciplinary practices, and alternatives to criminalization in schools; (4) the right to an education free of discrimination; and (5) access and privacy issues related to school information and data. Source: *Model Code on Education and Dignity*, Dignity in Schools Campaign.

The Model Code is organized into five chapters: (1) Education, (2) Participation, (3) Dignity, (4) Freedom from Discrimination, and 5) Data, Monitoring, and Accountability:

“Chapters 1 and 2 on Education and Participation outline broad principles and standards for high-quality education and community participation that lay the groundwork for positive school climates and discipline. Chapter 3 on Dignity focuses on the issue of positive school climate and constructive approaches to discipline. It provides detailed language that can be adopted by states, districts, and schools in education codes and policies. Chapters 4 and 5 on Discrimination and Monitoring and Accountability present recommended policies and practices for addressing the disproportionate impact of punitive discipline, and for ensuring quality data collection and effective monitoring of policies.”

Policy Language

[EXCERPT]

Model Code on Education and Dignity

A Human Rights Framework for Schools

CHAPTER 2: PARTICIPATION

2.1 STAKEHOLDER PARTICIPATION

HUMAN RIGHTS GOAL

Schools and communities must work together to create the methods, procedures, and structures to guarantee the rights of students, parents and families, educators, communities, and other stakeholders to meaningfully participate in decisions that affect their schools and the right to education.

DEFINITIONS

Stakeholder – Any person/group with a vested interest in the educational outcomes at public schools, with such interests including but not limited to: the life success and potential of students and their families; the quality of working conditions for those who are employed at or rendering services to public schools; and the credibility and reputation of those who are charged with the responsibility of producing educational outcomes, paid or unpaid. This includes students, parents or guardians, community members (including the religious community), teachers, school staff, and administrators.

Participation – Any and all forms of involvement in decision-making that produces, impacts, or ensures educational outcomes.

Procedural protections – Procedures defined as fundamental and necessary by law and/or to protect human rights standards.

RECOMMENDED LANGUAGE

A. Schools shall ensure effective participation of all stakeholders in the school community in developing, implementing and maintaining school systems, educational policies and practices (see Section 3.1 Key Elements of School Climate and Positive Discipline and Section 5.2 Monitoring and Community Analysis).

B. All school and community stakeholders shall have a right to be included in state, district, and school-level decision-making processes.

1. Schools and stakeholders shall develop clear procedures for shaping, evaluating and revising the process and nature of stakeholder participation.

(a) A Stakeholder Advisory Committee comprised of a representative of each key stakeholder group—at a minimum, school administration, teachers, parents or guardians, and students—shall be

formed to oversee the development and enforcement of inclusive decision-making processes and bodies and to disseminate information to stakeholders.

(b) The Advisory Committee and other bodies for stakeholder participation shall have representation of the demographic groups served by the school system (including race and ethnicity, socio-economic background, nationality, language, ability, and other demographic categories).

2. All methods and procedures for participation shall be available to all stakeholders without discrimination.

(a) Schools and the Stakeholder Advisory Committee shall establish clear lines of responsibility and a consistent process for airing and remedying grievances of intentional or unintentional exclusion of any stakeholder, with particular communication tactics for ensuring that historically underrepresented stakeholders such as low-income families, communities of color, immigrants, and non-English speakers are aware of and understand how to redress any such grievances.

3. Procedures that are designed to ensure stakeholder participation must allow for the ability to go beyond minimum procedures required by federal, state, or local laws and statutes.

4. Stakeholders shall be informed of their right to participate. Schools shall utilize multiple methods of notification, as appropriate, to ensure all stakeholders are aware of existing processes, decision-making bodies, or persons and the decisions made.

5. All stakeholders shall have equal responsibility for adhering to, and rectifying any breaches of, the principles and procedures guiding decision-making processes.

C. Representatives of all stakeholders shall participate in decisions affecting all relevant aspects of education and be accountable to ensure that every student has access to a high-quality education.

1. The Stakeholder Advisory Committee shall develop transparent, structured opportunities for multiple levels and areas of influence within the educational process and school environment, including but not limited to:

(a) Needs assessment;

(b) Program planning;

(c) Prevention and intervention strategies;

(d) Training;

(e) Monitoring; and

(f) Accountability for the fundamental components of a high-quality, highly functioning educational system.

2. The Advisory Committee shall develop and implement a process in which all stakeholders are involved in the early identification of systemic and/or school conditions and practices that impede the

fulfillment of a right to quality education, before their consequences are exacerbated.

3. Stakeholders shall be consulted and involved in developing problem-solving and intervention strategies that are designed to involve all stakeholders in protecting and fulfilling students' rights to remain in and/or return to school in the event high-quality standards are not met, or circumstances lead to some form of disengagement and re-entry.

D. States and districts shall provide local schools with control over critical decisions ensuring that principals, teachers, parents, or guardians, students and other stakeholders have ownership over critical decisions—paired with adequate monitoring and oversight—related to budgeting, classroom size, hiring, and curriculum customization so that instruction can be individualized and tailored to meet students' needs.

E. Schools shall build the capacity of all stakeholders to participate in decision-making bodies and processes.

1. Schools shall create and promote opportunities for all stakeholders to acquire the information and training needed to effectively participate in decision-making bodies and processes, including information and training on:

(a) All legally binding procedural protections;

(b) All rights and standards defining a high-quality public education system;

(c) Skills needed for effective leadership and problem-solving to prepare stakeholders to develop, amend, and monitor educational policies and practices; and

(d) Restorative Justice-based principles and procedures for input gathering, decision-making, and addressing post-decision concerns.

2. The Stakeholder Advisory Committee shall develop and oversee distribution of information about such opportunities.

3. Resources for information and training shall be targeted to ensure the equitable representation of all stakeholders.

F. Processes for stakeholder participation shall be clearly documented and evaluated.

1. Results of stakeholder participation shall be documented, archived, and made available to the public wherever possible, including, but not limited to, multiple perspectives, areas of agreement/disagreement, decision-making processes/persons that led to decisions made, decisions made, concerns raised as a result of decisions made, and how concerns are addressed.

2. Clear roles and responsibilities shall be developed for all stakeholders and stakeholder groups, with frequent opportunities for stakeholder groups to engage their representatives and/or submit feedback, input and/or grievances, and for representatives to respond to their stakeholder groups.

G. Stakeholder Participation in charter schools.

1. All publicly funded schools, including charter schools, shall support the full participation of stakeholders in the school community to make decisions that impact them. Even where state and district rules do not mandate this participation, charter management organizations and charter schools shall proactively engage their communities in shaping their schools through meaningful decision-making processes.

2. States, districts, and charter management organizations and charter schools shall:

(a) Require that decisions on when to open, when to renew, and where to locate charter schools be made with community input and approval, assessments of educational impact and need, and with the collective needs of the district's parents and students in mind.

(b) Require that the governance of charter schools, as publicly funded institutions, be local, transparent, responsive, and accessible to parents, students, and the general public.

(c) Require that any state boards established to review and approve new charters, and renew and monitor existing charters, include representation of all stakeholders, including parents, students, and community leaders.

(d) Require that any district-level boards or committees overseeing charters include community stakeholder representation, such as parents, students, teachers, and other members of the broader community that are impacted by those schools.

(e) Ensure that both parents and the broader school community are part of a democratic and transparent process to elect the governing boards of charters, and ensure that parents and other stakeholders from each school have majority representation on those boards.

(f) Require all charter schools to be fully compliant with state open meetings/open records laws, including requiring that board meetings to be well publicized and held at times that are convenient for parents, and include designated opportunities for public comment, testimony, and input.

(g) Ensure that all charter schools create welcoming and transparent environments for parents and students to participate in decision-making processes.

(h) Ensure that all charter school policies, information about staff, instructional strategies, curriculum, school rules, behavior codes, and data on educational outcomes and disciplinary practices be accessible and available online and in hard copy by request and in a timely manner.

2.2 RIGHTS OF CHILDREN AND YOUTH TO PARTICIPATION

HUMAN RIGHTS GOAL

Schools shall enable students to be active and effective participants in the learning process, to express their views, and to give input into decisions that affect their lives and education. Schools shall inform students about school policies and practices and their rights connected to them.

RECOMMENDED LANGUAGE

A. States, districts, and schools shall develop structures that allow students to be heard on

issues affecting their education and school policies and procedures, including, but not limited to:

1. Age-appropriate student councils and advisory bodies providing for student input into the design and function of policies and procedures affecting students;
2. Student representation on school-wide decision-making bodies (i.e. school leadership teams) and on district and state-level boards of education;
3. Age appropriate student participation in hiring, granting tenure to, and developing training programs for school staff;
4. School-wide forums—for example, town hall meetings—that offer students an opportunity to voice their opinions about school decisions and policies;
5. Processes to repair harm, restore trust, and identify solutions to school conflict and disciplinary incidents through methods such as peer counseling and mediation, restorative circles, or conferences;
6. Student participation on School Climate and Culture Leadership Teams and discipline committees, such as fairness committees (see Section 3.7.b Model Policy on Restorative Justice Practices); and
7. Grievance procedures and a process for appealing decisions that affect students directly, including on issues of curricula, school policy, discipline, and school climate and culture.

B. States, districts, and schools shall ensure that all students and school staff are made aware of and have access to detailed information about school rules, policies, and procedures and state and local laws guaranteeing or affecting students' right to participation, made available in the language the students' understand best.

C. States, districts, and schools, in partnership with students and other members of the school community, shall create a Students' Bill of Rights.

D. States, districts, and schools shall ensure that students are active participants in the educational process by working with educators and staff to adopt instructional techniques and classroom management systems that encourage student participation in decision-making, take into account student views, teach students effective leadership and participation skills, and provide explanations to students when decisions go against their views.

2.3 RIGHTS OF PARENTS AND GUARDIANS TO PARTICIPATION

HUMAN RIGHTS GOAL

Schools shall enable parents or guardians to be active and effective participants in their child's learning process, to express their views and to give input into decisions that affect their child's education. Schools shall inform parents or guardians about school policies and practices and their rights connected to them.

RECOMMENDED LANGUAGE

A. States, districts and schools shall create welcoming environments for parents or guardians.

1. Where schools have policies that require official identification to enter the school building, they should give parents or guardians the option to receive an official ID from the school in case they do not have access to an ID through other sources.

B. States, districts and schools shall ensure that parents or guardians have a right to participate in decision- making affecting school policies and procedures, including, but not limited to:

1. Informing parents or guardians in a timely and clear manner as to when and how they can participate, and ensuring that all parents or guardians have equal access to information on opportunities for participation, made available in the language they understand best.

2. Ensuring that parents or guardians have concrete opportunities to make recommendations to schools about effective methods for participation.

3. Creating structured opportunities for parents or guardians to give input, get information, and help make decisions (see Section 2.1 Stakeholder Participation and Section 5.2 Monitoring and Community Analysis), including but not limited to:

(a) Parent or guardian representation on school-level committees and district and state boards of education; and

(b) Parent Associations and/or Parent-Teachers Associations that are representative of the parent community of a school (ensuring diversity in grade levels and demographic backgrounds of students), and that provide services and information to parents or guardians to support their participation in the school.

4. Providing trainings for parents or guardians on how to effectively hold schools accountable.

C. States, districts, and schools shall ensure that parents or guardians have a right to monitor and evaluate implementation of school policies and practices, including, but not limited to:

1. Regular parent or guardian-led school forums at which school staff must listen and respond to parent and guardian assessments;

2. Open and clear communication to parents or guardians about their right to visit schools and classrooms;

3. Parent or guardian-led assessments of schools to identify areas that need more accountability; and

4. Policies that protect parents' and guardians' right to monitor schools' implementation of programs without retaliation.

D. States, districts, and schools shall ensure parents or guardians have a right to participate in decisions affecting their individual child's education including, but not

limited to:

1. Adherence by teachers, administrators and other school staff to an “early warning” system that identifies academic or behavioral challenges as soon as possible and works with parents or guardians to identify solutions;
2. Participation in restorative discipline solutions (see Section 3.7.b Model Policy on Restorative Justice Practices);
3. Protection of due process rights, including as related to school discipline (see Section 3.2 Guidelines for Suspensions, Expulsions and Removals); and
4. Participation in the creation of their child’s Individualized Education Plan (IEP) and/or placement in special education services or programs.

E. States, districts, and schools shall establish mechanisms for parents or guardians to participate directly in the educational process in schools, including, but not limited to mentoring and providing supports for students.

F. States, districts, and schools shall establish policies that outline clear grievance procedures that parents or guardians can use to file complaints, with due process, and establish a clear process of recourse if parents’ or guardians’ grievances are not resolved with due process.

G. States, districts and schools shall create tools to evaluate parent or guardian participation, including surveys to identify barriers to parental participation and seek recommendations for how to improve participation.

H. States shall enact legislation allowing parents or guardians of students the right to take reasonable leave from employment to attend meetings, events, or activities that are related to their child’s educational achievement, which includes matters of school discipline.

1. An eligible employee shall be entitled to a minimum of 24 hours of leave during any 12-month period, in addition to leave available under federal law, to:

(a) Participate in school activities directly related to the educational advancement of a child of the employee, such as parent-teacher conferences, disciplinary meetings, or interviewing for a new school; and

(b) Accompany the child of the employee to any hearing, meeting, or proceeding, whether under the school’s jurisdiction or otherwise, that could result in the suspension, expulsion, or transfer of a student,

2. If the necessity for leave under this section is foreseeable, the employee shall provide the employer with not less than seven days’ notice before the date the leave is to begin. If the necessity for leave is not foreseeable, the employee shall provide such notice as is practicable.

I. Where a student is a ward or dependent of the state, identified through processes outlined in federal or state law, notification regarding educational or disciplinary decisions made by the student’s school shall be provided to the education rights holder, foster parent, or legal guardian, student’s counsel or guardian ad litem, and the student’s child welfare social worker or caseworker and, if the student has one, Probation Officer.

1. Additionally, where school districts do not have information regarding the education rights holder for a student, they shall work with the above-mentioned parties to ensure notification to the student’s holder of education rights.

2. Under no circumstances, however, shall a student who is a ward or dependent of the state be denied full access to his or her education rights due to an adult caretaker or rights-holder’s inability or refusal to act on behalf of the child.

Acknowledgments

Organizing Engagement thanks Natalie Chap and Tafari Melisizwe of the Dignity in Schools Campaign and Blythe Armitage for their contributions to developing this resource.

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