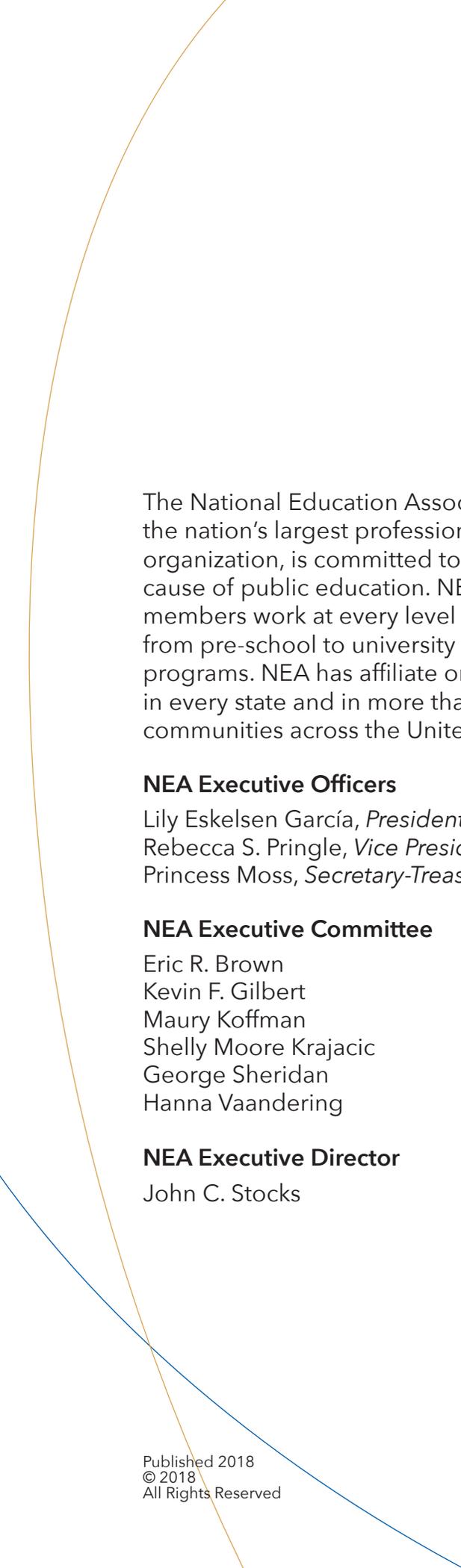


STRENGTHENING PUBLIC SCHOOLS FOR
STUDENT SUCCESS:
SCHOOL BOARD POLICIES AND RESOLUTIONS



OPPORTUNITY & ACTION FOR
EVERY STUDENT
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The National Education Association (NEA), the nation's largest professional employee organization, is committed to advancing the cause of public education. NEA's 3 million members work at every level of education—from pre-school to university graduate programs. NEA has affiliate organizations in every state and in more than 14,000 communities across the United States.

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Strengthening Public Schools for Student Success:

School Board Policies and Resolutions

A resource provided by the NEA Education Policy & Practice Department with contributions from the NEA Center for Organizing, NEA Office of General Counsel, NEA Teacher Quality Department, NEA Campaigns & Elections Department, and NEA Human & Civil Rights Department.



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Lily Eskelsen García
President

Rebecca S. Pringle
Vice President

Princess R. Moss
Secretary-Treasurer

John C. Stocks
Executive Director

Dear School Board Member,

The National Education Association is committed to developing and deepening collaborative relationships with school board members who are committed to strengthening and preserving public schools for students and educators.

Since 2015, NEA has partnered with pro-public education school board members to invite conversation through webinars, in-person meetings, and shared electronic resources. Our goal is to highlight how public education stakeholders – school board members, educators, parents, and community members – can all be more engaged in the local policy-making process. Visit myschoolmyvoice.nea.org for more information.

More than 650 school board members have already joined our efforts, and we look forward to continuing to build a stronger coalition of allies who support local policies that build opportunities for all students to succeed. As partners in support of public schools, NEA wanted to provide you with this resource of sample school board resolutions and policies based on best practices identified throughout the country to strengthen your public schools.

On behalf of NEA's 3 million members, thank you for your commitment to public schools, and the students they serve. We look forward to working with you more in 2018!

A handwritten signature in black ink, which appears to read "Lily Eskelsen García". The signature is fluid and cursive, written in a professional style.

Lily Eskelsen García
President
National Education Association

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Sample Resolution on Students, Regardless of Immigration Status (K-12)

WHEREAS, it is the right of every child, regardless of immigration status, to access a free public K-12 education and the District welcomes and supports all students, and;

WHEREAS, the District has a responsibility to ensure that all students who reside within its boundaries, regardless of immigration status, can safely access a free public K-12 education, and;

WHEREAS, federal immigration law enforcement activities, on or around District property and transportation routes, whether by surveillance, interview, demand for information, arrest, detention, or any other means, harmfully disrupt the learning environment to which all students, regardless of immigration status, are entitled and significantly interfere with the ability of all students, including U.S. citizen students and students who hold other legal grounds for presence in the U.S., to access a free public K-12 education, and;

WHEREAS, through its policies and practices, the District has made a commitment to a quality education for all students, which includes a safe and stable learning environment, means of transportation to and from school sites, the preservation of classroom hours for educational instruction, and the requirement of school attendance, and;

WHEREAS, parents and students have expressed to the District fear and confusion about the continued physical and emotional safety of all students and the right to access a free public K-12 education through District schools and programs, and;

WHEREAS, educational personnel are often the primary sources of support, resources, and information to assist and support students and student learning, which includes their emotional health;

NOW, THEREFORE, BE IT RESOLVED that the U.S. Immigrations Enforcement Office (ICE), state or local law enforcement agencies acting on behalf of ICE, or agents or officers for any federal, state, or local agency attempting to enforce federal immigration laws, are to follow District Policy , attached to and incorporated in this Resolution, to ensure the District meets its duty to provide all students, regardless of immigration status, access to a free public K-12 education;

BE IT FURTHER RESOLVED, that the Board declares the District to be a Safe Zone for its students, meaning that the District is a place for students to learn, to thrive and to seek assistance, information, and support related to any immigration law enforcement that interferes with their learning experience;

BE IT FURTHER RESOLVED, that the District shall, within 30 days of the date of this Resolution, create a Rapid Response Team to prepare in the event a minor child attending school in the District is deprived of adult care, supervision, or guardianship outside of school due to a federal law enforcement action, such as detention by ICE or a cooperating law enforcement agency;

BE IT FURTHER RESOLVED, it continues to be the policy of the District not to allow any individual or organization to enter a school site if the educational setting would be disrupted by that visit; given the likelihood of substantial disruption posed by the presence of ICE or state or local law enforcement agencies acting for ICE, any request by ICE or other agencies to visit a school site should be presented to the Superintendent's Office for review as to whether access to the site is permitted by law, a judicial warrant is required, or any other legal considerations apply; this review should be made expeditiously, but before any immigration law enforcement agent or officer appears at a school site;

BE IT FURTHER RESOLVED, in its continued commitment to the protection of student privacy, the District shall review its record-keeping policies and practices to ensure that no data is being collected with respect to students' immigration status or place of birth; and cease any such collection as it is irrelevant to the educational enterprise and potentially discriminatory;

BE IT FURTHER RESOLVED, should ICE or other immigration law enforcement agents request any student information, the request should be referred to the Superintendent's Office to ensure compliance with Family Educational Rights and Privacy Act (FERPA), student constitutional privacy, standards for a judicial warrant, and any other limitation on disclosure; this review should be conducted expeditiously, but before any production of information is made;

BE IT FURTHER RESOLVED, the District shall post this Resolution at every school site and distribute it to District staff, students, and parents using usual means of communication, and that the Resolution will be translated into all languages spoken by students at home;

BE IT FURTHER RESOLVED, the Superintendent shall report back on compliance with this Resolution to the Board at its next meeting;

BE IT FURTHER RESOLVED, the Board directs the Superintendent to review District policies and practices regarding bullying and report back to the Board at its next meeting and communicate to staff, students, and parents the importance of maintaining a bullying-free environment for all students;

BE IT FURTHER RESOLVED, the Board affirms that certificated District employees have the academic freedom to discuss this Resolution during class time provided it is age-appropriate; and students are to be made aware that District counselors are available to discuss the subjects contained in this Resolution; and

BE IT FURTHER RESOLVED, after-school providers and other vendors and service providers who contract with the District shall be notified of this Resolution within 30 days and required to abide by it.

Sample Policy on Students, Regardless of Immigration Status (K-12)

School personnel must not allow any third party access to a school site without permission of the site administrator. The site administrator shall not permit third party access to the school site that would cause disruption to the learning environment.

The School Board, in Resolution No. _____, based on its educational experience and as part of its deliberative process as our governing body, has found that access to a school site by immigration law enforcement agents substantially disrupts the learning environment and any such request for access should be referred to the Superintendent's Office immediately.

School personnel must contact the Superintendent's Office immediately if approached by immigration law enforcement agents. Personnel must also attempt to contact the parents or guardians of any students involved.

The Superintendent's Office must process requests by immigration law enforcement agents to enter a school site or obtain student data as follows:

1. Request identification from the officers or agents and photocopy it;
2. Request a judicial warrant and photocopy it;
 - a. If no warrant is presented, request the grounds for access, make notes, and contact legal counsel for the District;
3. Request and retain notes of the names of the students and the reasons for the request;
 - a. If school site personnel have not yet contacted the students' parents or guardians, do so;
 - b. Do not attempt to provide your own information or conjecture about the students, such as their schedule, for example, without legal counsel present;
4. Provide the agents with a copy of this Policy and Resolution No. _____ ;
5. Contact legal counsel for the District;
6. Request the agents' contact information; and
7. Advise the agents you are required to complete these steps prior to allowing them access to any school site or student data.

Sample Resolution on Access to Education, Student Privacy, and Immigration Enforcement (Higher Education)

WHEREAS, [Name of college or university] (“College”) welcomes, supports and respects all students; holds student equality as one of its core values, essential to its educational mission; and is committed to and here re-affirms its policies of non-discrimination and equal opportunity, and;

WHEREAS, federal immigration law enforcement activities, on or around College property, whether by surveillance, interview, demand for information, arrest, detention, or any other means, significantly interfere with the ability of all students, including U.S. citizen students and students who hold other legal grounds for presence in the U.S., to pursue an education, and;

WHEREAS [except in AL/GA/SC], federal, state, and College law and policy do not restrict access to public post-secondary institutions based on a student’s immigration status, and;

WHEREAS, through its policies and practices, the College has made a commitment to a quality education for all students, which includes a safe campus and learning environment, free from threat and harassment, and;

WHEREAS, the [name of college or university governing board] (“Board”), the College academic community, and numerous post-secondary institutions around the country are concerned about the recent increase in anti-immigrant activity that has taken criminal, discriminatory, and/or intimidating form and harmed students and education, and;

WHEREAS, members of the College community have expressed to the College fear and confusion about the continued physical and emotional safety of all students and the ability to access education through the College and its programs, and;

WHEREAS, educational personnel are often the primary sources of support, resources, and information to assist students and student learning, which includes student emotional health, and;

WHEREAS, primary jurisdiction over enforcement of federal immigration laws rests with the federal government and not with [name of College Police Department] (“CPD”) or any other state or local law enforcement agency, and;

WHEREAS, CPD is devoted to providing professional policing services that strive to ensure a safe and secure environment in which members of the College’s diverse community can pursue the College’s research, education and public service missions, and;

WHEREAS, community trust and cooperation are essential to effective law enforcement on campus; the limited resources of CPD should not be diverted from this mission to enforcement of federal immigration laws;

NOW, THEREFORE, BE IT RESOLVED that the U.S. Immigrations Enforcement Office (“ICE”), state or local law enforcement agencies acting on behalf of ICE, or agents or officers for any federal, state, or local agency attempting to enforce federal immigration laws, are to follow the attached College Policy, which is incorporated in this Resolution, to ensure the College meets its commitment to provide student education in a safe and stable learning environment;

BE IT FURTHER RESOLVED, that the Board declares the College to be a Safe Zone for its students, meaning that the College is a place for students to learn and thrive, free from threat or intrusion, and to seek assistance, information, and support related to any immigration law enforcement that

interferes with their learning experience; the attached Policy is intended to protect the safety and security of our students, faculty, staff, and broader College community;

BE IT FURTHER RESOLVED, given the likelihood of substantial disruption to the educational setting posed by the presence of ICE or state or local law enforcement agencies acting for ICE, any request by ICE or other immigration enforcement agents to visit campus should be presented to the Chancellor's Office for review as to whether access is permitted by law, a judicial warrant is required, or any other legal considerations apply; this review should be made expeditiously, but before any immigration law enforcement agent or officer appears on campus;

BE IT FURTHER RESOLVED, in its continued commitment to the protection of student privacy, the College shall review its record-keeping policies and practices to ensure that no data is being collected with respect to students' immigration status or place of birth unless required by law;

BE IT FURTHER RESOLVED, should ICE or other immigration law enforcement agents request any student information, the request should be referred to the Chancellor's Office to ensure compliance with Family Educational Rights and Privacy Act (FERPA), student constitutional privacy, standards for a judicial warrant, and any other limitation on disclosure; this review should be conducted expeditiously, but before any production of information is made;

BE IT FURTHER RESOLVED, CPD shall not contact, detain, question or arrest an individual solely on the basis of suspected undocumented immigration status or to discover the immigration status of an individual, nor request information about immigration status from crime victims or witnesses;

BE IT FURTHER RESOLVED, CPD shall not detain an individual in response to an immigration hold request from ICE, or any other law enforcement agency enforcing federal immigration law;

BE IT FURTHER RESOLVED, the College shall post this Resolution on its website and in usual on-campus posting locations and distribute it to College faculty, staff, students, and major vendors using usual means of communication;

BE IT FURTHER RESOLVED, the Board directs the Chancellor to review College policies and practices regarding bullying and communicate to faculty, staff, and students the importance of maintaining a bullying-free environment for all students;

BE IT FURTHER RESOLVED, the College shall make available to students materials, workshops, and legal referrals relating to immigration rights;

BE IT FURTHER RESOLVED, the College shall implement a forum for ongoing feedback from students, faculty, and staff about campus climate and additional future actions to protect the safety and dignity of the College community as a Safe Zone;

BE IT FURTHER RESOLVED, the Board affirms that faculty and teaching assistants have the academic freedom to discuss this Resolution during class time; and students are to be made aware that counselors are available to discuss the subjects contained in this Resolution; and

BE IT FURTHER RESOLVED, the Chancellor shall report back on compliance with this Resolution to the Board at its next meeting.

Sample Policy on Access to Education, Student Privacy, and Immigration Enforcement (Higher Education)

The [name of college or university governing board] (“Board”), in its [date of resolution] Resolution, based on its educational experience and as part of its deliberative process as our governing body, has found that access to campus by immigration law enforcement agents substantially disrupts the learning environment and any such request for access should be referred to the Chancellor’s Office immediately.

The Chancellor’s Office must process requests by immigration law enforcement agents to **enter campus** or **obtain student data** as follows:

1. Request identification from the officers or agents and photocopy it;
2. Request a judicial warrant and photocopy it;
 - a. If no warrant is presented, request the grounds for access, make notes, and contact legal counsel for the College;
3. Request and retain notes of the names of any students identified by the agents and the reasons for the request;
 - a. Do not attempt to provide anecdotal information or conjecture about the students, such as their schedule, for example;
4. Provide the agents with a copy of this Resolution and Policy;
5. Contact legal counsel for the College;
6. Request the agents’ contact information; and
7. Advise the agents you are required to complete these steps prior to allowing them access to campus or any student data.

Sample Policy for Association Access to New Hire Orientation

PURPOSE: To ensure that new employees learn about their rights, benefits and obligations of their employment contract.

POLICY: Representatives from employee associations and or collective bargaining agents will be provided access to all new employee orientations and be given no less than 60 uninterrupted minutes, in-person and during work hours to advise all new employees of their employment status, rights, benefits, duties, responsibilities and, other employment related matters as well as educate employees about the employee association's role in protecting the rights of employees.

The District will provide association representatives or collective bargaining agents at least 10 days' notice in advance of scheduled new employee orientations to adequately prepare to educate new employees.

Sample Resolution for Community Schools Model of School Improvement

WHEREAS, a central goal of the ___ District is to develop the holistic capacities of young people so that they emerge from their k-12 schooling creative, critical, and community-minded, and;

WHEREAS, ___ youth should have access to an array of curricular and extra-curricular learning opportunities that promote their full development, and;

WHEREAS, ___ youth and families should have access to an array of health and social supports that enable such development, and;

WHEREAS, _____ youth should understand that they are valued members of communities and that they have a role to play in improving and contributing to their communities, and;

WHEREAS, ___ youth can develop analytic skills and civic commitments by studying the strengths and challenges of their communities and developing evidence-based plans for community improvement, and;

WHEREAS, _____ youth should develop the skills and commitments to negotiate differences through non-violent dialogue and build community across differences, and;

WHEREAS, the holistic development of _____ students must be a shared effort of educators, community partners, and families, and;

WHEREAS, _____ educators can play a vital role in such work when they have time, support, and training to forge meaningful connections with students, families, and community partners, and;

WHEREAS, there is a long history of community schooling (spanning well more than a century) that has promoted these very goals, and;

WHEREAS, _____ schools face a set of challenges today that make community schooling more important than ever, and;

WHEREAS, ___ experiences among the highest levels of economic inequality in the U.S. and the U.S. has among the highest levels of economic inequality among industrialized nations, and;

WHEREAS, economic and social inequality has powerful negative effects on the well-being of _____ children and youth, and;

WHEREAS, these effects include unmet health, mental health, and social welfare needs, and;

WHEREAS, these effects also include inadequate and unequal access to enriching curricula and after-school experiences that support holistic development, and;

WHEREAS, these effects are exacerbated by educational reform strategies that focus narrowly on competition and hence erode the relationships and understanding that promote a sense of community, and;

WHEREAS, the following six strategies have been identified as the hallmarks of a successfully implemented community school program:

1. Curricula that are engaging, culturally relevant, and challenging. Schools offer a robust selection of classes and after-school programs in the arts, languages, and ethnic studies to promote the holistic development of all students, including preparation for college, career, and civic participation. Instructional strategies and support services make this curriculum accessible to all students, including English Learners and students with special needs. Pedagogy is student-centered.
2. An emphasis on high-quality teaching, not on high-stakes testing. Schools will foster professional learning communities to build the capacity for such teaching. Teachers will learn from one another and use assessments to better understand and respond to students' needs. Professional development programs will link educators with families and community partners and provide educators with the knowledge and skills necessary to support community-based curriculum and school-community partnerships;
3. Wrap-around supports and opportunities such as health care, vision care, and social and emotional services that support academics. These services are available before, during, and after school, and are provided year-round to the full community. Community partners are accountable and culturally competent. The supports are aligned to the classroom using thorough and continuous data collection, analysis, and reflection. Space for these services is allocated within the building or within walking distance.
4. Positive discipline practices, such as restorative justice and social and emotional learning supports, are stressed so that students can grow and contribute to the school community and beyond. School safety and positive school climate are achieved through these mechanisms. Suspensions and harsh punishments are eliminated or greatly reduced.
5. Authentic family and community engagement. The full community actively participates in planning and decision-making at each school site. This process recognizes the link between the success of the school and the development of the community as a whole.
6. Inclusive school leadership who are committed to making the Community School strategy integral to the school's mandate and functioning. They ensure that the Community School Coordinator is a part of the leadership team and that a Community School Committee—which includes families, community partners, school staff, youth, and other stakeholders that are representatives of the school's various constituencies—has a voice in the planning and implementation of the strategy, and;

WHEREAS, _____ further defines a Community School as a school that achieves success by implementing the above strategies through the following mechanisms:

1. An annual asset and needs assessment of and by both school and community, and;
2. A strategic plan that results in the creation of various problem solving teams dedicated to continuous improvement; these teams will define how educators and community partners will use all available assets to meet specific student needs and get better results, and;
3. The engagement of partners who bring assets and expertise to help implement the building blocks of Community Schools, and;

4. A dedicated senior staff member at the community school site whose primary job is to facilitate the problem solving teams. The dedicated staff member, in consultation with the school level leadership team, will assemble the relevant stakeholders to solve specific problems identified in the needs/asset assessment process. The problem solving teams should utilize key tools and lessons from improvement Science in continuous improvement process, and;

WHEREAS, many school sites throughout _____ have already incorporated some of these strategies and mechanisms into their approaches to teaching and community engagement, and;

WHEREAS, the community school framework provides a systematic approach for incorporating and expanding upon existing Board resolutions whose goals include preventing domestic violence, fostering sustainable schoolyards, and expanding dual language instructional pathways, and;

WHEREAS, the Board of Education recognizes the positive impact community school strategies can have on schools and communities, and;

AND WHEREAS, the _____ School District endorses Community Schooling as an evidence-based strategy for school improvement and community development which expands access to:

- A. Enriching curricular and extracurricular experiences that support the holistic development of _____ youth;
- B. School-based health, mental health, and social services that offer essential supports for students and their families;
- C. Community-centered curriculum that engages youth in social inquiry and civic action;
- D. Restorative justice programs that build a non-violent, respectful, and justice-enhancing community;
- E. Professional development programs that link educators with families and community partners and provide educators with the knowledge and skills necessary to support community-based curriculum and school-community partnerships;
- F. Inclusive and democratic leadership structures that engage family members and community partners alongside educators as vital members of community school teams;

NOW, THEREFORE, BE IT RESOLVED, that an implementation procedure by which a school site, having expressed the desire to become a community school, may proceed systematically through a community school transformation process, and;

BE IT FURTHER RESOLVED, that the report will also include a proposal for: 1) the optimal number of school sites for an initial cohort that shall be allowed to undergo a community school transformation; 2) the selection criteria for this initial cohort of community schools; 3) a proposal to responsibly scale the number of community schools throughout _____; and 4) an assessment of the direct costs to borne by the district for each community school, and;

BE IT FURTHER RESOLVED, that the staff shall present its findings and recommendations to the Board of Education within 90 days of the passage of this resolution.

Sample Resolution on Engaging Stakeholder Voices in Local ESSA Implementation

WHEREAS, our nation's future well-being relies on a high-quality public education system that prepares all students for college, careers, democracy, and lifelong learning; and

WHEREAS, our nation's school systems have been making too many critical decisions without benefit of the voices and expertise of the educators who know students' names in our schools; and

WHEREAS, our nation's public school systems have been spending growing amounts of time, money, and energy on high-stakes standardized testing, in which student performance on standardized tests is used to make major decisions affecting individual students, educators, and schools; and

WHEREAS, the overreliance on high-stakes and standardized testing in state accountability systems is undermining educational quality and opportunity in U.S. public schools by hampering educators' efforts to focus on creativity, problem solving, collaboration, communication, critical thinking, and deep subject-matter knowledge that will allow students to thrive in a democracy and an increasingly global society and economy;

WHEREAS, a child's chances for success should not depend on living in the right zip code; and

WHEREAS, the President of the United States signed the Every Student Succeeds Act on December 10, 2015 based on educators' calls to end No Child Left Behind's misguided federal mandates;

NOW, THEREFORE, BE IT RESOLVED that the [your School District Governing Board name] supports the collaborative development and implementation of a plan with the [your Local Affiliate name], parents, students, and community members to ensure the opportunities for a well-rounded education presented by the Every Student Succeeds Act are realized by including all stakeholders in decision-making; and

BE IT FURTHER RESOLVED that [your School District Governing Board name] calls on the governor, state legislature, and state education boards and administrators to reexamine public school accountability and finance systems in this state to ensure that accountability for district, school, and student success are based on multiple forms of evidence that feature indicators of school and student supports and success; and that those indicators are used to drive resources and a system of collaboratively developed (by all stakeholders) improvement strategies to schools so that all students receive the opportunities and supports they deserve.

Sample Policy on Engaging Stakeholder Voices in Local ESSA Implementation

To the extent practicable, District employees to be affected by a decision shall have the opportunity to participate or have input into decision making. Appropriate areas for broad participation by District employees shall include, but not be limited to, policy development, development of administrative procedures, budget planning, curriculum development, and textbook and materials selection.

Sample Policy on Rights of Students

Discrimination and Harassment Based on Race, Religion, and National Origin Prohibited

All students in our school district are entitled to be treated equally without discrimination based on race, color, national origin, or religion. The school district will not tolerate bullying or harassment of students based on race, color, national origin, or religion. In order to ensure any such conduct is promptly stopped and appropriate remedial action is taken, the school district adopts this policy for handling and resolving any complaints of such discrimination or harassment.

Scope

This policy applies to the entire school community, including educators, school and District staff, students, parents, and volunteers. This policy covers conduct that takes place in the school, on school property, at school-sponsored functions and activities, on school buses or vehicles, and at bus stops. This policy also applies to electronic technology and electronic communication that occurs in school, on school property, at school-sponsored functions and activities, on school buses or vehicles, at bus stops, and on school computers, networks, forums, and mailing lists, as well as electronic communication that occurs off school property that will foreseeably reach the school campus and cause a substantial disruption at school.

Definitions

BULLYING means written, verbal or physical conduct, or electronic communication, that adversely affects the ability of one or more students to participate in or benefit from the school's educational programs or activities by placing the student (or students) in reasonable fear of physical harm. Such bullying may consist of comments and conduct directed at a student either directly or indirectly, whether through electronic communications, in person comments or otherwise.

HARASSMENT means written, verbal or physical conduct, or electronic communication, that adversely affects the ability of one or more students to participate in or benefit from the school's educational programs or activities because the conduct is so severe, persistent or pervasive. Such harassment may consist of comments and conduct directed at a student either directly or indirectly, whether through electronic communications, in person comments or otherwise.

NATIONAL ORIGIN discrimination or harassment involves treating someone unfavorably because they are from a particular country or part of the world, because of their ethnicity or accent, or because they are perceived to be from a certain ethnic background (even if they are not).

RACE discrimination or harassment involves treating someone unfavorably because they are of a certain race (or are perceived to be of a certain race) or because they have personal characteristics associated with that race (such as hair texture, skin color, or certain facial features).

COLOR discrimination or harassment involves treating someone unfavorably because of their skin color or complexion.

RELIGIOUS discrimination involves treating someone unfavorably because of their perceived or actual religious beliefs, practices, customs, or heritage, or because of stereotypes about such religions regardless of whether the religions are the traditional, organized religions (such as Buddhism, Christianity, Hinduism, Islam, and Judaism) or another religion.

Religious Expression

Any school uniform policy or practice will accommodate students whose religious beliefs are burdened by a uniform requirement. Students may display religious messages on clothing to the same extent they are permitted to display comparable secular messages.

Students shall have the right to wear clothes that are expressive of their religious traditions, customs, and beliefs, including but not limited to, yarmulkes, hijabs, headscarves, and other religiously influenced head or body coverings.

Student Speech

Students shall have the right to exercise freedom of speech and of the press at school. But the right to exercise freedom of speech does not justify harassing, bullying, or intimidating actions or speech that deprive or diminish other students' right to an equal education.

Staff Advocacy for Students' Rights

All staff shall have the right to inform students of their legal and constitutional rights to be free from discrimination and harassment in school, as well as their rights under this policy. Staff shall have discretion as to how to convey those messages. Classroom posters, signs, and other classroom postings making clear that the classroom is a welcome place for all students shall be encouraged and not prohibited.

Investigation, Remedy and Prevention Procedure

The school district encourages anyone—student, parent or guardian, volunteer, educator, or staff member—who witnesses harassment or discrimination based on a student's actual or perceived race, religion or national origin to report the conduct to school staff. All school staff are required to promptly share any such reports to the school district administrator, whom each school district has designated to accept and process such complaints.

Complaints may be made orally or in writing. Complaints should not be dismissed for any technical reason. If additional information is needed, the designated administrator must take reasonable measures to obtain the necessary information. Anonymous reports of bullying, harassment, and cyberbullying shall be accepted and investigated in the same way as other reports.

Upon receiving a complaint for harassment, bullying, or retaliation, the designated administrator shall:

1. Take immediate steps to protect any involved students, educators, or staff;
2. Promptly and thoroughly investigate the alleged bullying or harassment;
3. Determine if bullying or harassment occurred;
4. If the administrator determines that harassment or bullying occurred, take immediate action to prevent any further harassment or bullying and to prevent future occurrences;
 - a. Such actions should include, depending on the circumstances, counseling or discipline of the harassing or bullying student, but counseling shall be favored over discipline; and
 - b. Actions addressing any systemic issues needed to prevent recurrence of the harassment and bullying. Where a school has experienced more than one act of bullying or harassment against students of a particular race, religion, or national origin, whether actual or perceived, the remedy shall include systemic responses such as curricula changes, professional development for staff, and/or Know Your Rights trainings for parents and students.

5. The administrator shall also promptly provide a written report to district administration and all involved students, parents, and educators, regarding the complaint, investigation, and any measures taken to remedy the harassment or bullying and prevent future occurrences. Such report shall preserve in confidence the names of the individuals involved to the greatest extent possible.
6. The administrator shall maintain written or electronic records of each complaint and its investigation and resolution including the final report and the implementation of any and all remedial actions taken.

A complainant or victim of harassment, bullying, or retaliation (or parent or guardian) has the right to appeal the designated school administrator's handling of the complaint to the Superintendent of the School District.

Should that occur, the Superintendent (or independent designee) shall conduct an independent review to determine whether the designated administrator (1) correctly analyzed the complaint; (2) conducted a sufficient investigation of the incident; (3) made a proper determination about whether bullying, harassment, or retaliation occurred; and (4) took adequate action to remedy past bullying, harassment, or retaliation, and prevent future occurrences.

Retaliation Prohibited

The school district prohibits retaliation against any individual who reports discrimination or harassment of any student on the basis of race, religion or national origin or who participates in an investigation of such a report. Retaliation is any attempt to seek retribution against an individual or group of individuals involved in filing a complaint or report under this policy, filing an external complaint, participating in a disciplinary process, or opposing in a reasonable manner an action believed to constitute a violation of this policy. Examples of retaliations include termination, demotion, refusal to promote, denial of equal educational opportunities, or any other adverse employment or school action that would discourage a reasonable person from opposing perceived discrimination and/or harassment.

There will be no retaliation by the school district against anyone who makes a good faith complaint about harassment or discrimination or who, in good faith, reports or provides information in the course of the investigation of such complaints. A complaint that such retaliation has occurred will be investigated and resolved in the same manner as other complaints under this policy. If the investigation determines that retaliation has occurred, appropriate corrective action will be taken.

Enrollment

The school's enrollment practices may not treat immigrant students or families less favorably than any other students or families. No school may require that students or their families show a particular proof of residency, such as a driver's license or state-issued identification, to enroll. Driver's license or state-issued identifications can be allowed, but cannot be required. Schools may, however, require proof of residency in the form of other documentation including: utility bills, such as phone, water, or gas bills; lease agreements or mortgage documents; and affidavits from a parent, guardian or other relative.

Homeless students, including undocumented homeless students, are exempt from any documentation requirements in order to establish residency. A homeless child shall never be required to show any documentation relating to proof of residency in order to enroll in public school.

District personnel shall not inquire about or record a student's or a family member's immigration status, and pursuant to the Family Education Rights and Privacy Act (FERPA), shall not disclose, without parental consent, the immigration status of any student or other personally identifiable information.

Equal Access to Educational Programs for Immigrant Students and Families

District personnel shall treat all students, regardless of immigration status, equitably in the receipt of all school services, including but not limited to, the free and reduced lunch program, transportation, and educational instruction.

The District will

1. Offer counseling that adequately acknowledges the impact of immigration status on students and their family members;
2. Offer Know Your Rights presentations to students and parents in their preferred language; and
3. Ensure that students are aware of opportunities to gain access to college, in-state tuition, financial aid, scholarships, internships and career opportunities, regardless of their status.

To establish a support system for immigrant students, the District shall establish on-campus resource centers for immigrant students and their families and shall establish at least one immigrant liaison, with expertise in immigrant and undocumented populations.

Distribution and Implementation of the Policy

This policy shall be distributed to students and staff annually, and be made part of student codes of conduct, student handbooks, and school and district websites.

Staff Anti-Harassment Training and Professional Development

All staff are to be trained on this policy. Such training shall include: (1) how to report harassment, bullying, or retaliation; and (2) how to respond to incidents of bullying or harassment that staff witness.

Those who lead or co-lead the anti-harassment training, as well as the school district administrator of this policy, should themselves receive specific and appropriate training in issues related to race, color, national origin, religion, and cultural awareness and competency.

Staff shall also be provided professional development programs that provide them with, among other things: (i) developmentally and age-appropriate strategies to prevent bullying and harassment; (ii) developmentally and age-appropriate strategies for immediate, effective interventions to stop bullying and harassment; (iii) training on the complex interaction and power differential between harassers, victims, and witnesses to bullying and harassment; (iv) research on the causes and effects of bullying and harassment including information about specific categories of students who are particularly at risk for bullying and harassment; and (v) training on identifying cyberbullying and other internet safety issues.

Staff shall also receive necessary support to successfully teach students who come from cultures other than their own. Staff are entitled to district-sponsored and district-funded training, aimed at developing personal and interpersonal awareness and sensitivities, understanding of certain bodies of cultural knowledge, and mastery of a set of skills that, taken together, underlie effective cross-cultural teaching.

Student Anti-Harassment and Bullying Curriculum

As part of each school's regular curriculum, at least annually, schools shall provide education for all students (using age-appropriate materials) regarding tolerance, diversity, and respect for others. This shall include grade and age-appropriate education about the prohibition of harassment and discrimination on the basis of race, color, national origin, and religion and the District's policies with respect to such harassment and discrimination. The curriculum will also include instruction on how to prevent bullying and harassment; on how to make complaints; and on what will occur should students engage in harassment or bullying.

Anti-Harassment Trainings

All anti-harassment trainings shall include, at a minimum, the following:

1. Instruction on the type of conduct that constitutes race, color, national origin, or religion harassment and a discussion about the negative impact that bullying and harassment have on students, employees, and the educational environment, including the long-term impact of bullying and harassment on the students who are bullied and harassed and on the offending students themselves;
2. Discussion of the importance of, sensitivity to, and respect for the diversity of the student body;
3. A facilitated discussion of the root causes of specific forms of harassment that bear emphasis in the particular school.
 - a. For example, if religious and national origin harassment against Muslim students persists in a particular school then education should focus on Muslim history and contributions as well as education about religious and national origin harassment in particular and the harms resulting from such conduct, including but not limited to, issues related to backlashes that occur after terrorist events and the perpetuation of negative stereotypes impacting the Sikh, Muslim, Arab-American, and South Asian communities;
 - b. For example, if racial and national origin harassment against immigrant students or those perceived as immigrants persists in a particular school then education about the history and contributions of immigrants should be had as well as a discussion about immigration harassment in particular and the harms resulting from such conduct, including but not limited to the perpetuation of negative stereotypes impacting immigrant communities;
4. Identification of designated staff at each school who are available to answer questions or address concerns regarding the harassment policies and procedures or other issues related to bullying and harassment;
5. Instruction that when race, color, national origin, or religious harassment occurs, staff should inform students who bully or harass others that the District accepts and respects the dignity of all students and that harassing comments or actions are inappropriate, harmful, and disruptive, and will not be tolerated at school.

Sample Resolution on Charter Schools

WHEREAS, it is the right of every child to access a free, high-quality public K-12 education, and;

WHEREAS, the District has a responsibility to ensure that all students who reside within its boundaries can access a free, high-quality public K-12 education, and;

WHEREAS, through its policies and practices, the District has made a commitment to a quality education for all students, and;

WHEREAS, charter schools that are not subject to basic standards and safeguards have a substantial track record of inflicting significant harms on both students and communities—creating instability in students’ education when schools fail and must be closed, exacerbating racial and ethnic segregation, and draining public funds through a variety of profiteering schemes, and;

WHEREAS, virtual or online charter schools have a track record which shows that they cannot provide students with a well-rounded, complete educational experience, including optimal kinesthetic, physical, social and emotional development, and;

WHEREAS, the opening of charters too often prompts cutbacks or closures in local public schools without improving the quality of education for students, and;

WHEREAS, the District is empowered to authorize and oversee charter schools and to authorize and oversee the operation of all schools in the District to ensure that all students’ needs are met;

NOW, THEREFORE, BE IT RESOLVED, that this District will authorize and reauthorize charter schools only to the extent that they meet the following substantive standards:

- i) The charter school is necessary to meet the needs of students in the District and will meet those needs in a manner that will improve the overall public school system and not harm other students or schools in the District;
- ii) The charter school will provide a free, accessible, non-sectarian and high quality education to students;
- iii) The charter school will provide the same public access to its meetings and records as any public school in the District;
- iv) The charter school is neither run, nor managed, by a for profit entity including a for profit education management organization, and complies with the same fiscal transparency, prohibitions against conflicts of interest, and auditing requirements as any public school in the District;
- v) The charter school complies with the same civil rights, including federal and state laws and protections for students with disabilities, employment, health, labor, safety, staff qualification and certification requirements as other public schools;

BE IT FURTHER RESOLVED, that this District will oppose the authorization or reauthorization of charter schools that do not meet these substantive standards and that are not fully accountable to the District with respect to academic performance and fiscal oversight;

BE IT FURTHER RESOLVED, that to ensure that these substantive standards are met, charter schools will be authorized and reauthorized only where the District has completed an assessment—which shall be independent, developed with community input, and be written and publicly available—of the impact of the proposed school on: public school resources, programs and services, including the District’s operating and capital expenses; appropriate facility availability; racial, ethnic and socio-economic composition of District schools and educational equity for all students in the District including English language learners and special needs students; the likelihood that the charter school will prompt cutbacks or closures in local public schools, and consideration of whether other improvements (such as community schools or class size reduction) would better serve the needs of students and the community;

BE IT FURTHER RESOLVED, that to ensure that these substantive standards are met, the District will periodically review and audit any charter school authorized by the District to ensure that the substantive standards set forth above are met. Charter schools must agree to such reviews and audits as a condition of being authorized by the District;

BE IT FURTHER RESOLVED, that charter schools authorized by this District must include a provision in their charter contract agreeing that their employees, upon the employees’ request, will be protected by a collective bargaining agreement;

BE IT FURTHER RESOLVED, that the District will not authorize virtual or online charter schools.

Sample Policy on Charter Schools

The School Board, in Resolution No. _____, based on its educational experience and as part of its deliberative process as our governing body, has found that when charter schools are not subject to basic standards and safeguards, they can inflict significant harm on students, schools, and communities. Accordingly, the District will authorize charter schools only to the extent that they meet substantive standards and are fully accountable to the District.

The District will only consider applications from charter schools that meet the following requirements:

1. Explain why authorization of the school is necessary to meet the needs of students in the District, and how the school meet those needs in a manner that improves the school system for all students, including students in public schools;
2. Provide proof that the school is organized and operated as a non-profit entity under the laws of this State;
3. Provide a detailed explanation of how the school's employees will be covered by collective bargaining agreements;
4. Provide assurances that the prospective school will not contract another entity to manage the school or its operations;
5. Contain a detailed plan for sustaining financial solvency and independence from the District school;
6. Explain in detail how it will provide a free, accessible, non-sectarian, quality education that meets the same standards as every other public school;
7. Explain in detail the safeguards and policies the school will have in place to ensure that it complies with the same requirements of open meetings and public records laws; prohibitions against for-profit operation or profiteering; conflict of interest, financial disclosure, and auditing requirements that are applicable to all District schools.
8. Explain in detail the safeguards and policies the school will have in place to comply with all other federal and state civil rights, employment, health, labor, safety, and staff qualification and certification laws that apply to public schools;
9. Explain in detail how the school plans to ensure—including through its admission, retention, disciplinary, and other policies—that it does not have an adverse impact on the racial, ethnic and socio-economic composition of schools and neighborhoods, or on equitable access to quality services for all District students, including students with special needs and English language learners; and
10. Any other requirements as determined by the District or required by [STATE CHARTER LAW].

The District will initiate proceedings to terminate a charter agreement if the school does not meet the above requirements at any time during the charter term.

This policy applies to all new charter petitions and all charter schools seeking to be reauthorized as of or after the [20##-20##] school year.

Resources and Support

If you're interested in learning more about progressive school board policy, please contact Donna Harris-Aikens, Director of NEA Education Policy & Practice at essainfo@nea.org.

Share the additional NEA resources below with educators in your school district to help them get more involved with policy and practice, and positively impact the local community.



Anyone who cares about quality public education can join our campaign to improve our local schools. We launched the My School, My Voice campaign to demand transparency and inclusion in the school improvement planning process. While the new law requires states to involve local stakeholders, we wanted to create a place where educators and the community could come together as a team to advance the needs of students and schools.

myschoolmyvoice.nea.org



neaToday

Are you a new or early career educator? Then we have resources for you! Our new School Me series features tips, tricks, and guidance from veteran educators to help you feel comfortable and confident in your first few years on the job. Check out podcasts, videos, blogs and more at nea.org/schoolme.



SupportEd

SupportEd is a leading voice for educators, providing the essential tools, resources and support to help you as an educator. It delivers the best professional supports and development opportunities, articles, events and communities from across the universe of NEA online properties.

supported.nea.org



The 'edCOMMUNITIES' logo features a stylized 'ed' in red and blue, followed by 'COMMUNITIES' in blue. Below it is the website address www.mynea360.org.

EdCommunities is a place to connect, collaborate, engage, and share with other educators. Joining NEA edCommunities means sharing your commitment and dedication through an open exchange of strengths and resources with thousands of other education professionals. Free and open to all, NEA edCommunities requires visitors to register.

www.mynea360.org/login



edjustice

www.neaedjustice.org

EdJustice engages and mobilizes activists in the fight for racial, social and economic justice in public education. Readers will find timely coverage of social justice issues in education and ways they can advocate for our students, our schools, and our communities.

educationvotes.nea.org/neaedjustice



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