



**RESOLUTION 17-067 IN SUPPORT OF MAXIMIZING QUALITY LEARNING TIME  
FOR ALL STUDENTS TOWARDS 100%  
GRADUATION BY SUPPORTING SENATE BILL 607**

**WHEREAS:** The Berkeley Unified School District recognizes that student achievement begins with keeping students in a safe classroom and healthy environment conducive to learning and free from disruption. The District is committed to closing the achievement gap by providing all students access to a vigorous education that helps them graduate high school prepared for college and career;

**WHEREAS:** To get to 100% graduation, students must be allowed to maximize on their daily right to read, write, learn and achieve;

**WHEREAS:** It is the public policy of this state to ensure that school discipline policies and practices support the creation of safe, positive, supportive, and equitable school environments where students can learn;

**WHEREAS:** The overuse of school suspension and expulsion undermines the public policy of this state and does not result in safer school environments or improved student behavior. Highly punitive, exclusionary practices are associated with lower academic achievement, lower graduation rates, and a worse overall school climate;

**WHEREAS:** Research confirms that students subjected to exclusionary discipline policies experience higher truancy rates, are more likely to drop out of school and eventually end up in the juvenile justice system, and are more likely to be imprisoned as adults at greater cost to the state. With respect to detained youth, research has found that more than 80 percent had been suspended and more than 50 percent had been expelled from school prior to their incarceration;

**WHEREAS:** Research also confirms that alternatives to suspension and expulsion—such as Restorative Practices, tiered interventions through Positive Behavioral Interventions and Supports, and social emotional learning—reduce suspensions, improve behavior, and improve academic outcomes;

**WHEREAS:** In 2014, AB 420 was chaptered into law prohibiting the use of disruption/defiance as grounds for K-3 suspensions and K-12 expulsions, but it is scheduled to sunset on July 1, 2018;

**WHEREAS:** AB 420 resulted in a 60% drop in defiance/disruption suspensions in elementary schools during 2013-2015. More than 15,000 suspensions of K-3 students were prevented, incentivizing school districts to adopt non-punitive alternatives to suspensions and expulsions;

**WHEREAS:** Currently, Section 48900(k) allows students in grades 4-12 to be suspended from school for disruption or defiance. Neither disruption nor defiance is defined anywhere in the Education Code; as such, Section 48900(k) is largely left to the subjective judgment of school personnel. Current law allows students to be suspended from schools for simply refusing to take off their hat or falling asleep during a lecture;

**WHEREAS:** Suspensions and expulsions based on Section 48900(k) raise serious concerns about their disproportionate impact on students of color and other vulnerable student groups—including students with disabilities and/or those who are lesbian, gay, bisexual or transgender (LGBT). California Department of Education data reveals that African-American students face nearly 4 times more suspensions per 100 students than white students for disruption/defiance;

**WHEREAS:** It is estimated that Section 48900(k) was identified as the most “severe” grounds for some 129,835 suspensions or 31% of all suspensions in the state during the 2014-15 school year;

**WHEREAS:** SB 607 as amended, a bill authored by Senator Nancy Skinner (SD-9), would amend the Education Code to address the overuse of suspensions and expulsions for minor and subjectively imposed offenses pursuant to Educ. Code § 48900(k);

**WHEREAS:** New state funding has assisted schools in adopting alternatives, \$48 million in the 2016-17 state budget supports grant programs to implement restorative practices and social emotional learning programs to address the root of the problem for students;

**THEREFORE, BE IT RESOLVED** that the Governing Board of the Berkeley Unified School District hereby supports the passage of California Senate Bill 607 and directs the Superintendent to communicate with our state legislative body the need and urgency of the proposed bill for the greater benefit of our students.

**APPROVED AND ADOPTED** by the Board of Education on the 14<sup>th</sup> day of June, 2017 by the following vote:

**AYES: Directors**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Beatriz Leyva-Cutler  
Clerk, Board of Education  
Berkeley Unified School District  
Alameda County, State of California