



Success Indicator CC03: The school has a written code of conduct that reflects a sensitivity to and respect for the cultural backgrounds of all students and staff. (5862)

Overview: A school ensures understanding and uniformity of behavior by codifying its expectations of all members of the school community. This “code of conduct” establishes the culture and climate the school wants to promote and includes showing an understanding and a respect of all the varied backgrounds and cultures represented in the school community (staff, students, parents).

Questions: What is the purpose of a school’s code of conduct? What does a culturally sensitive code of conduct say (and not say)? How can a school community ensure their code of conduct reflects the values of their EL families? How can the code of conduct be made accessible to EL students and families?

What is the purpose of a school’s code of conduct?

A code of conduct serves to provide a written description of the school community’s ethical standards, such as creating a welcoming, friendly, caring, and respectful learning environment. Codes establish expectations for behavior for all school community members, not just students. In an attempt to promote positive behavior and mitigate inappropriate behavior, codes stipulate consequences, both positive and negative, for meeting and failing to meet behavioral expectations

In practice, however, many codes of conduct tend to focus on the negative. Gregory and Fergus (2017) found that “typical codes of conduct usually focus on a matrix of punishments applied to each type of infraction” (p. 122). Analysis of codes of conduct from an extensive range of schools indicates that suspensions are a very common form of discipline for minor infractions like tardies, swearing, loitering, disrespecting staff, and dress code violations (Fenning et. al., 2012). The problem with a code of conduct that focuses on punishment is that culturally and linguistically diverse students have disproportionately high rates of disciplinary referrals (Hershfeldt et. al., 2009). For example, Latino students are significantly more likely than white students to be suspended, even for minor infractions and when accounting for rates of misbehavior (Skiba et. al., 2008; Finn & Servoss, 2014; Gregory & Fergus, 2017). In some cases, this may be attributed to code being written to apply to only certain groups of students, such as restrictions on religious headwear, or when a seemingly neutral policy “is administered in an evenhanded manner but has a disparate impact, i.e., a disproportionate and unjustified effect on students of a particular race” (Dear Colleague Letter, 2014, p. 7). In other situations, the students, unfamiliar with the expectations in a school, unwittingly engage in policy violations.

To avoid these potential ‘pitfalls,’ the School Superintendents Association and the Children’s Defense Fund (“School District Code of Conduct”, 2014) recommend “the district’s code of conduct should be used as a tool to communicate principles and practices that go beyond consequences for misconduct and that establish a clear system for positive conduct and a positive school climate” (p. 1). Similarly, Fenning et. al. (2013) argue that codes must be structured



around prevention-oriented practices, such as positive behavior support intervention. In alignment with prevention-oriented practice, codes can contain a section on positive behaviors that help provide meaning to and examples of vague phrases like be respectful and be responsible. Next to 'be safe' the code can give examples of positively-phrased things students can do to be safe, such as 'stay in your assigned area' or 'ask before borrowing'. In sum, it behooves schools and districts to frame their code of conduct as a tool "to establish and maintain an appropriate balance between individual and collective rights, freedoms, and responsibilities in the school community" ("Developing", 2015, p. 2).

What does a culturally sensitive code of conduct say (and not say)?

A code of conduct does not sufficiently exercise cultural sensitivity simply by including a section that explicitly prohibits discrimination based on language, national origin, immigration status, etc. The code must also embody this prohibition against discrimination in the way it is structured.

Specifically, culturally sensitive codes of conduct should use precise language in order to avoid cultural bias resulting from vagueness. Clear definitions and examples of abstract terms like 'respect' can help alleviate cultural misunderstanding. Acting respectfully is played out differently in different cultures. Gao (2012) provides evidence that in some cultures it is considered respectful for a student to look a teacher in the eyes when they are talking, but in other cultures it is considered respectful for the student to look down. Gao (2012) also gives an example of how in some cultures it is a sign of respect to walk behind the teacher, even though some teachers may find it annoying for a student to always be walking behind them.

Vague language regarding appropriate clothing may lead to culturally biased disciplinary action. Using specific descriptions and detailed examples of what clothing is allowed and disallowed will help to avoid confusion between EL families and schools. Banning students from wearing hats and hoods has proven to be too vague a policy. In 2004, after a public school in Oklahoma suspended a student for wearing a headscarf, for example, a US District Court, in support of the US Department of Justice, ruled that schools can not ban students from wearing religious headscarves ("Hearn", 2004). None-

theless, public schools have continued to cite certain religious attire as being a dress code violation. In 2017, school administrators in Virginia and Texas reprimanded Muslim students for wearing hijabs (Lewis, 2017; Bruijn, 2017). Gao (2012) contends that "it is important for educators to challenge their assumptions about Muslim women wearing a headscarf" (p. 132).

Because codes are meant to address the behaviors of everyone in the school community, including parents, they need to be written to reflect the diverse cultures of parents. It may be insensitive for a code to claim that parents should be actively communicating with teachers. Some cultures believe the parent's role in education should be to provide a nurturing environment at home, but not to interfere with the teacher's job, and codes should reflect this belief. Gao (2006) found that some parents may perceive the teacher as the professional authority over their child's education, so contacting the teacher to ask questions or check-in on their child might be considered rude. When schools outline the responsibilities of parents, schools must do so with input from immigrant parents.

How can a school community ensure their code of conduct reflects the values of their EL families?

According to the School Superintendent's Association, "effective codes are developed with input from school personnel, students and their families, in addition to other community stakeholders, and should be regularly reviewed to determine areas for improvement and revision" ("School District Codes", 2014, p. 2). The Alberta School Boards Association ("Collaboration", 2015) for example, provides four suggestions for engaging the school community in creating a welcoming, culturally sensitive code:

- Facilitated town hall meetings to allow students, parents, faculty, and staff to express their beliefs on what should be included in the code with interpreters to facilitate participation from families who speak a language other than English.
- Online surveys to generate an overall view of what the community thinks using open ended questions (e.g. How can the school community better foster a sense of belonging and respect for diversity?) with translations for families who speak a language other than English.



- Focus groups representative of the communities served by the school to help the writers of the code get a better-informed understanding of the desires of the community.
- One on one conversations to gather in-depth information and/or to provide opportunities for community members unable to complete the written surveys, so they too have a voice.

The code should be revisited annually, and, likewise, community input should be gathered periodically, to adjust for changes in the community, thereby ensuring the code continually aligns with the dynamic values of the population it serves (“Dear Colleague Letter”, 2014).

How can the code of conduct be made accessible to EL students and families?

In their 2014 “Dear Colleague Letter,” the U.S. Department of Education and the Department of Justice stipulated that all that school districts need to “translate all discipline policies, including the discipline code and all important documents related to individual disciplinary actions, to ensure effective communication with students, parents, and guardians who are limited English proficient” (p.6). Shortly, thereafter, the Elementary and Secondary Education Act as amended by The Every Student Succeeds Act of 2015 required that pertinent parent information, including the code of conduct, be provided, “to the extent possible, in a language that parents can understand” (“Elementary”, 2015, p. 76). By providing translated versions of the code as paper copies in the main office or lobby and as electronic copies on the school’s or district’s website, the code is made accessible to literate EL students and families. For those unable to access or read the written codes, in-person school meetings, phone calls, or home visits with a school district provided interpreter can help ensure that all EL students and their families are aware of policies and are treated as valued, and respected members of the school community.

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