

WIDENING THE CIRCLE OF OUR CONCERN

PUBLIC PERCEPTIONS OF THE SCHOOL DISTRICT OF
PHILADELPHIA'S RESPONSE TO INTERGROUP CONFLICTS

A report from the Philadelphia Commission on Human Relations



“OUR TASK, WORKING TOGETHER,
IS TO CONSTANTLY WIDEN THE CIRCLE OF
OUR CONCERN SO THAT WE
BEQUEATH THE AMERICAN DREAM TO
FUTURE GENERATIONS.”

—President Barack Obama | Tucson, Arizona | January 12, 2011

ABOUT THE PHILADELPHIA COMMISSION ON HUMAN RELATIONS

Established in 1951 under the City Charter, the Philadelphia Commission on Human Relations is the quasi-judicial agency empowered to enforce Philadelphia’s civil rights laws and to deal with all matters of intergroup conflicts within the City.

Through its Compliance Division, the Commission investigates claims of unlawful discrimination in employment, housing, public accommodations, and the delivery of City services, on the basis of race, color, sex, sexual orientation, gender identity, religion, national origin, ancestry, age, disability, marital status, or source of income. The Commissioners decide disputed claims through adjudicatory public hearings.

Through its Community Relations Division, the Commission mediates to ease intergroup and community tensions and conducts public hearings for informational and educational purposes. The recommendations outlined in this report fall within the authority and jurisdiction of the Commission’s Community Relations Division.

DEFINITION: INTERGROUP CONFLICTS

Intergroup conflicts are any disagreement between two or more individuals or groups that differ in terms of characteristics such as race, color, sex, sexual orientation, gender identity, religion, national origin, ancestry, age, disability, or source of income, where such disagreements result in wrongful discrimination, disharmony, unlawful harassment, confrontational clashes, or even violence. The conflict may arise in the context of economic competition, struggles over political and social dominance, or disputes over ideas, beliefs, or points of view.

Intergroup conflicts may be the result of the kind of biased judgment that is appropriately labeled racism, ethnocentrism, homophobia, sexism, xenophobia, or religious intolerance, but it need not necessarily rise to that level to cause serious discord and disruption in a school community. Intergroup conflicts tend to generate hostility and unfounded negative assessments of the members of other groups. Intergroup conflicts may stand in the way of fair and respectful treatment of the members of other groups.

EXECUTIVE SUMMARY

In January 2010, after the violent incidents at South Philadelphia High School against Asian immigrant students, the Philadelphia Commission on Human Relations (PCHR) began a yearlong series of 11 public hearings as part of our unique mandate to address intergroup conflicts and claims of discrimination based on race, color, sex, sexual orientation, gender identity, religion, national origin, ancestry, age, disability, marital status, or source of income. The goal was to hear first-hand from parents, teachers, students, principals, and other community members about their experiences with intergroup conflicts in Philadelphia public schools. The Commission's understanding of intergroup conflicts covers a broad range of unfair, disrespectful, and aggressive behavior that can cause emotional and physical harm and negatively impact students' ability to learn. One hundred thirty witnesses came forward to share their thoughts, and the Commission also received an additional 40 statements in writing. We took on this task because teaching students to embrace diversity is not only a social and economic imperative, it is a moral obligation.

The hearings brought to the surface the deep convictions of those who came to testify. The Commission learned that intergroup conflicts are a system-wide problem in the School District of Philadelphia that require a system-wide solution. Conflicts, both verbal and physical, recur in many schools. Testimony revealed that, too often, the District is not doing enough to prevent and resolve such conflicts and that inadequate language access—a legal right—is exacerbating the situation. We heard evidence that the zero-tolerance policy of automatic out-of-school suspensions that the District relies on does not mitigate intergroup tensions. Whenever discipline is imposed, the District must ensure that such discipline is both constructive and commensurate with the conduct and not solely punitive. We learned that effective and positive strategies like peer mediation, positive behavioral support, and restorative justice are not adequately utilized or implemented.

Yet students also spoke of positive, dynamic efforts that they engage in, with the assistance of supportive adults, to peacefully resolve conflict. We heard about schools where educators and staff actively attempt to build bridges and model respectful behavior. We saw models of community-based programs that allow young people from different backgrounds to relate to each other through shared interests.

Despite these positive efforts, the widespread presence of unresolved intergroup conflicts remains. But it is the Commission's fervent hope that this report, and the recommendations it contains, will act as a catalyst to encourage the District to make resolving, tracking, and preventing intergroup conflicts a high priority. It is essential that the District act to build a climate of respect and tolerance across the City's schools to widen the circle of our concern to include all of the diverse young people of Philadelphia.

FINDINGS

- FINDING 1** Intergroup conflicts are a widespread problem in Philadelphia public schools that interfere with student learning.
- FINDING 2** District policies fail to provide a clear and consistent framework for preventing and resolving intergroup conflicts, and these policies are neither uniformly implemented, nor clearly communicated.
- FINDING 3** The District has relied on a zero-tolerance discipline policy, but this policy alienates students and has an adverse effect on school climate. The District has not fully capitalized on more constructive means, which include positive behavior support, peer mediation, and restorative justice approaches.

FINDING 4 Existing policies and resources related to language access are not widely publicized and are inadequate to meet the needs of all the students and families that are legally entitled to language access services.

FINDING 5 Students are agents for change in reducing intergroup conflicts and promoting intergroup harmony.

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FINDING 8 Witnesses provided important recommendations for resolving conflicts and addressing bias-based harassment.

RECOMMENDATIONS FOR RESOLVING, TRACKING, AND PREVENTING CONFLICTS

The Philadelphia Commission on Human Relations believes implementing the following recommendations will better equip the School District of Philadelphia to resolve, track, and prevent intergroup conflicts.

RESOLVE THE CONFLICTS

RECOMMENDATION 1 Recognize intergroup conflicts are a system-wide problem that requires a system-wide solution.

RECOMMENDATION 2 Re-evaluate, update, and enforce relevant District policies.

RECOMMENDATION 3 Require all principals in the District to enforce these new policies with programming to create communities of respect within their schools.

RECOMMENDATION 4 Effectively evaluate and respond to reported incidents.

TRACK THE CONFLICTS

RECOMMENDATION 5 Create a clear path for all students, teachers, parents, and administrators to report incidents of intergroup conflicts.

RECOMMENDATION 6 Use the existing District survey to collect information on intergroup relations.

PREVENT FUTURE CONFLICTS

RECOMMENDATION 7 Ensure each student, parent, teacher, and administrator knows about all relevant policies, programs, and reporting procedures.

RECOMMENDATION 8 Give principals, teachers, and administrators the tools to ensure these policies are consistently and effectively implemented.

RECOMMENDATION 9 Communicate effectively in all languages heard in our schools.

INTRODUCTION

On December 3, 2009, 26 Asian immigrant students were assaulted by other, predominantly African-American, students at South Philadelphia High School. Many of those attacked suffered injuries serious enough to require hospitalization. A boycott of the school by Asian immigrant students at South Philadelphia High School, in protest of the failure of the adults at the school and the District to protect them, followed.

The Philadelphia Commission on Human Relations arranged a face-to-face meeting between the Asian immigrant students and the administration of the School District of Philadelphia as part of an effort to end the boycott and resolve the students' grievances. Thereafter, other government agencies, ad hoc committees, and special investigators took on the responsibility of thoroughly investigating what happened that day at South Philadelphia High, and the events, attitudes, actions and missed opportunities that led up to it.

As the City agency charged with adjudicating and mediating intergroup conflicts, the Philadelphia Commission on Human Relations concluded that it was our duty to assess how effectively the School District is dealing with the broad range of intergroup conflicts existing within our schools on a system-wide basis. A comprehensive inquiry was also called for because of our unique mandate under the Philadelphia Fair Practices Ordinance to address claims of discrimination based on race, color, sex, sexual orientation, gender identity, religion, national origin, ancestry, age, disability, or source of income.

It is important that District leadership recognize the breadth of the problem and take concrete steps to resolve, track, and prevent intergroup conflicts because our schools are responsible for providing Philadelphia's young people with an education that will equip them to thrive and prosper in a multicultural, globalized world. Ensuring that our schools maintain a climate conducive to students learning together and from each other is absolutely central to this undertaking, especially given the diversity within Philadelphia's schools.

As one student organizer passionately put it at one of our hearings, "We see violence as unjust actions that hurt our chances of survival and having a good life." Our young people must acquire the tools to effectively negotiate intergroup differences and challenges over a lifetime. As one high school principal testified, "We...have to remember what our primary focus is in educating the students, but also teaching them the cultural values they need in order to work collaboratively with each other, and support each other so that we are...developing citizens that will contribute positively to society."

Teaching students to deal with and accept diversity is not only an economic and social imperative, it is our moral obligation. Philadelphia Mayor Michael Nutter sees our ethical responsibilities through a local lens: "[I]n this city

that we refer to as the City of Brotherly Love and Sisterly Affection...[w]e all want to be safe. We all want our children to be educated. We all want the ability to live up to our God-given potential. And...[f]or those who refuse to accept [diversity], it's a part of our job to help to better explain that... [and] to enforce the law...Diversity is part of our strength, but if we are to celebrate our diversity we



"We see violence as unjust actions that hurt our chances of survival and having a good life." —Student Organizer

must better understand who we are, where we came from...[I]t is in that diversity that we find our strength and find our voice and that you'll find the courage to take on these many challenges."

If the leaders of our great City fail to denounce intergroup violence and intolerance in our schools, it would signal that they not only are failing to grasp the multicultural future awaiting the next generation, but also are misreading this country's past. Our collective history of slavery, discrimination, and outright bigotry was and remains the context that makes an organization like the Philadelphia Commission on Human Relations necessary. It also underscores the Commission's concern for both the young victims and the young perpetrators of intergroup discord and strife in our schools today.

In January 2010, the Philadelphia Commission on Human Relations began a yearlong series of public hearings at which parents, teachers, students, principals, and other community members spoke about their first-hand experiences with intergroup violence in the schools. The 11 hearings were held in sites across the City, mostly in recreation centers. One hundred thirty witnesses came forward. The Commission also received an additional 40 written submissions.

Many who testified asserted that the School District of Philadelphia is not doing enough to resolve problems associated with intergroup conflicts and violence. We heard from witnesses who believe that the District has been unresponsive to their complaints. Too frequently, this belief seemed to lead some to conclude that the District bears a general prejudice against, or lack of concern for, their particular group. Such sentiment was shared by African American witnesses as well, even though African Americans presently represent the majority of the District's students and both the Superintendent of Schools and the Chairperson of the School Reform Commission are African-American.

We take these criticisms and suspicions to be reflections of how deep the divisions are among the various groups with a stake in the operation of the school system. We are mindful that it is the fervent hope of all parents that their children will be able to attend school in an atmosphere that is harmonious and conducive to learning.

To achieve schools that are characterized by intergroup harmony and coexistence, we must first engage in frank and informed dialogue with Philadelphians about the subject of intergroup conflicts. At times, this dialogue may be difficult, but it must be undertaken.

In this report, we detail what we heard and learned from witnesses around the City. Whenever possible, we present direct quotes so you can hear from them in their own words. We also provide our recommendations for what the School District and the City of Philadelphia must do to resolve, track, and prevent intergroup conflicts in the schools.

We hope that this report will promote conversations on intergroup relations in the schools throughout the City as we begin to build a community in which all of us, regardless of our group membership, seek to continually widen the circle of our concern to include all the young people of Philadelphia's vibrant, richly diverse population.



"Diversity is part of our strength, but if we are to celebrate our diversity we must better understand who we are, where we came from...[I]t is in that diversity that we find our strength and find our voice and that you'll find the courage to take on these many challenges."

—Mayor Michael A. Nutter

FINDINGS

FINDING 1

Intergroup conflicts are a widespread problem in Philadelphia public schools that interfere with student learning.

Witnesses brought to the attention of the Commission a host of incidents involving intergroup conflicts between students who belong to myriad groups and attend different schools. The conflicts took various forms ranging from petty discourtesy and isolated acts of verbal aggression to physical and emotional harassment, bullying, and physical assaults. Here is a sampling of the testimony we heard organized in terms of the protected categories into which the victims fall (though in some cases distinguishing between victims and aggressors was not easy).

Conflicts affecting students who are members of groups characterized by race, color, and national origin:

“Last year there was a Chinese immigrant student who was walking home after school. It was right in front of the building, and other students started just pelting rocks at her head. And she was on the ground and they just kept pelting rocks at her, and she had, you know, cuts and stitches all on her forehead.” —Community-Based Organization Representative

“An Iraqi refugee, 18 years old, was assaulted and knocked unconscious by a group of youth outside of Northeast High School.” —Community-Based Organization Representative



“It’s to the point where the kids that have the more difficult names to pronounce, they’re changing their names.” —Community-Based Organization Representative

“[T]wo years ago, these eighth graders...were coming to school, and what they were met with was racial epithets on the walls of the school, and they called them niggers, and they said, ‘We’re going to kill you.’” —Community-Based Organization Representative

“We very rarely have issues that come out blatantly having to do with racial relations and, in the last couple of weeks, an incident that occurred in the lunchroom between a couple of teenagers, that was about a girl and a candy bar, that was all it was, but it dissolved or evolved into an issue between our Dominican students and our African-American students, and it happened to be Dominican [versus] Puerto Rican students and the African-American students...[I]t started between two teenagers, a boy and a girl and a candy bar, and everyone else’s friends, and evolved into something that it never should have been...[W]e called [the

PCHR Community Relations Division] in because we felt it was getting out of hand and wanted to be proactive.” —High School Principal

Conflicts affecting immigrant students:

“It’s to the point where the kids that have the more difficult names to pronounce, they’re changing their names. Kids are teasing each other because of their names. I had a young girl, she told me her name was Nicole, but when I looked at her referral, it was something totally different. I said, ‘Why did you tell me that?’ She said, ‘Cause I’m embarrassed.’” —Community-Based Organization Representative

“When I started school, I was very excited to go to school. I didn’t speak much English, but I get some help in my classroom. A few months later, I got beat up in the lunchroom from behind. So one time I got beat up. The authority show up and the police show up, took the report and call my parent and send me home, and then the next day when I was home I learned that my brother also beat up at school. I need more help, and then there was help. So the main office send me some help in assisting me after school. So when I was sent back to school, I got more support, and that’s helped me do better in school.” —High School Student

Conflicts affecting students who are disabled:

“In our school, we have had a few children who have autism. And one of the concerns that I have heard from a child is people teasing him because he mimics things or he has to have things done over and over again and the children get frustrated or that he’s speaks differently, and they make fun of him...They get teased because they’re different just like other children. But I really feel for them...It really is tough for a child who has no special needs to deal with harassment, but a child who has special needs, it makes it a little harder for them.”

—Middle School Teacher and Parent of District Student with Autism

Conflicts involving sex:

“I had a gym class at the end of the period, and everybody, like, tells us to change out of our uniforms. We went upstairs, and it’s like a door, you walk through the door, there’s a boys locker room and you walk through another door, and there’s no lock on it, so they can come in. As we was up there changing, all the boys ran in there, touching on the girls, feeling on them and stuff. And then, like, as the weeks went on, this stuff happened frequently.” —Ninth Grader

“But from my experience, I feel that the girls sometimes are afraid to come up and speak about what happens to them. But like, from somebody that I know that she’s telling me that she gets her headscarf pulled off of her head, but she doesn’t bring it to the principal or anybody else. I don’t know if she’s, it’s from shame or I don’t know why. But like I said, the boys tend not to care or they’re not shy, but the girls appear to be more shy, and they keep it to themselves even though they do face problems, but they keep it to themselves.” —Community-Based Organization Representative



“It really is tough for a child who has no special needs to deal with harassment, but a child who has special needs, it makes it a little harder for them.” —Middle School Teacher

Conflicts involving sexual orientation and gender identity:

“I can say I experienced violence from both sides, from the students as well as the staff. I went through finding myself—the last year of high school was the most difficult, with basically the kids calling, you know, ‘faggot’ or ‘homo,’ or whatever the name may be. The staff confronted me with several different situations such as I was not allowed to express myself the way I am dressed today. I was told to be dressed as ‘Miguel’ at all times I wasn’t even allowed to be dressed as ‘Mia’ and changed before the students got there. I was even faced with the decision at graduation, either to wear a dress to graduate or be valedictorian. Of course, I chose being valedictorian because I worked hard, and I knew it would look good on college applications. But with my situation and others, I’m just a little upset that it took this long for this situation and this hearing to come up because even before now, this has been happening and I don’t see why it took so long to be recognized.” —Transgender College Student from Philadelphia



“Racial bias and harassment are really message crimes... that...send...a message to the broader community about who is valued or who is at risk within that community.”

—Community Activist

Many of these incidents are the product of the recent rapid diversification of the school-age population of Philadelphia through immigration and the greater inclusion of students from previously denigrated and subordinated groups. Several witnesses, however, pointed to the school system’s longstanding history of intolerance and racism, particularly toward African Americans, as also contributing to the context for today’s intergroup conflicts.

“And I came down today because this issue with school violence in this particular forum you’re having today, it seems to have been prompted as a direct result of the violence that was perpetrated against the Asian community. Well, I attended school in Philadelphia...and when I went to that school about 15, 20 years ago, there was all types of violence that was going on, and no one ever considered having a discussion like this. So my purpose of coming today is to speak for the voiceless, to speak for the people that’s been living in this community and nobody cared about. Now, I’m not saying that the Asian

community should be victimized, but what about the people that are constant victims outside of the violence, the resourcefulness that has been diminished in that community, which has perpetuated into violence. The Asians and the African Americans, the Europeans that all go to school together are all products of a deeper-rooted problem.” —Community Organizer

Our witnesses made it clear to us through their testimony that the discriminatory and abusive treatment that results from intergroup conflicts can be traumatic for students who are targeted and victimized. However, several witnesses explained how incidents of intergroup conflicts also negatively affect students who are not directly involved.

“Racial bias and harassment are really message crimes. They go out to an entire community. So though there may only be one victim, the racial slurs and other language that gets attached to the kind of assault that happened send a message to the broader community about who is valued or who is at risk within that community.” —Community Activist

“If kids feel threatened, if they feel like they’re not safe, if they feel like they’re not respected, then it impacts their learning. They become depressed; they become anxious; they become socially withdrawn. You look at school failure and then dropouts.” —Professor of Education and Director of a Clinic on the Prevention of School Age Violence

Unfortunately, there is no reliable quantitative data on the dimensions of intergroup conflicts in the Philadelphia public schools. Although our assessment is based on qualitative evidence, the vivid testimonials we heard throughout the 11 hearings demonstrated to us that intergroup conflicts are a system-wide problem that is impeding the education of Philadelphia’s children.

FINDING 2

District policies fail to provide a clear and consistent framework for preventing and resolving intergroup conflicts, and these policies are neither uniformly implemented, nor clearly communicated.

A common complaint raised at most hearings was that District officials, as well as school administrators, teachers, and other staff, ignored underlying intergroup tensions, did not seriously consider bias as the root cause of specific outbreaks of violence, and failed to respond appropriately. As one community advocate shared with us, “The September 2010 violence at Bok High School in which two Asian youths were sent to the emergency room after being assaulted by at least 10 fellow students...is a sobering reminder of how far we need to go in

the District. Initially, again, in that situation, the District was quick to rule out racial bias and instead declared the incident was hazing, even though no other students at the school had been allegedly hazed.”

The District has a number of policies and programs in place that are designed to end intergroup conflicts, notably Policy 102, which relates to multi-racial, multi-cultural and gender education, and newly-adopted Policies 248 and 249, which address harassment and bullying. However, there seems to be a disconnect between these policies and what happens in the schools on a daily basis. (These policies can be found on the District’s website at <http://www.phila.k12.pa.us/offices/administration/policies/>.)

Inconsistent implementation of these policies and poor communication regarding them have confused parents, teachers, and students about what events involving intergroup conflicts can and must be reported to the District, how those events can be reported, and how schools should respond.

As a community advocate told us, “Many parents have talked about how some things are considered harassment, other things are not. So we need a better harassment policy. There’s no indication on the harassment policy whether a student or an individual can even say whether they feel like they’ve been a victim of a bias crime, and I think that’s a very important thing to add to the school district’s bias and harassment policy.”

Reporting structures in particular seemed unclear. Witnesses spoke of incidents that were never reported because victims did not understand their rights or did not know the procedures for reporting. One community advocate told us, “It’s just about calling it what it is, and then addressing the problem. Someone was speaking about how the students are afraid to report or they don’t feel empowered enough to report. It’s a huge issue, right, because if it’s not on record, and essentially in certain people’s heads, it’s not happening. So I’ve been doing my best to encourage students to report.”

In addition to advocating for the need for revisions to the policies to enable the District to effectively resolve incidents based on intergroup conflicts, witnesses also asserted that there are problems with the policies’ implementation. As a high school teacher told us, “Policy 102—the policy on multicultural, multiracial gender education—is a very progressive, very comprehensive policy that we have on our side here in Philadelphia. The policy is wonderful. The implementation is missing...When I first expressed interest in my school in leading a GSA [Gay/Straight Alliance], they went, ‘Oh, you can be the Policy 102 guy so that we are meeting our responsibilities and fulfilling Policy 102.’ And so I am trying to do that as I can, but it’s not a systematic thing.”

A high school teacher talked about the impact the lack of implementation and clarity about reporting violations has had on students: “We noticed that they [LGBTQ (lesbian, gay, bisexual, transgender, and questioning) students] had a huge number of suspensions and discipline issues. And if you could really take a look at it, it’s because they’re defending themselves. They’re being bullied and they retaliate physically. And there’s no support system that they can go to and complain about these issues.”



“It’s just about calling it what it is, and then addressing the problem...[Some] students are afraid to report or they don’t feel empowered enough to report. It’s a huge issue...because if it’s not on the record...it’s not happening.”

—Community-Based Organizer

Witnesses described wide variation among different schools' disciplinary approaches, their implementation of district curricula related to multicultural education, and their efforts to eliminate intergroup conflicts. They asserted that some of that variation could be attributed to changes in District organization (the dismantling of offices that had authority over policy implementation), staff turnover, and the lack of well-publicized policy and procedures.

One education advocate reminded us, "Several years ago, the central administration of the School District included an Office of Integration and Intergroup Relations. Its mission was to provide materials about how to promote ethnic harmony within the classroom and within the school. I don't recall when or why the office was disbanded, but I do know that several years ago, the current Office of Health and Physical Education was asked to develop lesson plans and teachers' guides for every grade to address these issues. It is not clear whether these materials are currently in use."

Because teachers and staff lack training regarding intergroup conflicts, they sometimes exacerbate intergroup tensions. Although witnesses praised the schools where they saw adults helping young people prevent and resolve intergroup conflicts, the Commission heard stories of schools in which the adults in charge did not understand what constitutes unacceptable group-based verbal or physical aggression, or they felt powerless or unaware of how they should respond to students' destructive behavior.

One elementary school student, a recent immigrant, wrote in a statement read by a community activist, "One boy, he say that my mom is dumb and crazy and said that bad word, but I told the teacher. And he said, 'Ignore it.' and I say, 'Sure.'" Another older student, a freshman, testified, "The counselors, they said, all we can do is tell you to stay away from that certain student or get transferred or something. I shouldn't have to get transferred not to get beat up by some kids at school." A representative from a community-based organization shared a similar perspective: "The

teachers are not sensitive to bullying when kids are being teased. The teacher may say, 'Oh go find another African kid to play with.'"

Staff sometimes exhibit insensitivity and bias themselves, as one teacher told us, "Last year there was a couple [of] faculty members and I who brought up the issue of homophobia in our school...From my own experience, I think it's a huge problem in our school, not just among students, but also my biggest issue is homophobia is used as a way of correcting behavior. Like, if two boys are fighting, the administrator might say, 'What would people think if you're touching another boy like that?'"

The same teacher who had conducted a survey about LGBTQ issues in her school told us, "I would like training, personally. I would like training for myself on how to bring up issues in class. Being a math teacher, it's kind of hard to interrupt a class and, you know, just kind of talk with students. 'Okay, why were you using the "F" word? Why is that hateful, why is that inappropriate now?' I mean I do stop and I do have conversations, but I don't think that my own thoughts are necessarily the most appropriate way to address those kind of things."



"[LGBTQ students] had a huge number of suspensions... It's because they're defending themselves. They're being bullied and they retaliate physically." —High School Teacher

One education activist spoke to the heart of the matter regarding the role of adults in creating a school community that insists that everyone respect and value difference: “Urging students to engage with kids from different backgrounds than their own is unlikely to have much credibility when the kids do not see the faculty, staff, and administrators crossing ethnic boundaries themselves. Every school needs a principal who knows how to build community among adults of varied backgrounds, and who interacts with students, their parents and community leaders.”

Throughout the hearings, parents, students and community activists were clear: they want District officials and school staff to provide strong, consistent, moral leadership and to engage with students, parents, and community members in addressing the intolerance and ignorance that lie at the heart of intergroup discord and violent behavior.

FINDING 3

The District has relied on a zero-tolerance discipline policy, but this policy alienates students and has an adverse effect on school climate. The District has not fully capitalized on more constructive means, which include positive behavior support, peer mediation, and restorative justice approaches.

The Commission heard from multiple witnesses with considerable concern about the District’s zero-tolerance policy, which imposes automatic out-of-school suspension for perpetrators of intergroup conflicts in schools. Many witnesses felt that this policy’s heavy-handed approach made it more difficult for students to succeed in school. Using punishment as a first response contributes to the school environment we seek to change and zero tolerance is a serious impediment to fostering an atmosphere of intergroup harmony.

One student organizer told us, “Zero tolerance is a policy that overreacts to most disciplinary situations that could be handled differently. What I mean by this is students’ educations are at stake because the administration is focused more on keeping kids in line than their education. During the ‘07-‘08 school year 4,361 were taken into police custody and 3,573 students were arrested.”

Another student organizer pointed out this policy’s negative effects on the school environment: “When you walk into our school, the first thing you see are bars on the window...That reminds us how many of our schools are like police states...[Y]ou have to go through metal detectors and you are checked like a prisoner. Sometimes we even get body searched...It is hard for us to learn when we are treated more like prisoners than students...We have more security guards than we have counselors.”

The zero-tolerance disciplinary actions also appear to do little to address the roots of problematic behavior. As one community organizer told us, “Students have complicated issues. It’s not right to get rid of a student because we don’t want to flesh out what’s going on with them. We’ve worked with the Education Law Center to help get students back into schools because we feel as though that zero tolerance is denying students their right to an education.”



“Urging students to engage with kids from different backgrounds than their own is unlikely to have much credibility when the kids do not see the faculty, staff and administrators crossing ethnic boundaries themselves.”

—Education Activist

Some witnesses asserted that the zero-tolerance policy worked at cross-purposes with stated District goals to eliminate harassment and build a climate of intergroup harmony, and exacerbated the very problem they were attempting to address. An education advocate stressed that, “The District should acknowledge the ineffectiveness of zero tolerance and

commit itself to sending a single consistent message of helping difficult students rather than alienating them. The climate of alienation contributes to greater disruption and violence in general, and greater ethnic hostility in particular.”

Several community advocates spoke to the limitation of the District’s current actions and the need to look for alternative approaches. As one nonprofit representative said, “Philadelphia suspends a lot of students. In 2008/2009, 46,350. We took a very close look at that...A lot of those students were suspended for things that are not right, and we need to begin to think about other ways of handling those incidents. There were 15,000...for disruption, and this was disruption that did not include an act of violence or destruction of school property. 3,800 were for offensive language. I agree, offensive language is not a good thing and needs to be dealt with. I don’t believe that you hand students out-of-school suspensions for things like that. We need to invest in something different. 1,150 suspensions of the 46,000 were for dress code violations...I don’t believe we can suspend our way

out of the situation [and the District needs to] invest in other ways of looking at things.”



“Students have complicated issues. It’s not right to get rid of a student because we don’t want to flesh out what’s going on with them.” —Community Organizer

FINDING 4

Existing policies and resources related to language access are not widely publicized and are inadequate to meet the needs of all the students and families that are legally entitled to language access services.

Many witnesses shared concerns that linguistic barriers in schools adversely affected students from a variety of racial and ethnic groups, including the lack of adequate resources to address their language needs, as well as the lack of support that would enable them to access existing resources consistently.

When students are unable to communicate their needs, they become more vulnerable to mistreatment and have limited means to report and describe incidents of intergroup conflicts clearly and effectively to authorities. Without robust language access policies, programs, and practices, students are less able to participate fully in the life of schools and less able to interact with students from other groups. This kind of interaction is crucial to building the understanding and trust fundamental to a positive school climate. Improved language access will also enhance student and family trust of school and District efforts to reduce and mediate group-based behavior.

The Commission heard how student and parent communication with teachers, school staff, and administration is hampered when interpretation, translation services, and bilingual materials are unavailable. One education advocate told us, “One of the biggest problems that they’re encountering is parent meetings where there’s no one that speaks the parent’s language. Forms that are in English, but not in the language of the parent.” Another education advocate echoed this with her own observation: “One of the things that we’ve noticed at [many] schools is a complete lack of knowledge about how to address language minority communities [and] how to access existing District resources.”

For many, language support across the District has been uneven. An education activist and attorney explained, “The basic, most consistent theme has been a sort of non-uniformity across the system. The problem has always been, okay, some schools do it well, some schools don’t do it well...How do you create a structure that will make sure that all schools do it well?”

The District is significantly challenged by the breadth of languages represented by students in Philadelphia public schools. Witnesses reported a lack of translation and interpretation services for a variety of languages. Testimony indicated that it is difficult for many smaller or newer immigrant groups to obtain translation/interpretation services.

As explained by a District representative, this perception is in fact true. The District has full translation services in eight major languages (Albanian, Arabic, Chinese, French, Khmer, Russian, Spanish, and Vietnamese), and only partial services that include the use of language identification cards in school offices for other languages.

An executive director of a community organization described how this can impact intergroup conflicts, “If you speak another language outside of the eight...you’re not going to get important documents sent home...Bullying has always been an issue for our community...Superintendent Ackerman, she recently gave out her school district bullying policy, their safety policy, and it was only interpreted in the eight languages, so our community didn’t really benefit from it.”

The challenge is two-fold: there is inadequate knowledge among parents, students, and school staff about what services are available (and therefore these services are underutilized), and there is a real lack of services for non-dominant language groups. Despite legal requirements for the District to provide meaningful language access to all students and families, progress has been sporadic. Resources on how to access interpretation, telephone services, and translated forms are often difficult to obtain.

As the director of a public education advocacy organization told us, “It would be extremely unusual for a Bulgarian-speaking family to find their way to 440 North Broad to explain that no one had been able to communicate with them at their school.”

The Commission, however, did hear that there has been meaningful improvement in the last year; for example, first-line contact staff in schools have been trained in how to use the language cards and the central office charged with language services are interacting with more people in the community.

Witnesses who worked with new immigrants pointed out how the public school system and its language services play a vital role in their arrival to the region. One director of a community-based organization told us, “Although our agency provides intensive case management and orientation, our work with new refugees is limited by our resources. We depend on mainstream institutions, such as the School District, to partner with us and help us in the integration process. Historically, public schools have been instrumental in integrating immigrants and refugees in the region.”

The same director also spoke about the serious institutional barriers interfering with the early and positive integration of new refugee youth: the lack of frequent, effective communication between the Welcome Centers where new students are assessed and the schools and classrooms to which they are assigned, which make alignment between educational need and instruction



“One of the biggest problems that they’re encountering is parent meetings where there’s no one that speaks the parent’s language. Forms that are in English, but not in the language of the parent.” —Education Advocate

difficult; difficulty in transferring a student to a more appropriate program based on teacher recommendations without intense advocacy; and, a paucity of District efforts to encourage “positive interaction of American students with new refugee students,” including buddy systems, small group interactions, and sports.

FINDING 5

Students are agents for change in reducing intergroup conflicts and promoting intergroup harmony.

The Commission was especially moved and inspired by the young people who spoke at our hearings. We heard from students from many different groups, from schools across the City, who are involved with a variety of issues and activities.

All the students who stood up to speak were brave in confronting and dealing with incidents of conflict and bias in their schools. Many also took risks by organizing campaigns to address school conflicts that adults in their schools had previously tried to ignore. In some cases, they were able to make their voices heard despite having little experience in organizing.

One of the leaders of the South Philadelphia High School boycott gave his own account of what happened: “I was from Vietnam, and I’ve been in the United States for about two years...And throughout those two years I experienced a lot of violence, especially racial discrimination. In 2008, in October, there was a big fight against the Asian students. At first, we didn’t know anything about organizing, so we just stayed home for one day after the fighting. And then everything was

forgotten. Last year, 2009, in December, the same thing happened again. This time, it was even bigger. And this time, thanks to the support of the community people, we organized a boycott.”

Several witnesses who are now college students spoke of how their experiences with homophobia in high schools elsewhere prepared them for their role as advisors to LGBTQ students in Philadelphia schools. Others shared stories of how they were able to impact intergroup conflicts because of their roles as peer mediators, students who work directly with other students to resolve difficulties.

A former high school football lineman, who now plays for an NCAA Division I university, told us about how he helped another student at his school: “[A] couple of days ago [a peer mediation school staff member said] ‘I need you to follow this little girl. She’s going to lunch but she’s being picked on by boys that are bigger than her...When she came in the hallway I actually scared her a little bit, so I had to back up and just tell her ‘I’m here, I’m helping you. I want to get to the bottom of what’s been going on every day.’ So...[I] followed her to lunch. I stayed a couple steps behind

and told her to pay me no mind. And actually, one of the boys that was picking on her came to talk to her and he was saying sorry because he...already was peer mediated before that by two other peer mediators, and they had already talked to him. So he went to her alone the next day and said sorry...and that it won’t happen again. So, ever since then, she hasn’t really been picked on... And we told her...‘We don’t want you to come to school and feel as though you have to hide or walk a



“At first, we didn’t know anything about organizing, so we just stayed home for one day after the fighting...This time, it was even bigger. And this time, thanks to the support of the community people, we organized a boycott.” —A Student

Leader of the South Philadelphia High School Boycott

certain way because you don't want to walk into somebody.' So we just try to make it a safe environment for everyone."

A member of a Youth United for Change chapter in Philadelphia told us about working with other students and adults to change the District's zero-tolerance policy. She said, "We have begun collecting surveys. We are going to schools all over the city to talk to students and simply ask them their personal thoughts of how they are being treated and whether they need to talk with someone after being suspended at school...[A]ll ages are affected by zero tolerance and it's not fair. It is up to us to end the act of mistreating students."

Members of the Philadelphia Student Union described their new "Campaign for Nonviolent Schools" and told us about a student-led training for security guards at a troubled high school. As one shared with us, "I was a part of the training, and I believe the school security got where we was coming from, and we saw how they had it rough as well. From then on, everything went a little more smoothly, and they talked to students in a more respectful way. It helped and it opened up lots of communication."

These hearings showed us that young people have a clear understanding of the systemic problem of intergroup conflicts in Philadelphia as well as the ability to develop creative solutions, and are committed to working closely with adults to make their vision of peace in every school into a reality.

FINDING 6

Educators and community groups build bridges among different groups of youth and create supportive school environments.

The Commission heard from educators about their efforts to build bridges in their schools. This includes a principal who conducted a "listening tour" as "the first thing" he did when he was appointed the principal of a multiracial school, "really reaching out to different community organizations, doing a lot of homework and trying to identify what are the key issues that need to be addressed."

Another high school teacher spoke about his personal efforts: "I gave a presentation last year about respect for LGBT people in which I came out myself to the students in the presentation and really encouraged everybody to take a more active role in making sure that our schools are safe places for people of all sexual orientations or gender identities. Whether it's due to my efforts or it's just a new crop of students...I think I've seen a great improvement in, as far as a reduction, in the amount of homophobic language that I see in my classes."

Witnesses told us about programs outside of the schools that bring young people together through music and other activities. One spoke about the efforts of South East Asians Mutual Assistance Associations Coalition [SEAMAAC]:

"SEAMAAC was featured in the *Philadelphia Weekly* for a program that we run at Andrew Jackson School and it's a hip-hop, after-school program where we do a full array of deejaying, breakdancing, graffiti art, emceeing during the summer... [B]lack students, African immigrant students, Asian students, Latino students are playing, are having great relationships with one another, are breaking together, are deejaying together."



"We told her... 'We don't want you to come to school and feel as though you have to hide or walk a certain way because you don't want to walk into somebody.' So we just try to make it a safe environment for everyone."

—High School Peer Mediator

Several, however, also pointed out the inadequacy of funding for such programs as both private and public funding streams have diminished over the past five years.



“My son...got into verbal confrontations with a couple of the kids. I talked to one of the fathers, saying, ‘Hey, you know what? We’re in the neighborhood. This is a neighborhood school. We should be able to handle this.’”

—District Parent and Community Outreach Coordinator

The testimony from members of community groups confirmed that the dispute-resolution and social skills that students might learn in school can be used to better their own lives and improve the communities in which they live. Those skills become informal community resources. This was amply illustrated by the statement of a District parent and community outreach coordinator, “My son...got into verbal confrontations with a couple of the kids. It happened to be one of our neighbors...When the school called us in and started talking about what the situation was, I talked to one of the fathers, and we starting to get the fathers together and saying, ‘Hey, you know what? We’re in the neighborhood. This is a neighborhood school. We should be able to handle this. These are our kids. We know who they are.’ And from that we sat down with our boys and really started talking about it to them...You will probably find less violence in those schools in the ones that really do reach out to the parents and allow them to kind of mediate some of their own issues...[L]earning how to mediate and learning how to role play where there are difficulties that is also part of the [education] process as well.”

Another witness spoke of the need to build connections with the community before trouble begins: “We need access to the wealth of resources provided by community organizations from the beginning, not only after there’s been an issue that a school needs help in cleaning up.”

FINDING 7

Witnesses provided compelling examples of approaches to preventing intergroup conflicts in Philadelphia’s schools.

The Commission heard several examples of approaches that are currently being used to prevent conflict. Intergroup conflicts are a multifaceted problem, and the range of tools and supports that can be adopted is wide. All, however, have the same desired outcome: to teach students to embrace diversity, eschew intolerance, and rely on alternatives to violence for resolving disputes.

A rich variety of activities and services for youth. We heard about a number of schools that have been able to provide an expanded menu of relevant services to students, often by engaging local community-based organizations. These services include counseling and psychological resources, drug prevention and anti-bullying education, and out-of-school-time programming for students.

More importantly, we heard about the potential impact these kinds of programs could have on students. One young student said, “I just would like to give advice to principals and teachers that’s here today...[A]ny kid can fool you how they look outside, but inside you don’t really know how they’re feeling. It could be hurt...It could be some mental problems that people, it reflects on them. If you pull that kid up, and put them in positive energy that he’s all around all day, they’re going to pull that in. And you’re not going to see the negative stuff around them...That’s the last thing you’re going to see from another person, is the violence. So if you get to that kid before they create that violence, you’re going to get the best out of him.”

Orientation programs. Witnesses discussed efforts to introduce incoming ninth graders to their new school through orientation programs. These begin to build bonds among the students to help them feel more comfortable in a new, often intimidating, environment. One principal described a program in which students who are English Language Learners are paired with two other students—one whose first language is English, and another who speaks the student’s native language. The principal touted the benefit students derive from immediately being connected to other students within the school.

Social skills. One witness, a professor of education, stated that teaching young people social skills can have a big impact on many areas of their lives: “My own research shows that if we teach social skills in school, it can deal with issues of aggression, violence and bullying, and more importantly, it also aids in school achievement...It would only require a few minutes a day, a few times per week to teach our children respect, pride, empathy, and togetherness. This would also lead to better social adjustment, pro-social behavior, healthier peer relations, regardless of gender, race, ethnicity, and sexuality.”

Behavioral-change programs. Witnesses also brought up behavior-change programs, including Positive Behavior Supports (PBS), that promote healthy relationships among students and teachers alike. As one advocate described it, “Instead of expecting that students know what we mean when we say, ‘respect each other’ or even ‘be on time,’ PBS practice means that the good behaviors are taught, not assumed, and then repeatedly, repeatedly reinforced. After establishing a few school-wide expectations, the entire school takes on teaching them. What does it mean to be respectful in my classroom? What does it mean in the hallway, the lunchroom, the auditorium?”

Training and professional development to help educators understand and address bias. Several individuals spoke about the need for increasing the number of professionals in the schools specifically trained to help students with stressors in their lives. School principals also spoke of the benefits of having adults from outside agencies working to meet the psychosocial needs of students.

Schools have also recognized the questions confronting teachers, staff, and administrators when they encounter bias-based behaviors: How can they be more alert to those behaviors in the school? What should a teacher do if he or she observes an incident of bullying? What assistance can school personnel call upon to deal with intergroup conflicts?

The Commission heard from many witnesses who reported significant benefits for teachers and staff at schools that have focused specifically on intergroup conflicts in professional development sessions. Some of the most successful training and professional development in this regard have been delivered by or in conjunction with community-based organizations with expertise and knowledge of community concerns and cultures.

FINDING 8

Witnesses provided important recommendations for resolving conflicts and addressing bias-based harassment.

Witnesses described many activities and programs that help students resolve conflicts when



“That’s the last thing you’re going to see from another person, is the violence. So if you get to that kid before they create that violence, you’re going to get the best out of him.” —High School Student



“If we want our children to be successful in the 21st century, they need to know how to be problem solvers. They need to know how to communicate.”

—Peer Mediator Trainer

they do arise. It is important for young people to learn the skills that help them to work through problems without resorting to an escalation of aggression or increase the intensity of conflict. In addition, when conflicts do erupt into more serious acts of hostility or destruction, it is important for schools to have an array of methods at their disposal for restoring the social fabric within their communities.

Peer mediation. According to the written statement of one witness, “Peer Mediators are students who are specially chosen and trained students who help other students find solutions to their conflicts.” This strategy was endorsed by many speakers who recounted their own observations or experiences with successful implementation of peer mediation programs as a means for resolving conflict.

Witnesses spoke about the short and long-term benefits of peer mediation in building positive school cultures, reducing tensions, and preventing escalation of conflict

into violence. Peer mediation also teaches students leadership and communication skills that they can use in their families, communities, and careers.

Referring to the District’s Imagine 2014 strategic plan, a peer mediator trainer told us, “What do we need going forward? We really need all entities of our community to continue to encourage the school district to maintain peer mediation far beyond 2014. If we want our children to be successful in the 21st century, they need to know how to be problem solvers. They need to know how to communicate, and they need to know how to resist the temptations that exist out there. The three-day peer mediation training they receive allows them to acquire those skills. These are skills that will work in the school, in the home. They will work in any aspect of life that we want them to be successful with.”

Reporting and investigating bullying and harassment. It became clear to the Commission during the hearings that accurate reporting and follow-up investigations of incidents of bullying and harassment are vital if students are to feel supported.

Following the eruptions of violence in December 2009 at South Philadelphia High School, the school leadership has worked to establish a number of detailed procedures to ensure violent incidents are not ignored.

Beginning in the 2010-2011 school year, the school has publicized its own, understandable explanations of what bullying and harassment are, and given explicit information about how students and staff should respond to incidents that they see or experience.

The comments of the principal of South Philadelphia High about what he is doing provide an example of what other schools might do to address bullying and harassment: “I have a single point of contact for students, and we’ve made it very clear to them that if you see something [that shouldn’t be happening], do something, or report it...[M]ake sure that it is reported. And making it clear from every single person from the custodial staff up to my office, if you witness something, that must be reported, and that we make sure that we conduct a thorough investigation and we determine if there is an issue of harassment or bullying.”

He also has taken care to address language access issues. “We make sure that we contact parents. We’ve had many key people in my building trained in using language hotlines, so that way, when we have to communicate with parents, that the language issues don’t get in the way.”

Restorative justice approach to school discipline and conflicts. Multiple witnesses testified about the importance of using a restorative justice approach that enables two conflicting parties to work together to solve their problems. They spoke about the positive impact of restorative practices for creating dialogue between those who engage in aggressive behavior and their victims, and to help the aggressor understand the impact of his or her actions, not just against the individual, but also against the community.

Restorative practices work with those who violate the school’s norms of coexistence to develop new skills for dealing with similar situations, and also give the victim an opportunity to provide input into the aggressor’s accountability.

A high school student and youth organizer told us how the practice is being used in schools: “Recently, I was introduced to something called restorative justice. Restorative justice is an alternative to being suspended, being expelled, and getting kicked out of class. For example, if students get kicked out or are getting ready to have a fight, the two parties will sit down and each one will have a chance to talk about their side of the situation. This gives the students the opportunity to address the issues between them and figure out a way to solve their problems.”

The director of an organization that partners with schools on conflict resolution described the theory behind restorative justice: “[R]estorative justice is a philosophy of justice that focuses on the human impact of an offense. Its primary focus is to identify how individuals and groups have been harmed, what their needs are, and provide a forum to address those needs. Restorative justice is grounded in principles that recognize harm as an act committed against actual individuals and groups...Punishment alone is not an effective deterrent to crime. There is a necessity that the offending person is supported and provided the competencies to become [a better person] than they were prior to the offense.”



“Restorative justice...gives the students the opportunity to address the issues between them and figure out a way to solve their problems.” —High School Student and Youth Organizer

RECOMMENDATIONS

RESOLVE THE CONFLICTS

RECOMMENDATION 1

Recognize intergroup conflicts are a system-wide problem that requires a system-wide solution.

The hearings convened by the Commission uncovered a painful truth: intergroup conflicts in Philadelphia schools are not isolated incidents but can happen in any school at any grade level; intergroup conflicts are a system-wide problem. They exist not only across racial and ethnic differences but also involve conflicts based on sex, sexual orientation, disability status, gender identity, and national origin.

This problem creates serious obstacles to student learning, parent participation, and the professional aspirations of teachers and administrators, and requires the District's immediate attention.

The District already has in place various policies and programs, particularly its Imagine 2014 strategic plan. In the guiding principles of Imagine 2014,¹ the District implicitly addresses the problem of intergroup conflicts by its attention to areas that are likely to be the source of tension between and among the District's key constituencies.

Beyond setting policy, however, the District must act proactively and speak passionately about the District's mission and leadership role in assuring a safe, caring, and positive learning environment for all students when responding to incidents of intergroup conflicts.

It is no longer acceptable to enact selective policies and programs at individual schools. The problem of intergroup conflicts requires a system-wide response that conveys consistent and clear expectations and involves community members, students, and teachers. The District must take concerted and swift action to resolve the conflicts, track the conflicts, and prevent future conflicts.

We focus our recommendations to the District on the areas of resolving, tracking, and preventing intergroup conflicts, with a particular emphasis on language interpretation and translation, to align with the Commission's mandate to promote peace and harmony among different groups, educate Philadelphians about intergroup conflicts, and to enforce the City's anti-discrimination laws.

RECOMMENDATION 2

Re-evaluate, update, and enforce relevant District policies.

For the District to proactively address intergroup conflicts, it must have uniform, system-wide policies and procedures that are communicated effectively and implemented consistently. This requires the District to provide language interpretation and translation services at every stage.

Some significant District policies already exist. The District acknowledged the importance of promoting intergroup relationships when it adopted its policy on "Multiracial-Multicultural-

¹ Imagine 2014 identifies the following four Guiding Principles: (1) Increasing achievement and closing the opportunity and achievement gap for all students; (2) Ensuring the equitable allocation for all District resources; (3) Holding all adults accountable for student outcomes; (4) Satisfying parents, students, and the community.

Gender Education,” known as Policy 102, in 1994, and Policy 248 on “Unlawful Harassment”² more recently on September 10, 2010. It is not enough, however, to have such stand-alone policies.

- 2.1 The tenets of District Policies 102 and 248 should be embedded into all District policies, procedures, and programs relating to school climate, school discipline, and bullying.
- 2.2 Policy No. 248 should be amended to provide: (1) an appeal procedure for parties to request a formal change to any official decision; (2) an additional complaint procedure in the event that the school or the District fails to investigate a complaint of harassment or fails to document the outcome of the investigation; (3) an explicit description of the interpretation and translation services available and recognition of language access as a legal mandate.
- 2.3 Multicultural education, including racial and ethnic studies and dialogue around intergroup conflicts, should be incorporated into District-wide curricula.
- 2.4 Policies should be implemented for constructive discipline that is commensurate to the conduct and helps offenders to understand and repair the impact of their conduct. Specifically, the District should consider abandoning the zero-tolerance disciplinary policy and, at the same time, amplify efforts to institute programs that include positive behavior support, peer mediation, and restorative justice.
- 2.5 In the aftermath of incidents of intergroup conflicts, the District and school personnel should maintain open lines of communication, listen attentively to students (both victims and offenders) and their parents, promote dialogue, and impose a discipline program that is corrective rather than solely punitive.
- 2.6 Identify the individual at the District who is to act as the coordinator to strengthen intergroup harmony and coordinate all activities relevant to this report.

RECOMMENDATION 3

Require all principals in the District to enforce these new policies with programming to create communities of respect within their schools.

The District should explicitly task all principals to create a community of respect within their schools, and then track their success in this area.

- 3.1 Each school in the District should adopt an anti-discrimination and anti-harassment policy consistent with Policy No. 248, as the Department of Justice negotiated at South Philadelphia High School.
- 3.2 Each school in the District should adopt a procedure for reporting discrimination and harassment, similar to actions taken at South Philadelphia High School.
- 3.3 Peer mediation programs should be mandated in all high schools and middle schools. Mediation with supervision, adult mediation with trained school staff, and mediation through the Commission should also be made available in all schools.
- 3.4 All schools should implement restorative justice practices in the aftermath of conflicts.
- 3.5 All high schools and middle schools should be required to create student committees to address intergroup relationships and conflicts.

² Policy 248 prohibits harassment on the basis of the following protected classes: gender, age, race, color, sexual orientation (known or perceived), gender identity expression (known or perceived), national origin, religion, disability, socioeconomic status and political beliefs.

- 3.6 All schools should be encouraged to partner with their neighborhood-based organizations to address intergroup conflicts and language access challenges.

RECOMMENDATION 4

Effectively evaluate and respond to reported incidents.

When credible reports of intergroup conflicts are received, District and school personnel must be proactive and seek to promote open lines of communication, listen attentively to students (both victims and offenders) and their parents, promote dialogue, and impose a discipline program that is corrective rather than solely punitive.

- 4.1 Incidents of intergroup conflicts should trigger a whole-school dialogue to address what happened, give students a voice and a forum to talk about their experiences and to address stereotypes, and to persuade offenders to take responsibility and make amends.
- 4.2 Restorative justice practices should, where appropriate, include structured group dialogues, such as victim impact panels, victim-offender conferencing, and community group conferencing.
- 4.3 Discipline imposed upon offenders should be constructive and commensurate with the conduct.
- 4.4 The District should provide counseling and other social services for victims, offenders and witnesses to address trauma inside the school.

TRACK THE CONFLICTS

RECOMMENDATION 5

Create a clear path for all students, teachers, parents, and administrators to report incidents of intergroup conflicts.

For the District to effectively resolve and prevent intergroup conflicts, it must first be made aware of them. Students and parents should be encouraged—and faculty and staff required—to report all incidents of suspected intergroup conflicts.

The District needs to establish and publicize a simple reporting procedure so students and parents know where to go when conflicts occur, and what to do if students and parents are not able to access language services that are mandated by law. These procedures should exist in each and every school in the District.

- 5.1 Each school in the District should be required to maintain a written record of every complaint of discrimination or harassment, as negotiated by the Department of Justice at South Philadelphia High School.
- 5.2 For all incident reports relating to school climate, school discipline, and bullying, schools must track whether the alleged conduct was based on gender, age, race, color, sexual orientation, gender identity, national origin, religion, disability, socioeconomic status, or political beliefs.
- 5.3 All written records of all incident reports should be maintained and relevant data and statistics regularly tracked. This type of tracking is vital so the District can monitor its progress going forward.

- 5.4 The School District Compliance Officer should be made responsible for ensuring that all schools are properly reporting these incidents and maintaining their records, and for annually publishing relevant statistical data.

RECOMMENDATION 6

Use the existing District survey to collect information on intergroup relations.

The Commission understands that the District already has in place an annual survey where they collect information from certain students and personnel in the District. The District should utilize the existing survey to collect information relevant to intergroup relationships by including questions that ask:

- 6.1 Survey participants to self-identify as to their gender, age, race, color, sexual orientation, gender identity, national origin, religion, disability, socioeconomic status, and political beliefs;
- 6.2 What languages are spoken at home;
- 6.3 About the adequacy of language access resources and whether interpretation and translation services are sufficiently publicized;
- 6.4 Whether the survey participants have been denied access to language interpretation or translation; and
- 6.5 About any experiences with intergroup conflicts or harassment.

PREVENT FUTURE CONFLICTS

RECOMMENDATION 7

Ensure each student, parent, teacher, and administrator knows about all relevant policies, programs, and reporting procedures.

The Commission cannot emphasize enough that the District must improve its communication with students, parents, and community organizations, as well as its own administration, faculty and staff. It is vital for all concerned not only to understand their rights, but also to know how to access the resources to which they are entitled. Finally, students, parents, and the community need to know where to go when they feel they have been targeted on the basis of a protected class or if they feel they have been denied language access services that are mandated by law.

The District should undertake a system-wide awareness campaign around issues related to intergroup conflicts and the resolution of such conflicts, that includes but is not limited to:

- 7.1 Using all available vehicles (superintendent messages, union newsletter, press releases, reports about school safety and school improvement) to provide information about anti-discrimination and anti-harassment policies, complaint procedures, and related resources;
- 7.2 Posting links about conflict prevention and resolution programs, resources, and policies on District's website on all relevant pages;
- 7.3 Placing posters and postings about policies in front offices and cafeterias, on school entrances, and other common areas;
- 7.4 Offering orientation programs that include intergroup conflicts resolution skill building to all incoming freshmen; and

- 7.5 Offering orientation programs that include intergroup conflicts resolution skill building and language access information to all newly arriving immigrant students.

RECOMMENDATION 8

Give principals, teachers, and administrators the tools to ensure these policies are consistently and effectively implemented.

To address the issue of intergroup conflicts in proactive, consistent, and ongoing ways, teachers, administrators, and staff require specialized training and proper administrative tools and support. All school personnel need training in order to recognize, prevent, and counteract harassment and intergroup conflicts.

- 8.1 The District should mandate professional development and provide resources for addressing intergroup conflicts resolution for all relevant staff including regional superintendents, principals, teachers, counselors, non-teaching assistants, and safety officers.
- 8.2 The District should deliver a module about intergroup conflicts, bias, and harassment at the annual convocation for principals.
- 8.3 All professional development related to school climate, school discipline, and bullying provided to school personnel should incorporate training on intergroup conflicts.

RECOMMENDATION 9

Communicate effectively in all languages heard in our schools.

A key finding in our report is that language access is a significant barrier to reporting for many groups. The District must take steps to ensure that the system-wide awareness campaign we recommend incorporates the interpretation and translation services all individuals are legally entitled to receive.

- 9.1 The District should mandate professional development and training on language access for principals and staff in schools with significant percentages or growth percentages of immigrant students. Such training must emphasize that the District is mandated by law to provide language interpretation and translation services.
- 9.2 The District should conduct an inventory of language access services available, including a study of the utilization of and barriers to language access services.
- 9.3 The District should create a simple complaint procedure, to be adopted by each school in the District, for parents and students to use if they do not receive adequate interpretation and translation services.
- 9.4 All available vehicles (superintendent messages, union newsletters, press releases, reports about school safety and school improvement) should be utilized to provide information about language interpretation and translation services, how to access these services, and the procedures available to students and parents if the District fails to provide these services.
- 9.5 Links about language access, resources, and policies should be posted on the District's website on all relevant pages.
- 9.6 Posters and postings about language access policies should be placed in front offices of all schools and cafeterias, on school entrances, and other common areas.

THE ROLE OF THE PHILADELPHIA COMMISSION ON HUMAN RELATIONS

The Philadelphia Commission on Human Relations is available to students and their parents to assist if complaints of harassment and intergroup conflicts are not investigated, or if they are denied access to language interpretation or translation.

The Commission is also available to the District and schools to conduct conferencing and informal mediations and we stand ready to meet with the District on a quarterly basis to assess its progress in implementing the recommendations set forth in this report.

Finally, all Philadelphians should know of their right to file a formal complaint with the Commission if they feel they have been discriminated against on the basis of race, color, sex, sexual orientation, gender identity, religion, national origin, ancestry, age, disability, marital status, or source of income in the context of their employment, public accommodations, or housing.

ACKNOWLEDGEMENTS

We would like to thank the William Penn Foundation, the Connelly Foundation, the Philadelphia Foundation, and the Samuel S. Fels Fund for supporting the Philadelphia Commission on Human Relations with our series of public hearings on intergroup conflicts in the School District of Philadelphia, and with the creation of this report. We would also like to thank the PCHR staff, particularly Naarah' Crawley, Jack Fingerman, and the Community Relations Division staff, for their hard work and dedication throughout this process.

CONTACT

For conflict resolution and mediation services, or to file a discrimination complaint, call the Philadelphia Commission on Human Relations at 215-686-4670, email FAQPCHR@phila.gov, or go to www.phila.gov/humanrelations.

An ADA alternate format and different language versions of the report are available at: www.wideningthecircle.org.

CHAIRPERSON

Kay Kyungsun Yu, Esq.

COMMISSIONERS

Rabbi Rebecca T. Alpert

Regina Austin, Esq.

Fernando Chang-Muy, Esq.

Thomas H. Earle, Esq.

Marshall E. Freeman

Sarah E. Ricks, Esq.

EXECUTIVE DIRECTOR

Rue Landau, Esq.

PHILADELPHIA COMMISSION ON HUMAN RELATIONS

215-686-4670 | FAQPCHR@phila.gov | www.phila.gov/humanrelations