

Keep Kids In School: No Suspensions and Expulsions for Non-Violent Behaviors

Testimony in support of H 177 and H 178 by Barbara Best, Director of Foundation Relations and Special Projects, Children's Defense Fund

Joint Education Committee
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My name is Barbara Best. I work for the Children's Defense Fund and coordinate the Massachusetts Coalition to Dismantle the Cradle to Prison Pipeline which is a national crisis that leaves an African-American boy born in 2001 with a one in three chance of going to prison in his lifetime and a Latino boy a one in six risk of the same fate. Massachusetts spends six times more per prisoner than per public school pupil – a greater disparity than in any other state. The most recent data show that in 2007 Massachusetts spent \$78,580 per prisoner and only \$12,857 per pupil. Sound fiscal policy means investing in prevention and education especially in these tough economic times.

Zero tolerance approaches to school discipline are a key feeder system into the prison pipeline in Massachusetts.

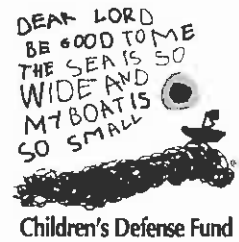
I am distributing a column by our president Marian Wright Edelman that highlights new research on school exclusion from the Children's Defense Fund and the Harvard Kennedy School of Government. During the 2009 – 2010 school year, there were nearly 60,000 school expulsions and suspensions in Massachusetts. Just over half of them were for "unassigned offenses" – nonviolent, noncriminal offenses, which can include behavioral issues such as swearing, talking back to a teacher, and truancy. **Of the approximately 30,000 "unassigned offenses," two-thirds received out of school suspension, resulting in 57,000 lost days of school.** As you've heard, because Massachusetts schools aren't currently required to report "unassigned offenses" resulting in exclusions of 10 days or less for regular education students, the estimated actual number of disciplinary exclusions is likely at least *two to three times the 60,000 reported.*

Added together, the tens of thousands of suspensions—many for minor infractions—have an enormous negative impact. Children start down the path to prison in both jarring and subtle ways. It's not just the teenager who ends up behind bars; it's also the child who is suspended for disruptive behavior, misses a few days of school, and begins to feel disconnected. The more disconnected he becomes, the more he acts out in class.

This cycle repeats. National research suggests that this child is three times more likely to drop out of school by 10th grade than a student who has never been suspended; and dropping out triples the likelihood this child will end up incarcerated later in life. It is this *indirect* pipeline that can be addressed by implementing more nuanced approaches to school discipline, helping students stay in school—and out of prison.

H 177 and H 178 are one part of the solution and we hope that you will support these common sense approaches to keep children in school and out of the costly and destructive Cradle to Prison Pipeline.

Marian Wright Edelman's Child Watch® Column:
**“Zero Tolerance Discipline Policies:
A Failing Idea”**



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Many school children in America are on summer break right now, but here's a pop quiz about discipline policies in our nation's schools that's just for grownups:

- Would you suspend a student from school for four months for sharpening his pencil without permission and giving the teacher a "threatening" look when asked to sit down?
- Would you expel a student from school for the rest of a school year for poking another student with a ballpoint pen during an exam?
- Would you expel a student from school permanently because her possession of an antibiotic violated your school's zero-tolerance drug policy?
- Would you call the police, handcuff, and then expel a student who started a snowball fight on school grounds?



If you answered 'no' to any of these questions because they sounded too unfair to be the result of an actual policy, give yourself a failing grade. All four are real examples of zero tolerance school discipline policies in Massachusetts—and there are thousands of stories like these throughout that state and across the country. Suspended and expelled students are at greater risk of dropping out of school and dropping into the prison pipeline, and using automatic suspensions and expulsions for minor infractions often has a major negative effect on a child's entire future.

New research analyzing the data from the 2009 – 2010 school year in Massachusetts found nearly 60,000 school expulsions and suspensions. Just over half of them were for "unassigned offenses" – nonviolent, noncriminal offenses, which can include behavioral issues such as swearing, talking back to a teacher, and truancy. (I've never understood why you suspend or expel children for not coming to school rather than finding out why!) Of the approximately 30,000 "unassigned offenses," two-thirds received out of school suspension, resulting in 57,000 lost days of school. What's more, because Massachusetts schools aren't currently required to report "unassigned offenses" resulting in exclusions of 10 days or less for regular education students, the estimated actual number of disciplinary exclusions is likely at least *two to three times the 60,000 reported*.

Jen Vorse Wilka, a student at Harvard University's Kennedy School of Government, found these startling statistics when she studied zero tolerance discipline policies in Massachusetts as part of her master's degree program. Her final report, "Dismantling the Cradle to Prison Pipeline: Analyzing Zero Tolerance School Discipline Policies and Identifying Strategic Opportunities for Intervention," received an award from the school's faculty and sheds new light on the need to address these harmful policies.

Added together, the tens of thousands of suspensions—many for minor infractions—have an enormous negative impact. As Wilka explains, "Children start down the path to prison in both jarring and subtle ways. It's not just the teenager who ends up behind bars; it's also the child who is suspended for disruptive behavior, misses a few days of school, and begins to feel disconnected. The more disconnected he becomes, the more he acts out in class. This cycle repeats. National research suggests that this child is three times more likely to drop out of school by 10th grade than a student who has never been suspended; and dropping out triples the likelihood this child will end up incarcerated later in life. It is this *indirect* pipeline that can be addressed by implementing more nuanced approaches to school discipline, helping students stay in school—and out of prison."

This report bolsters the work Massachusetts community leaders and advocates are already doing to take action against harsh one-size-fits-all policies and call for more balanced approaches. Right now, Massachusetts Advocates for Children (MAC) and the Education Law Task Force are championing two pieces of legislation to reduce school exclusion for disciplinary reasons and, by doing so, reduce school dropouts; improve access to education among students excluded from school; and require the state's Department of Elementary and Secondary Education to review and respond to school exclusion data. The Children's Defense Fund has endorsed both bills. MAC also is championing a new bill to ensure schools have the supports and tools they need to become safe, supportive learning environments that result in far fewer school exclusions. If successful, these pieces of legislation could become a model for effectively curbing these policies' negative impact.

All of this work has special implications in Massachusetts because that state spends six times more per prisoner than per public school pupil—a greater disparity than in any other state. The most recent data show that in 2007 Massachusetts spent \$78,580 per prisoner and only \$12,857 per pupil. That's a pretty dumb investment policy. Sound fiscal policy means investing in early childhood development and education especially in these economic hard times. Intervening early not only saves lives and futures, it saves money. Zero tolerance discipline policies aren't helping the children who need intervention the most at all. Instead, they are excluding thousands of students from school every year—including many students who most need to be in class—and making those children even more likely to end up trapped in the destructive, expensive prison pipeline. These kinds of policies deserve a failing grade and correction.