

Testimony of Isabel Raskin, Esq.  
Suffolk University Juvenile Justice Center  
In Support of HB 3435

My name is Isabel Raskin. I have been the Education Attorney for Suffolk University Juvenile Justice Center for the past ten years. During that time I have handled or supervised hundreds of school suspension and expulsion matters. I am also married to public high school teacher and I am the parent of two children in the public schools, so I have a great interest in safe public schools. I am here today to urge you to adopt HB3435 which provides the appropriate balance between safe schools and necessary protections for students against overbroad school exclusions.

I would like to make four points:

- 1) Our expulsion laws are overbroad and capture many non-violent first time offenders;
- 2) Exclusion policies have a racially disparate impact on African American and Latino students;
- 3) Our exclusion laws contribute to dropout rates
- 4) Overbroad exclusion laws are costly to society as a whole.

First, Deprivation of education through exclusion should only be a punishment of last resort and only after careful and thoughtful deliberation for the most serious and severe disruptive behavior. Yet under our current laws, schools exclude large numbers of students for minor, non-violent first time offenses. A child who has a butter knife in his backpack to cut an apple at lunch is subject to the same penalty as a youth who brings a loaded gun to school. HB 3435 would remedy this disproportionality by limiting exclusions to only intentional serious misconduct.

Second, African American and Latino children are subjected to disproportionately high rates of expulsion relative to their populations in

Massachusetts schools. The racially disparate impact of school exclusions is not unique to Massachusetts, but has been documented and is prevalent nationwide, where African American children are expelled at 3.5 times the rate of white students. Studies that have analyzed this disparity have concluded it is not that children of color misbehave in greater numbers, but children of color are treated more harshly than white children when engaged in the same types of misbehavior. Disproportionate expulsion of African American and Latino students may be the result of unconscious biases. However, the fact that we continue to impose such harsh penalties despite these disparities is a both a conscious choice and one that serves to widen the existing achievement gaps in the public schools.

Third, children who are expelled are at greater risk of dropping out of school. Students who are expelled are likely to fall behind their peers academically, paving the way to their eventual dropout. Recognizing this connection, the newly released Report of the Massachusetts Graduation and Dropout Prevention and Recovery Commission, recommended that Massachusetts reform outdated discipline policies by immediately amending the law regarding expulsion. Among specific recommendations is a requirement that school districts consider critically the nexus between a student's conduct and the school's welfare before making a determination that a student should be excluded. Adopting HB 3435 would accomplish this goal.

Finally, overbroad school exclusions are costly not only to individual children, but to society as a whole. The children we are banishing from our schools are the same children with whom we share an intertwined and interdependent future. Deprivation of education is perhaps the most serious consequence any child can face. The practical impact of denying education is bleak, youth suffer hopelessness and isolation at a time in their lives when education and other developmental opportunities are most critical. Excluded youths may react to the isolation and hopelessness of their exclusion with further disruptive or even

delinquent behavior. Almost 70% of our prisons are filled with people who did not finish high school.

The students we expel from school will not disappear from society. We are in danger of not only creating an underclass, but creating an outclass that will come back to haunt us. I urge you to adopt HB 3435.