

My name is Melissa Gilbarg. I am the director of the Coalition Against Poverty (CAP). I live in New Bedford.

CAP does grassroots organizing for social and economic justice with a network of over 2500 people in low income and working class neighborhoods in Southeastern MA.

We began working on discipline issues in 2005 at the local level in New Bedford because we were seeing so many kids out of school and so many parents frustrated with the discipline policies among other things.

I'm not only here in my role as the director of CAP but also as a parent of 3 kids, a freshman in high school, a kindergartener and a preschooler.

I'm going to speak generally about patterns I've seen in suspensions but everything I mention has real students behind it.

The trend I've seen is to suspended for minor infractions;

- swearing in the hallway – while talking to a friend – not swearing at anyone
- humming in class
- missing a detention
- horseplay – that gets written up as assault – even though both parties state it was joking around
- saying no or talking back to a teacher
- being late to class too many times
- skipping class

The kids keep getting in trouble and out of school suspension is not the discipline they need to change their behavior. If it was, the suspension would work and we wouldn't see repeat offenders.

Nobody is happy, not the students, not the teachers, not the parents or the administration

We need to do something to change the way we discipline our students, we need to make sure they continue to learn through the discipline process and AN ACT TO HELP KIDS STAY IN SCHOOL is a step in the right direction.

We need to teach students the right and wrong way to handle situations in school, and how to deal with their own issues outside of school so they can be more productive in school.

We can create new more effective policies as well as improve existing discipline policies including:

- Restorative Justice programs
- Consistently use a hearing process for out of school suspensions
- Eliminate zero tolerance for non-violent and non-drug or weapon related incidents
- Create in school suspension rooms that are constructive learning and reflecting environments
- Anger management programs

I'm lucky that as a parent my child hasn't been suspended but I have been an advocate for many parents and children who have been suspended for minor things.

One example is a 14 year old girl who is now a freshman in high school. I am listed on all her school and medical papers as guardian so while she is not my daughter I regard her as such.

While she was in middle school I was called to the school several times a month for discipline issues.

They were minor but every time they wanted to send her home. This continued her entire middle school career. Many times they sent her home for 2 or 3 days to "cool off" but didn't technically suspend her, they just told her she couldn't come back until a certain day and it wouldn't count against her. Regardless of what they put on paper (or didn't put on paper) it was always working against her because she missed class time and work.

I asked for counseling services for her, for psych evaluations and numerous other things. She had a lot of things going on at home that were hard for an adolescent girl to deal with on her own. Nothing was ever done.

Finally in her 8<sup>th</sup> grade year she got counseling in school through an outside agency. But before this happened she was sent home for an indefinite amount of time, which turned out to be 9 consecutive days for writing on a desk and erasing it when the teacher asked.

She was sent to the office after writing on and erasing her desk. At the office her principal called her father and told her father she was going to have the girl arrested for destruction of property.

The girl heard this and ran out of the office because she was scared. She ran to the cafeteria and sat amongst her friends hoping to blend in.

Her father called me and we went into the school together. The girl was back in the office and she was not arrested but we were told she could not return to school until a threat assessment had been done.

Hard to believe that writing on your desk warrants a threat assessment and a threat of arrest! We were sent home with no paperwork.

We tried to go back to the school but the student was not allowed in. After 7 days of not hearing the results of the threat assessment we sought legal help.

On the 9<sup>th</sup> day we were finally given the proper paperwork, that the principal back dated to the day she had kicked the student out. The student was still not allowed back to school.

The principal was rude to me and the girl's father. She denied saying the girl was going to be arrested then recanted saying that she said it but that's not what she meant and the girl should have known what she meant.

The student was allowed back in school when the threat assessment revealed she was not a threat – she had never been involved in anything violent in her 2 ½ years at the school so we weren't surprised.

She then sat in an in school suspension room (or a transition back to regular classes program as the principal called it) for 4 days with no work. When we found out we demanded she get her class work. The assistant principal apologized for the mistake and assured us she would have her work the next day.

She didn't. We had to ask again and she finally got it on the 6<sup>th</sup> day. She had been without an education for approximately 17 days at that point.

This story is not unique to the school it happened in or the city of New Bedford where it happened.

Too many students are suspended for too many days for minor infractions creating a disconnect between them and their education.

We can't send mixed messages to our students. If we are saying that education is important and they should graduate high school and go on to college then we can't turn around and kick them out for everything they do wrong. We have to figure out a way to make discipline constructive and effective while at the same time maintaining our stance that education is important and all children have a right to it.