

## 2023-2024 Legislative Priorities to Address School Discipline Disparities & Shrink the School to Prison Pipeline

School exclusion, including suspensions and expulsions, drive students out of the classroom, away from a pathway to success, and increases the likelihood of negative school and life outcomes.

- Schools that suspend more students see a host of negative outcomes later in life. These negative outcomes include lower educational achievement, lower graduation rates, lower college enrollment rates, and higher involvement in the juvenile and adult criminal justice systems.
- Once a student is excluded from school due to a suspension or expulsion, they become more at risk of justice system involvement. Youth are more than twice as likely to be arrested during periods when they are suspended or expelled from school even if a student has no prior history of delinquent behavior.

Children who have been expelled or suspended from school once are much more likely to be disciplined similarly again, and twice more likely than their peers to drop out of school.

Please join us by co-sponsoring the following bills:

### An Act to Remedy Disparities in Students' Educational Achievement

H.597 (Reps. Ultrino & Meschino) S.294 (Sen. Jehlen)

The Student Opportunity Act set certain criteria to measure school districts' outcomes and student achievement. The SOA however only measures outcomes related to graduation, MCAS scores and other metrics of student achievement, but doesn't account for the systemic barriers students face towards those positive achievements. This bill addresses the persistent disparities in achievement by: (1) including suspension and expulsion among students among the school outcome measures, with specific targets for sub-populations of students who experience disparate school exclusion; and (2) ensure due process protection for students facing suspension and expulsion.

### An Act Enhancing Learning in the Early School Years Through a Ban on School Exclusion in Pre-Kindergarten Through 3rd Grade

H.453 (Rep. Decker) S.289 (Sen. Gomez)

The Young Student Exclusion Ban Act aims to improve educational outcomes by banning Massachusetts public schools from suspending or expelling students in Pre-K through 3rd grade. Black and Latinx young children are four and three, respectively, more likely than their white peers to experience school exclusion. This ban would not cover incidents involving assaults on school adults, felony charges, dangerous weapons, or drugs, and instead ensures that students aren't excluded for low level offenses – as when a kindergartener was suspended for shutting a door that accidentally caught a teacher's hand – which can be effectively addressed by alternative means. The bill expands this exclusion ban to 4th grade one year after enactment, and to 5th grade two years after enactment.

## **An Act to Ensure Equitable Access to Education, Including Special Education Services, for All Students in Massachusetts**

H.454 (Rep. Decker) S.249 (Sen. Creem)

The lack of publicly available data illustrating bias and disproportionate outcomes impacting students on the basis of race, ethnicity, gender, disability and English learner status, and the intersection of those identities, has a negative impact on our collective ability to effectively address these disparities and drive positive change. This legislation directs the Department of Elementary and Secondary Education (DESE) to publish data that it already collects in a manner that is analyzed by student subgroups so that it is easier for educators, parents, students, communities and policymakers to use it to improve outcomes for specific groups of students. While data is currently accessible by race, ethnicity, sex, English Learner status, and disability, this bill takes the important added step of making “cross-variable” data accessible, which illuminates the performance of students who fall in multiple or overlapping categories. This level of transparency allows those seeking to create positive change the type of in-depth information necessary to identify student groups that are most vulnerable, most impacted by disparate treatment or most in need of support or intervention.

## **An Act to Reduce Exclusionary Discipline for Grooming and Dress Code Violations**

H.478 (Rep. Fluker Oakley) S.290 (Sen. Gomez)

Last year, Massachusetts enacted The CROWN Act, which limited school disciplinary actions that were aimed at protective and natural hairstyles. This legislation would provide a necessary complement to that law by banning exclusionary discipline of students on the basis of dress code violations. This legislation would also prevent discriminatory treatment by requiring that all school dress codes allow students to wear clothing that is connected to their religion or ethnicity (including hijabs, yarmulkes, scarves, and head wraps), ensure that dress codes are applied with neutrality to all students, maintain gender neutrality regardless of gender identity, and have clear, specific, and objective definitions. There are additional student protections that ensure that dress codes are not enforced through direct physical contact with a student nor force a student to undress in front of another person.

Please reach out to your State Representative and ask them to co-sponsor and activity support these bills that address school discipline disparities and shrinking the school to prison pipeline.

For more information, please contact Leon Smith at [leonsmith@cfjj.org](mailto:leonsmith@cfjj.org), Iman Hassan at [IHassan@massadvocates.org](mailto:IHassan@massadvocates.org), or Deb Silva at [deb@massappleseed.org](mailto:deb@massappleseed.org).