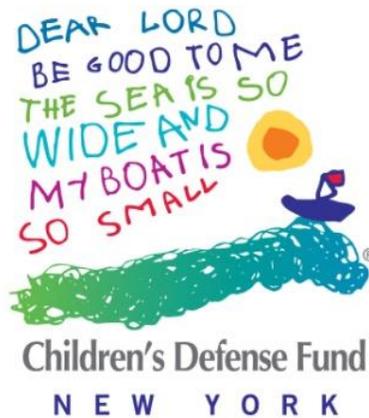


Testimony of The Children's Defense Fund – New York

Before the
New York City Council Committees on Public Safety & Education



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Good afternoon. My name is Dacia Read. I am the Senior Public Policy Associate at the Children's Defense Fund – New York. CDF-NY is grateful to Councilmember Gibson, Councilmember Dromm and the members of the Council Committees on Public Safety and Education for convening this hearing on school discipline, and providing an opportunity to submit testimony today.

The Children's Defense Fund's (CDF) Leave No Child Behind® mission is to ensure every child a healthy start, a head start, a fair start, a safe start and a moral start in life, and successful passage to adulthood with the help of caring families and communities. CDF provides a strong, effective and independent voice for all the children of America who cannot vote, lobby or speak for themselves. We pay particular attention to the needs of poor children, children of color and those with disabilities. CDF-New York's unique approach to improving conditions for children combines research, public education, policy development, community organizing and statewide advocacy activities, making us an innovative leader for New York's children, particularly in the areas of health, education, early childhood and juvenile justice.

Through CDF's Cradle to Prison Pipeline® Campaign – a national initiative to stop the funneling of thousands of children, especially poor children and children of color down life paths that often lead to arrest, conviction and incarceration – CDF-NY works to replace punitive school discipline and safety policies in New York City schools with social and emotional supports that encourage a positive school climate and improve educational and social outcomes for youth. With our Bronx School Justice partners, we facilitate community workshops with school safety agents (SSAs) on the Cradle to Prison Pipeline and restorative practice to encourage SSA use of age-appropriate, youth development approaches in schools. We also currently serve on the School Safety Workgroup of the Mayor's School Climate and Discipline Taskforce, and participate in both the Dignity in Schools – New York Campaign and the Student Safety Coalition.

New York City is currently positioned to make great strides in the areas of school culture and discipline. Students, parents, advocates and City government are currently collaborating to explore and address a range of school discipline and safety issues through the Mayor's School Climate and Discipline Taskforce and inter-agency work groups focused on easing education transitions for students who return to City schools from suspension sites or juvenile placements. Even as the current Student Safety Act provides important data to inform this work, we are in need of additional data to develop needed solutions to school push out.

The Student Safety Act Amendments proposed in Int. 730 provide data to support imminent policy change and enhance outcomes for students across the City. CDF-NY respectfully requests that City Council seize the opportunity provided by Int. 730 to facilitate the public release of additional data on student discipline and safety. By limiting data redactions, making certain data available by school rather than by patrol borough, and providing additional data on schools' use of restraints and emergency medical services; the presence of metal detectors in schools; schools issuing multiple suspensions to individual students; school transfers after suspensions; and student interactions with NYPD officers other than SSAs, Int. 730 provides immediate opportunities for:

- the Administration and advocates to consider a fuller picture of students' interactions with law enforcement, including but not limited to SSAs, disaggregated by school and social demographics.
- the Bronx School Justice Work Group to target the provision of community workshops on youth-development approaches to agents in specific schools with high rates of restraint use and arrests;
- parents and advocates to ensure that the DOE follows through on the commitments it made in the settlement, *in T.H. et al. v. Farina, et. Al.* (13 Civ. 8777), to adopt guidance related to when school officials should call 911 for a child experiencing an emotional, behavioral or psychiatric event;
- the School Safety Division to consider which of the schools that currently use metal detectors may no longer need them, or could utilize a less intrusive practice to promote campus security;
- inter-agency work groups to support schools with students who repeatedly return from alternative learning centers or juvenile detention and placement;
- parents, students and advocates to better navigate school transfer requests after suspensions;

In a City where more than four student arrests are made in schools each day and 563 summonses are issued to students 16 and older in one school year, and where 61% of school arrests are of Black students and 43.7% of issued summonses are issued for subjective, youthful offenses like disorderly conduct that tend to be disproportionately issued to students of color, these and other immediate opportunities to stop New York City's cradle to prison pipeline must be seized immediately.¹

The effects of racial disparities in school discipline are felt by society as a whole. Excluding students from school for disciplinary reasons is directly related to lower attendance rates and increased course failures, and can set students on a path of disengagement from school that will keep them from receiving a high school diploma.² As time spent learning in classrooms is one of the surest and most consistent indicators of academic achievement, alternatives to suspensions, arrests and summonses must be implemented to keep students in classrooms.³ We are grateful to Councilmember Gibson and Councilmember Johnson for their leadership in introducing Int. 730, and urge members of the Council to support this important and *timely* piece of legislation.

Additionally, we urge members of the Council to support Int. 719, requiring reporting on the school-by-school ratio of school safety agents to school guidance counselors. Last September, CDF-NY submitted testimony⁴ to the Council Committee on Education in relation to Int. 403-2014 regarding the critical role that school guidance counselors play not only in facilitating students' college and career readiness, but also in supporting school discipline and student re-integration into school after suspension. Through public data on school-by-school ratios of guidance counselors to school safety agents, further investigation can be done as to how DOE and School Safety Division staff are placed across City schools, and targeted recommendations for enhanced collaboration between the two can be developed.

CDF-NY is optimistic about our students' futures. We are grateful to the Administration, Department of Education and NYPD School Safety Division for their commitment to decreasing the issuance of suspensions, arrests and summonses in schools. However, more work must be done to eradicate the disproportionate impact of exclusionary discipline on students of color and students with disabilities. Through increased transparency, solution-oriented collaboration and the targeted provision of services and supports to our schools, we can and must improve outcomes for our students. Thank you for your support in these efforts, and thank you for your time today.

¹ See NYCLU, "Student Safety Act Reporting on Arrests and Summonses: July 1, 2013 – July 30, 2014." Available at http://www.nyclu.org/files/ssa_factsheet_2013-2014.pdf. See also NYCLU, "Student Safety Act Reporting on Suspensions: 2013-2014," Available at http://www.nyclu.org/files/ssa_suspension_factsheet_2013-2014_edit.pdf.

² Fabelo, T., Thompson, M.D., Plotkin, M., Carmichael, D., Marchbanks, M.P. III, & Booth E.A. (2011). *Breaking schools' rules: A statewide study of how school discipline relates to students' success and juvenile justice involvement*. New York, NY and College Station, TX: Council of State Governments Justice Center and Texas A&M University Public Policy Research Institute. Available at http://www2.mysanantonio.com/PDFs/Breaking_Schools_Rules_embargo_final_report.pdf

³ Losen, D., Hewitt, D., & Toldson, I., (2014). *Eliminating excessive and unfair exclusionary discipline in schools: Policy recommendations for reducing disparities*. Bloomington, IN: The Equity Project at Indiana University. Available at <http://rtpcollaborative.indiana.edu/briefing-papers/>.

⁴ <http://www.cdfny.org/research-library/documents/cdf-nys-testimony-2014-15.pdf>