

August 28, 2020

The Honorable Andrew M. Cuomo
Governor of New York State
NYS State Capitol Building
Albany, NY 12224

T. Andrew Brown, Vice Chancellor
Board of Regents
New York State Education Building
89 Washington Avenue
Albany, NY 12234

Betty A. Rosa, Commissioner
New York State Education Department
89 Washington Avenue
Albany, NY 12234

Dear Governor Cuomo, Vice Chancellor Brown and Commissioner Rosa,

We are a statewide group of education attorneys, advocates and organizers, families and young people, including the members of the Solutions Not Suspensions Coalition. Together, we work to improve school climate and stop the school-to-prison and school-to-deportation pipelines. In furtherance of those goals, we have supported an end to suspensions for K-3 students, use of restorative justice and other alternative discipline in place of harsh and ineffective removals from school, and limiting the amount of time that a student can be out of school to 20 days.

Today, we write to you in the hopes that we may work together to minimize the long-term traumatic impact of the COVID-19 health pandemic on students and school communities. We are calling on you, on behalf of all New York school children, to adopt policies to ensure every child has the best possible chance to make up for this year's lost classroom time and for schools to reopen in a manner that promotes healing.

As we approach reopening, school districts face the difficult task of resuming in-person learning and rebuilding their school communities while prioritizing the health and safety of their communities. During this new and difficult process, it is equally important that we don't default to "zero tolerance" responses to school behavior, which not only has roots in the racist, failed policies of Broken Windows policing, but actually harm students and undermine healing.

Accordingly, we ask that you issue statewide guidance, consistent with mental health, healing centered and restorative justice principles, which include:

- 1) Permanent withdrawal of suspensions pending at the time remote instruction began. There is no value in having students return to school this fall serving a suspension, only extended harm;

2) A moratorium on new suspensions during the 2020-2021 school year. While schools work to minimize chronic absenteeism, it is equally important that policies and procedures focus on the academic consequences of lost instructional time due to exclusionary discipline;

3) Expanded availability of counseling and other mental / behavioral health services for all students in order to create the mental, social, and emotional space for learning to occur;

4) Expanded behavior supports and interventions in lieu of suspensions and discipline;

5) Development of a trauma-sensitive plan for the successful return of all students so that they have a fresh start and regain a sense of community after this crisis.

We are also sharing this letter publicly so districts can act on their own immediately. In this time of crisis, giving students a sense of community, stability, and belonging goes a long way toward managing emotions and stressors. This is magnified for those already hurt the most by draconian discipline-- students with disabilities, those from low-income households, and students of color. We all want New York's students to succeed. We believe by implementing the provisions above, we can move towards a fairer New York and help students return to school with a fighting chance.

Signed,

Advocates for Children of New York

Alliance for Quality Education

Bronx Defenders

Brooklyn Defender Services

Center for Teen Empowerment

Center on Race, Inequality, and the Law at New York University School of Law

Children's Defense Fund-NY

Citizen Action of New York

Citizens' Committee for Children of New York

CommUNITY For Change

Committee for Hispanic Children and Families

Cooke School and Institute

Dignity in Schools Campaign - New York

Dutchess County Progressive Action Alliance

End the New Jim Crow Action Network Poughkeepsie

ENJAN

Families Together in New York State

Girls for Gender Equity

H.A.W.T Muse Inc.

Hispanic Federation

HOPE'S DOOR

JCY-Westchester Community Partners, a Division of Family Service Society of Yonkers

Justice for Aleesa

Legal Services NYC, Bronx Legal Services, Brooklyn Legal Services, Queens Legal Services, Staten Island Legal Services

The Long Island Advocacy Center

Long Island Progressive Coalition

Long Island Together

Make the Road New York

Mobilization for Justice, Inc.

National Association of Social Workers-NYC Chapter

National Black Leadership Commission on Health, Inc.

Neighborhood Defender Service of Harlem

Nepperhan Community Center Inc.

New Hour for Women and Children LI

New York Civil Liberties Union

New York Law School

NYS Coalition for Children's Behavioral Health

Parents Supporting Parents NY

P.E.A.C.E. Afterschool Program, Inc.

Prison Families Anonymous

Rise Up Kingston

Second Chance Reentry, Inc.

Setauket Presbyterian Church

Sistas & Brothas United/Northwest Bronx Community & Clergy Coalition

STRONG Youth, Inc.

Student Advocacy, Inc.

Teachers Unite

The Law Office of Steven Alizio, PLLC

United Way of New York City

Urban League of Rochester, NY

Urban Youth Collaborative

Westchester Children's Association

Westhab Inc.

White Plains Youth Bureau

Women's Diversity Network

Yonkers Community Action Program, Inc.

Youth Justice Clinic, Touro Law Center Clinical Program

Youth Shelter Program of Westchester, Inc