



128 DORRANCE STREET, SUITE 220
PROVIDENCE, RI 02903
401.831.7171 (t)
401.831.7175 (f)
www.riaclu.org

**COMMENTS IN SUPPORT OF 14 H-7581 – SCHOOL COMMITTEES AND
SUPERINTENDENTS
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The ACLU of RI strongly supports this legislation and its efforts to alleviate some of the major issues Rhode Island faces in relation to school discipline. By requiring that school suspensions generally be served in school, and requiring school districts to evaluate their own records for any disproportionate impact on minority students, this legislation serves as a critical first step in dismantling the school-to-prison pipeline that affects many students for the rest of their lives.

There is wide agreement that the use of out-of-school suspensions in school discipline has unintended consequences that follow students their entire lives. According to the American Academy of Pediatrics, suspended students are up to 10 times as likely as other students to drop out of school, and are more likely to become involved with the criminal justice system. Yet, schools often rely solely on out-of-school suspensions even as they acknowledge the harm this poses for children.

Earlier this year, the ACLU issued an update to last year's report "Blacklisted: Racial Bias in School Suspensions." Unfortunately, the data shows that the problems of oversuspension and racial bias in school suspensions have not dissipated on their own. In many ways, the problem has gotten worse. A full copy of the report has been provided to the committee, but we wish to highlight just a few facts here.

During the 2012-2013 school year, Rhode Island schools issued 15,971 suspensions to more than 8,600 students. Suspensions remain frequent even in the most formative years. Once again, nearly fourteen hundred elementary school students were suspended last year; 147 were just in the first grade.

Despite a passionate conversation about the dangers of out-of-school suspensions and a national consensus that such suspensions should be reserved for only the most serious infractions, more than 60 percent of suspensions last year were served for low-risk behavioral infractions, wherein the student's conduct poses no risk to other students, and may be corrected by other means. "Disorderly conduct" and "Insubordination/Disrespect" alone accounted for one-third of all suspensions. In fact, despite a tremendous drop in the number of overall suspensions, suspensions for these "subjective" offenses rose by more than 400.

Dishearteningly, in many respects the suspension gap between white students and students of color widened. Black students were suspended with the highest disparity seen over nine years data; although black students made up just 8.19% of the student body last year, they comprised 17.93% of the suspensions. Hispanic students, 22.34% of the student body, comprised

34.93% of the suspensions, also among the highest disparity rate in nine years. White students, on the other hand, made up just 40.27% of suspensions last year, even though they represented 62.87% of the student body, their lowest rate of suspension relative to population over nine years. Were suspensions a fair and equitable form of punishment, this tremendous disparity would not occur; instead, the disparity is only growing larger.

As a result, minority students statewide remain vastly more likely to be suspended than their white counterparts. Among elementary school students, the disparity is staggering. Relative to their population, black elementary school students are six times as likely as white elementary school students to be suspended. Combined, black and Hispanic students comprise two-thirds of all elementary school suspensions for “Disorderly Conduct” and “Insubordination/Disrespect,” despite making up just one third of the student body population. Black and Hispanic students also account for more than two-thirds of students suspended for subjective offenses.

These disparities statewide. Twenty-five school districts over-suspended black students last year, while twenty-six over-suspended Hispanic students. The data shows quite clearly that this is not a rural problem or an urban problem, a wealthy problem or a low-income problem. Over-suspension and racial disparities in school discipline are Rhode Island problems.

This legislation attempts to equalize these issues by requiring that all suspensions be served in school, unless the student poses a serious risk to other students or a serious disruption to the education of others. Further, the bill requires school districts to analyze their own discipline data and identify a plan to alleviate any disproportionate impact on students based on race or ethnicity. With these efforts, schools will be required to look critically at the policies and procedures resulting in suspensions, and find ways to improve upon the education of every child in Rhode Island.

We thank the sponsor for her leadership on this issue, and encourage the committee’s approval of this important legislation. Thank you for your time and attention to these concerns.