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**COMMENTS IN SUPPORT OF S 0509 – RELATING TO EDUCATION – SCHOOL
COMMITTEES AND SUPERINTENDENTS
March 20, 2013**

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.

In order to examine this harm, the ACLU evaluated the school suspension records for all of Rhode Island's school districts between 2004 and 2012. In a forthcoming report we will document fully the extent to which suspension is particularly harmful for minority students, but we wish to highlight a few of our findings here.

On average, 12,764 students are suspended from Rhode Island public and charter schools each year. Altogether, suspended students lose an annual average of 54,196 school days. Despite widespread concerns regarding the impact of suspensions on students, suspensions remain frequent even in the most formative years. Nearly fourteen hundred elementary school students were suspended last year; 173 were just in the first grade.

Many of these suspensions are related to issues wherein the student's conduct poses no risk to other students, and may be corrected by other means. Last year, for example, 5,043 students received out-of-school suspensions for "Disorderly Conduct," "Insubordination/Disrespect" or "Obscene/Abusive Language." Paradoxically, 3,191 students were suspended for attendance-related issues, punished with removal from school for not being present in school.

For many students, suspension is a final barrier between them and an already difficult success. More than seventy-six percent of the students suspended last year received free or subsidized lunches, indicating they held a lower socioeconomic status that already makes them less likely to graduate high school than their peers, and more likely to end up in low-income jobs or involved with the criminal justice system.

Nationwide, out-of-school suspensions are disproportionately levied against students of color; Rhode Island remains no different. Black students made up just 8.16% of the student body last year, but 16.48% of the suspensions. Hispanic students, 21.62% of the student body, comprised 34.32% of the suspensions. White students, on the other hand, made up just 43.06% of suspensions last year, even though they represented 63.89% of the student body. Were suspensions a fair and equitable form of punishment, this tremendous disparity would not occur.

As a result, black high school students statewide are suspended at a rate 1.98 times that of white high school students. 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. Hispanic high school students are suspended at a rate 1.58 times that of white students; among elementary school students, they are 2.96 times as likely to be suspended.

These disparities exist in every school district statewide. Fifteen school districts or charter schools disproportionately suspended black students in every year we studied. Between 2004 and 2012, school districts suspended black students at higher-than-expected rates a total of 243 times, and Hispanic students 204 times.

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.