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May 23, 2016

Pittsburgh Public Schools
Board of Directors
341 S. Bellefield Avenue
Pittsburgh, PA 15213

Re: Education Law Center Public Testimony

On behalf of the Education Law Center and the parents, students and community members with whom we work, thank you for the opportunity to provide testimony tonight.

The Education Law Center is a non-profit, legal advocacy organization dedicated to ensuring that all Pennsylvania children, from birth through twenty-one, have access to a quality public education. For the past forty years, ELC has used traditional legal representation, administrative and legislative advocacy, community education and strategic engagement to increase academic success and positive life outcomes for all children in Pennsylvania. As we near the end of this school year and think about the possibilities for next year, ELC urges you to consider and support policies and practices that decrease the use of exclusionary discipline and increase educational outcomes and opportunities for all students.

Pittsburgh Public Schools has a key opportunity to promote student engagement and inclusion with the proposed Nondiscrimination Policy for Transgender and Gender Expansive Students. As you'll recall, ELC previously advocated for changing to the Code of Student Conduct in ways that strengthened protections for LGBTQ students. In 2014, the Board adopted these recommendations and we applaud Pittsburgh Public Schools for continuing to advance this work. It is worth noting that the District has been on the forefront of this work, and began taking steps to improve school climate for LGBTQ students even before the U.S. Departments of Education and Justice called for similar action¹. ELC urges you to adopt the proposed nondiscrimination policy next month, as this is an important step towards ensuring that schools around the district are inclusive, fair and welcoming to all students.

We remain concerned, however, that there is more work to be done with the Code of Student Conduct to ensure that policies and practices are developmentally appropriate, race positive, gender responsive, and trauma-informed. We acknowledge that the District has taken steps, including removing blatantly zero-tolerance policies from its Code. Yet, we know, both from data and our experience, that students of color and students with disabilities are still disproportionately excluded from school, despite the fact that exclusionary discipline practices provide no significant improvement to school climate or safety. We urge you to listen and engage the voices of students, parents, and

¹ Title IX Guidance: <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201605-title-ix-transgender.pdf>
Ensuring that all of Pennsylvania's children have equal access to a quality public education.

communities, including many represented here tonight (Teenbloc, Education Rights Network, Thrive, and others), to co-construct solutions informed by legal rights and protections.

Finally, on behalf of parents and students with disabilities, we urge you to make the District's Executive Director of the Program for Students with Exceptionalities a member of the Superintendent's cabinet, in order to demonstrate the District's commitment to the inclusion of students with disabilities.

Thank you for the opportunity to participate and provide input into the District's ongoing review and revision of its policies and practices. ELC comes to this work from a legal perspective, but we are informed by the years of experience serving our community and our students. We urge you to consider these measures as part of our larger shared goal of achieving a positive learning environment that is inclusive, fair, and welcoming for all students.

Respectfully submitted,

Cheryl Kleiman
Staff Attorney