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June 19, 2017

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, thank you for the opportunity to provide testimony this evening.

The Education Law Center is a non-profit, legal advocacy organization dedicated to ensuring that all Pennsylvania children, from birth through 21, have access to a free, quality public education. For decades, the Education Law Center has been at the forefront of reforms in school discipline. On behalf of the most educationally at-risk students, we work with local, state, and national groups to decrease and eliminate school exclusions and press for systemic reforms that address race, gender, and disability inequities.

For the past few years, we've had the privilege of working collaboratively with Pittsburgh Public Schools on revisions to the Code of Student Conduct with the ultimate goal of fostering a positive and inclusive school climate that is fair for all students. As always, our comments are driven by our long-standing experience in education law, policy, and best practices on behalf of the thousands of students and families we serve.

I want to start by recognizing the years of joint effort and advocacy that have culminated in the establishment of two distinct Codes: one for Pre-K-5, and one for grades 6-12. This presents an important opportunity to align District policies to the unique environments in elementary and secondary schools. We are encouraged by this move – and will continue to partner with parents and students to ensure that the respective policies are developmentally appropriate in practice, as well as in print.

Similarly, the new behavior matrix is a notable step forward. We are hopeful that it will provide increased transparency for parents and families around available interventions, and help enable greater data collection disaggregated by race, gender, and disability.

As we know from the parents and students with whom we work, the practice of sending students home by “informal” or undocumented suspensions is too common, and we are happy to see that the new Code provides additional language reaffirming that this form of discipline is not permitted.

Unfortunately, we are disappointed to see that the District has decided not to take similarly unequivocal steps to end the suspension of young children. The proposed language to



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“discourage” suspensions for K-2 students provides no clear guidance to educators and offers no metric of accountability. The District’s current culture of exclusion is evidenced by the data that you already know – yet will hear again tonight: students of color and students with disabilities are being systematically removed from the classroom – most often for conduct that is minor and non-violent.

Given the recommendations of the Council of Great City Schools, the District’s own strategic plan, and the recent commitment to invest in Community Schools, Pittsburgh is already well positioned to end the practice of suspending young students now. We can no longer rely on granular changes to address the lasting harms experienced by these children. We urge you to adopt a policy banning exclusionary discipline in Pre-K – 5 immediately.

Finally, we remain available to working with the solicitors’ office to ensure that the Code’s revisions and ultimate implementation of the Commonwealth Court’s recent decision in the pencil case ends the illegal application of Pennsylvania’s zero tolerance weapons possession statute to ordinary objects.

Thank you again for the opportunity to be part of this process as we work to achieve a positive learning environment that is race positive, developmentally appropriate, and inclusive for all students.

Respectfully submitted,

Cheryl Kleiman
Staff Attorney
Education Law Center