



PHILADELPHIA
1315 Walnut Street, Suite 400
Philadelphia, PA 19107-4717
T 215-238-6970
F 215-772-3125

PITTSBURGH
429 Fourth Ave, Suite 702
Pittsburgh, PA 15219
T 412-258-2120
F 412-467-8940

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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 begin to think about policies and practices for the next school year, ELC urges you to take steps *now* to prohibit the use of exclusionary discipline, including suspensions and expulsions, for any student from pre-kindergarten to fifth grade.

We know, both from data and our experience, that students of color and students with disabilities are still disproportionality excluded from Pittsburgh Public Schools, despite the fact that children of color are not more prone to misbehavior than their white peers¹ – and exclusionary discipline does not make schools safer².

We must stop excluding our youngest learners from the academic environment, especially at critical developmental stages. It's little surprise that we continue to struggle to close the racial achievement gap when we look at how frequently young students of color and students with disabilities are removed from the classroom. This removal not only hinders a student's academic progress, it also interrupts the development of positive teacher and peer relationships, and delays the proper identification and provision of special education and other social and behavioral health services.

¹ Russel J. Skiba & Natasha T. Williams, *Are Black Kids Worse? Myths and Facts about Racial Differences in Behavior*, THE EQUITY PROJECT, at 6 (Mar. 2014).

² In Chicago, a decline in the use of out-of-school suspensions in since 2008-09 coincides with higher school safety ratings from students and teachers. (Stevens, Sartain, Allensworth, & Levenstein, 2015).

We must equip Pittsburgh administrators, teachers and other school personnel with the skills and interagency supports needed to respond to the behavior of young children in developmentally appropriate, race positive, gender-responsive, and trauma informed ways.

Pittsburgh cannot afford to continue to harm its youngest learners by excluding them from the one place where they should feel safe and supported, the place they are compelled to be to learn.

We encourage the District to seek guidance from states and districts that have already successfully adopted and implemented policies restricting the use of exclusionary discipline in preschool, kindergarten and through elementary school. ELC would be happy to provide examples from Connecticut, District of Columbia, Minneapolis, Seattle, Chicago, Baltimore, and Houston. Several state legislatures are also currently considering similar legislation, including Georgia and New York.

We respectfully request that the Board of Directors adopt a Resolution instructing the District to implement a permanent policy – reflected in the Code of Student Conduct - that prohibits the use of exclusionary discipline, including suspensions and expulsions, for any student from pre-kindergarten to grade 5.

We also urge the District to establish a School Climate Advisory Board to institutionalize structures to listen and engage students, parents, and communities so that we can co-construct a positive school climate that is informed by legal rights and protections.

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 working with parents and 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