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June 18, 2018

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. We work with local, state, and national groups, on behalf of the most educationally at-risk students, 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.

1. **We continue to applaud the District's adoption of the new K-2 suspension policy**, scheduled to go into effect next school year. The already-approved policy, informed by parents, students, educators, and administrators, requires the use of non-exclusionary interventions for our youngest learners, while still giving educators the authority to respond to serious infractions when needed.

We encourage the Board to approve the proposed changes in the Code of Conduct that are necessary to enact the policy, which will allow the District to move forward with implementation as planned. This is a positive step forward and we support the ongoing efforts of the working group to expand the policy to higher grades.

2. There is increased attention - both nationally and locally - on the multiple ways in which dress codes have a disproportionate impact on girls, especially Black girls. **We remain concerned that the district and building level dress codes and grooming standards may be used to police students' bodies, rather than their clothing.** That being said, we applaud the positive changes reflected in this year's proposed revisions and urge the

District to take further steps to engage stakeholders - particularly students and girls - to ensure that students are never being denied access to education for a dress code violation.

3. Finally, as a reminder, the Code of Conduct is the mechanism under the law that requires the Board to adopt policies that govern student discipline and list students' right and responsibilities. 22 Pa. Code §12.3. **While school building level policies and practices cannot be in conflict with the District's Code of Conduct, they can provide students with greater rights and protections than provided for in the Code.** If schools are going to implement building level policies and practices, we encourage principals and school level administrators to use their discretion to promulgate rules that expand the rights and protections provided to PPS students. We remain available to work with the Solicitors' office to ensure that these respective policies are consistent, in compliance with the law, and fair across all of Pittsburgh's schools.

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

Respectfully submitted,

Cheryl Kleiman
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Education Law Center