

**Testimony at City Council Hearing on the Student Safety Act**

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Thursday, December 16, 2010

Good afternoon. My name is Liz Sullivan and I am the Education Program Director at the National Economic and Social Rights Initiative (NESRI). NESRI works with advocates and organizers in New York City and around the country to promote the human rights to quality education and dignity for all young people.

We urge the City Council to pass the Student Safety Act as an essential first step in promoting greater accountability over school discipline and safety policies and ensuring the fundamental human rights of New York City school children.

Current discipline policies rely on harsh and excessive suspensions and removals that undermine students' education, ignore the underlying reasons for disruption and conflict, and increase the likelihood of dropout and incarceration.<sup>1</sup> The overuse of police and School Safety Agents create prison-like environments and lead to police intervention and arrests for behavior that used to be dealt with by educators.<sup>2</sup>

Fundamental human rights standards recognized in the Convention on the Rights of the Child and other human rights treaties require that school policies must not violate the dignity of students, cause mental or physical humiliation or harm, or criminalize adolescent behavior. Instead school policies should be aimed at the full development of each child's abilities and potential, including the teaching of positive behavioral skills and conflict resolution.

The Student Safety Act is necessary for both monitoring the impact of suspensions and police intervention on students' right to education, and for moving the New York City school system to adopt more positive approaches to discipline and safety.

In other cities, like Chicago, Los Angeles and Denver, school districts have begun to embrace alternative disciplinary policies, such as School-wide Positive Behavior Interventions and Supports (PBIS) and Restorative Practices. These approaches are aimed at moving discipline procedures away from a focus on punishment and towards prevention, early intervention, and constructive responses to wrong-doing. Researchers have found that schools implementing these approaches show reductions of up to 50% in suspensions and arrests, along with improvements to academic achievement and teacher satisfaction.

But in order for schools to determine what alternatives will be most effective and what supports are necessary, we must have data about what students are being suspended and arrested for, and

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<sup>1</sup> Russell Skiba et al., "Are Zero Tolerance Policies Effective in the Schools? An Evidentiary Review and Recommendations," American Psychological Association (APA) Zero Tolerance Task Force, 2006.

<sup>2</sup> Advancement Project, *Education on Lockdown: The Schoolhouse to Jailhouse Track*, 2005.

when different school staff or police personnel are getting involved. The public availability of this data is also essential for ensuring the fundamental human rights of students, parents and educators to participate in shaping, implementing and monitoring these policies.

We urge the City Council to pass the Student Safety Act to better ensure the human rights to education, dignity and participation for all children.

## **Best Practices in School-wide Approaches to Discipline:**

### Restorative Practices

Restorative practices use a variety of informal and formal techniques to build a sense of school community and manage conflict by repairing harm and restoring positive relationships through:

- Using circles as a classroom teaching method to work collaboratively with students to set academic goals, explore the curriculum, and set classroom norms for behavior;
- Training teachers and staff in classroom management techniques that increase communication and provoke student reflection on how their actions impact others; and
- Using formal circles, fairness committees, peer juries and group conferencing techniques to involve students in identifying the harm caused by an incident and working together to identify ways to repair the harm done to individuals and the school community.

### *What the Data Shows*

In 2006, Chicago Public Schools adopted a new student code of conduct incorporating restorative practices. Over 50 high schools in Chicago now have restorative peer jury programs. As a result, over 1,000 days of suspension were avoided in 2007-2008 by referring students to peer jury programs for violating school rules, thereby keeping them in the learning environment,<sup>3</sup> At Dyett High School in Chicago, student arrest rates decreased by 83% one year after implementing the peer jury program.<sup>4</sup>

West Philadelphia High School was known as one of the worst schools in Philadelphia and was on the state's "Persistently Dangerous Schools" list for six years. But after one year of implementing restorative practices, the climate has improved dramatically. Suspensions were down by 50% in the 2007-2008 school year,<sup>5</sup> and violent acts and serious incidents were down 52% in the 2007-2008 school year.<sup>6</sup>

### Positive Behavior Supports

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<sup>3</sup> Bradley Olson and Judah Viola, "Chicago Public Schools High School Peer Jury Program Evaluation Report," DePaul University, September 2007.

<sup>4</sup> Chloe Wiley, "Peer juries reduce suspensions, increase attendance at Chicago public schools," *Windy Citizen*, May 23, 2008.

<sup>5</sup> Caralee Adams, "The Talk It Out Solution: How can you promote safety? Try getting rid of the metal detectors," *Scholastic Administrator*, November/December 2008. See video: "The Transformation of West Philadelphia High School: A Story of Hope" <http://www.iirp.org/westphilahigh/>

<sup>6</sup> Sharon Lewis, Ed., "Improving School Climate: Findings from Schools Implementing Restorative Practices," International Institute for Restorative Practices, May 19, 2009. <http://www.iirp.org/pdf/IIRP-Improving-School-Climate.pdf>

Positive Behavior Supports (PBS) is a school-wide system that uses proactive strategies for defining, teaching, and supporting appropriate student behaviors to create positive school environments. Using PBS, schools develop school-wide discipline plans that include:

- Developing and teaching school norms and social emotional skills;
- Acknowledging and reinforcing positive student behavior;
- Using effective classroom management and positive behavior support strategies to provide early intervention for misconduct and appropriate use of consequences;
- Using data collection and analysis to monitor and adjust discipline policies to best meet the needs of teachers and students.

### *What the Data Shows*

In Illinois, there are over 600 schools implementing PBS with positive results, including reduced disciplinary referrals and improved academic outcomes for students. At Carpentersville Middle School, for example, after implementing PBS, office disciplinary referrals fell by 64% from 2005 to 2007. During the same period, the number of students that met or exceeded standards for 8th grade tests increased by 12.3% in Reading and 44% in Math.<sup>7</sup> In 12 Chicago public schools, the number of students who received six or more disciplinary referrals fell by more than 50% over three years after implementing PBS.<sup>8</sup>

In Florida, a study of 102 schools using PBS found that after one year of implementation office disciplinary referrals fell by an average of 25%, and out of school suspensions fell by an average of 10%.<sup>9</sup> The Los Angeles Unified School District passed a new district-wide Discipline Foundation Policy on School-wide Positive Behavior Support in 2007, which is currently being implemented in every school across the district.

### **Reports Available On-Line:**

*Teachers Talk: School Culture, Safety and Human Rights*, NESRI and Teachers Unite, October 2008 [http://www.nesri.org/programs/teachers\\_talk\\_report.html](http://www.nesri.org/programs/teachers_talk_report.html)

*Deprived of Dignity: Degrading Treatment and Abusive Discipline in New York City and Los Angeles Public Schools*, NESRI, March 2007, [http://www.nesri.org/programs/dignity\\_report.html](http://www.nesri.org/programs/dignity_report.html)

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<sup>7</sup> Illinois Positive Behavior Interventions & Supports Network, 2006-07 Progress Report. <http://www.pbisillinois.org/>

<sup>8</sup> Illinois Positive Behavior Interventions & Supports Network, 2005-06 Progress Report. <http://www.pbisillinois.org/>

<sup>9</sup> Florida's Positive Behavior Support Project Annual Report 2007-2008. <http://flpbs.fmhi.usf.edu/index.asp>