

Testimony of Liz Sullivan, National Economic and Social Rights Initiative (NESRI)  
New York City Council Education Committee Oversight Hearing on  
Department of Education's School Suspension Data  
November 30, 2011

Good afternoon. My name is Liz Sullivan, I am the Human Right to Education Program Director at NESRI, the National Economic and Social Rights Initiative, and a member of the Dignity in Schools Campaign-New York. I want to thank the City Council Education Committee and Council Member Jackson for calling this hearing today. It is critically important that the City Council shine a light on the high rates of suspension in New York City schools and urge the Department of Education to take immediate action to address this crisis.

According to the data from the Student Safety Act, there were over 73,000 suspensions in the 2010-2011 school year, and over 20% were Superintendent Suspensions lasting anywhere from 6 days to 1 year in length. These suspensions continue to impact students of color, students from low-income communities and students with disabilities at higher rates and with devastating consequences. National data has shown that students who are suspended from school are more likely to fall behind in class, repeat a grade, dropout and/or end up in the juvenile or criminal justice system.

The Dignity in Schools Campaign New-York, a coalition of organizations from across New York City representing youth, parents, teachers and advocates, is calling on the Department of Education to reduce suspensions by 50% by September 2013 by:

- Implementing positive school-wide approaches to discipline, like restorative practices and positive behavior interventions and supports, and
- Changing the Discipline Code to mandate that these positive interventions be used before and instead of suspension.

In recent years, while the Department of Education has taken important steps towards revising the Discipline Code, including giving administrators additional discretion to impose less severe disciplinary responses for some infractions, and highlighting positive approaches like restorative practices as options for schools, there are no *requirements* that schools use these alternatives, and the overall approach to discipline continues to be punitive, relying heavily on suspensions as demonstrated by the data.

It is time for New York City to change its approach to discipline and take the same steps that school districts around the country, as well as our federal government, are taking to reverse zero-tolerance and implement positive and effective alternatives to suspension.

In July, the U.S. Secretary of Education Arne Duncan and Attorney General Eric Holder announced the Supportive School Discipline Initiative, a new inter-agency effort to “address the ‘school-to-prison pipeline’ and the disciplinary policies and practices that can push students out of school and into the juvenile justice system.” As a result of the initiative, the DOE and DOJ are developing guidance for states and districts on how to promote positive disciplinary policies that both keep kids in school and improve the climate for learning.

In addition, the federal Office of Civil Rights is collecting and rolling out new more comprehensive discipline data available to the public to ensure that we can monitor the impact of discipline policies on our students.

We are demanding that New York City take the same steps to ensure that every student has the human right to a quality education and to be treated with dignity in school, and that the public has access to data on school discipline.

We are asking that the City Council:

1. Ensure that more funding be allocated to support school-wide and district-wide alternatives to suspension, such as restorative approaches. The DOE is taking steps to implement and support these programs, but they are severely underfunded. In a survey of more than 300 NYC public school teachers from 130 schools conducted in 2008 (*Teachers Talk* report), over 80% of teachers said that positive approaches like conflict resolution and peer mediation are effective for improving discipline and safety, yet teachers reported that they did not have access to training and support in their schools to implement them.
2. Demand that the DOE act immediately to end the disproportionate use of suspension against Black students and students with disabilities by expanding efforts to train teachers in culturally responsive discipline practices and by intervening to support school that continue to use suspension disproportionately.

In addition, to ensure that there is accurate and comprehensive data on school discipline and safety practices in New York City, we ask that the City Council amend the Student Safety Act to:

1. Require that the DOE provide the total numbers of suspensions in school by school data where those totals exceed 9, instead of a redaction;
2. Include data on teacher removals in addition to Principal's and Superintendent's suspensions; and
3. Make the data publicly available to ensure that students, parents, teachers, advocates and communities have the right to information about the impact of school discipline policies on our young people and the right to participate in using the data to help develop solutions.

Thank you.