

IT'S TIME TO FIX SCHOOL DISCIPLINE!

California has extremely high rates of out-of-school suspension and expulsion. In 2009-2010, roughly 21,000 students were expelled and more than 757,000 suspensions were imposed on California students; another approximately 700,000 suspension were imposed in 2010-2011. Suspensions are being given out at rates that disproportionately impact students of color; for example, African-American students in San Francisco are 6 times more likely to be suspended than their white peers.

It's alarming that most suspensions aren't for violence or drugs, and **that the most common basis is something as vague as disrupting class or willfully defying authority.** Suspensions need to be carefully considered, since they lead to students becoming disengaged, falling further behind and becoming more likely to act up. For many, it's an unsupervised vacation, where they are more likely to get in trouble or get harmed themselves. **In fact, kids who have been suspended or expelled are five times more likely to drop out and 11 times more likely to turn to crime.**

Keeping kids in school is safer for children, and at school they can benefit from evidence-based alternatives that hold them accountable and teach them to behave better, while also making certain they get an education. These proven strategies also result in gains for all children and schools – improved attendance, higher academic achievement rates, and a more satisfied teaching force.

For these reasons, we are in strong support of the following bills which will help California get back on track, keeping kids in school while also holding them accountable:

Keeping Students in School and Addressing Disproportionate Discipline:

SB 1235 (Steinberg, Price & Rubio) — Strengthens existing law to require, rather than encourage, schools to take steps to address high rates of suspension. Requires schools with high rates of suspension to implement evidence-based school-wide behavioral strategies aimed at reducing behaviors that lead to suspension. Applies initially to schools that suspend 25 percent or more of their total students or of any numerically significant subgroup, and eventually to schools that suspend 15 percent of more students. Requires the State Superintendent, using data already collected by the state, to publish an annual list of schools with high suspension rates.

- **Status:** Passed Assembly Education, to be heard in Assembly Appropriations (8/8 or 8/15)

AB 1729 (Ammiano) — Strengthens existing law that requires, in most circumstances, that suspensions may be imposed only after “other means of correction” have failed to bring about proper conduct. Expands the list of examples of other means of correction that can be pursued before a student may be suspended for discretionary offenses and expressly authorizes documentation of corrective measures taken.

- **Status:** Passed Senate Education, sent to Senate floor

AB 1909 (Ammiano & Brownley) — Requires school districts to provide notification to a county child welfare designee and the court-appointed attorneys for the foster youth when a foster youth is pending expulsion or subject to a manifestation determination Individualized Education Program for offenses for which a response is discretionary.

- **Status:** Passed Senate Education and Senate Human Services, sent to Senate floor

AB 2242 (Dickinson) — Amends current law to provide that the act of disruption of school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, school officials may subject a student to out of school suspension for up to 5 days for each offense, other means or correction, community service, or an in-school suspension in a supervised suspension classroom, but not to an extended suspension (more than 5 days when a referral for expulsion is pending) or expulsion.

- **Status:** Passed Senate Education, sent to Senate floor

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Making Public Improved Data on the Application of School Discipline Policies:

AB 2145 (Alejo & Dickinson) — Requires that expulsion and suspension data already collected by the state be disaggregated by race, ethnicity, special education status, English learner status, socioeconomic status, and gender and cross-tabulated by gender and race and made available on the Department's existing website.

- **Status:** Passed Senate Education; to be heard in Senate Appropriations (8/6)

Addressing Some Mandates Related to Expulsion and Suspension and Creating Some Discretion Not to Expel for Certain Offenses

AB 2537 (M. Perez) — Provides some discretion for a principal or superintendent to not make a recommendation for expulsion for certain acts if the factual circumstances do not warrant it or other means of correction would address the conduct. Clarifies that possession of an imitation firearm does not mandate expulsion and that student possession of over the counter or prescription medication is not an offense for which a referral for expulsion is automatic. Eliminates the \$500 fine on principals who willfully fail to notify the appropriate law enforcement agencies of certain offenses.

- **Status:** Passed Senate Education, sent to Senate floor

Facilitating Access to School for Youth in Juvenile Justice Systems

SB 1088 (Price) — Clarifies existing law by prohibiting a school from denying enrollment or readmissions to a student on the basis that the youth has had contact with the juvenile justice system. Ensures that expelled students are given more than one opportunity to demonstrate that they have completed their rehabilitation plans, so that they can be readmitted to a regular school.

- **Status:** Passed Assembly Education, to be heard in Assembly Appropriations (8/8)

Increasing Emphasis on Prevention and Capping Fine for Truancy

AB 2616 (Carter) — Makes several common-sense changes to existing law to align California truancy law with research, which shows that schools and parents should take the lead in truancy prevention and intervention. Specifically, provides some limited discretion to school administrators to not identify a pupil as a truant if the pupil has a valid excuse based on the particular facts of the case as told to that administrator, encourages the school to meet with the student to discuss the root causes and create a joint attendance plan after the first truancy in lieu of immediately referring to law enforcement, caps the fine at \$50 (down from \$100) and provides discretion as to whether to involve the juvenile justice system after the fourth truancy, instead of the Court taking automatic jurisdiction.

- **Status:** Passed Senate Education, to be heard in Senate Appropriations (8/6)