Testimony on S.194

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Good afternoon, Chair Cummings and Members of the Committee. I am pleased to be before the committee today to testify in support of S.194. I have submitted my full statement to the committee and will give a brief statement.

I am testifying in my capacity as Vice Chair of the Burlington School Board, and Chair of the Board's Diversity and Equity Committee. I have served in the latter role for approximately two years. Prior to that, I was a member of the District's Advisory Committee that designed the District's Equity and Inclusion annual report to the Board.

In my testimony, I would like to make four points.

- First, suspensions have significant negative effects on children's educational services, and contribute to the achievement gap with lifelong negative effects on earnings.

- Second, collection and reporting of discipline data is an important tool for superintendents and school boards to monitor trends in suspensions, disparities by group, and effectiveness of steps taken to reduce and eliminate suspensions.

- Third, data reports on suspensions are not onerous to produce, given that schools already collect such data for the Office of Civil Rights. The burden of any additional work to collect and report data is far outweighed by the benefits of being able to assess progress in eliminating disparities, reducing overall suspensions, and thereby improved educational services to students.

- Collection of discipline data is a first step in addressing disparities and the overall problem of exclusion. The next is to change how teachers and staff support students in regulating their behavior in schools. Two approaches Burlington has embarked on are teacher training on trauma-informed behavioral management and the adoption of restorative justice practices.

To begin, I would like to provide background information to your committee on our work in Burlington on collecting discipline data and using it as a tool to monitor progress towards a behavioral management system that supports academic proficiency, based on best practices in districts across the country. The data reports our committee receives are succinct but informative and essential in helping us to fulfill our oversight role. The data we use are already collected by all of the schools in the District as part of our reporting to the Office of Civil Rights as well as in conjunction with our Positive Behavioral Interventions and Supports (PBIS) program in elementary schools.

Since the time when data collection began, the Board and community members observed wide disparities in academic success by race, gender, socioeconomic status, ELL, and ability. Some of our most vulnerable students are inadvertently excluded from educational services as a result. Our board adopted the goal of significantly reducing race/ethnicity, class, ability, sex/gender, and sexual orientation as predictors of academic performance, discipline, and co-curricular participation. Over the past two years, the Diversity and Equity Committee made the decision to focus in particular on discipline disparities.

The table below is an excerpt of the data provided in an annual report to the Board (*The Equity and Inclusion Report* is available on the Burlington School District's website). These data show the incidence of in- and out-of-school suspensions by group.

Table 1.Suspensions and Cohort Dropout Rates, 2013-14

Category	Group	In-School Suspension	Out-of-School Suspension	Dropout Rate
Gender	[illegible]	[illegible]	[illegible]	[illegible]
	Male	7.60%	6.50%	8.30%
Family Income	[illegible]	[illegible]	[illegible]	[illegible]
	FRL	9.10%	7.70%	15.20%
Race/Ethnicity	[illegible]	[illegible]	[illegible]	[illegible]
	[illegible]	[illegible]	[illegible]	[illegible]
	[illegible]	[illegible]	[illegible]	[illegible]
	[illegible]	[illegible]	[illegible]	[illegible]
ELL	Non-LEP	5.10%	4.60%	9.90%
	[LEP]	[illegible]	[illegible]	[illegible]
Ability	Non-IEP	4.50%	3.80%	7.30%
	[IEP]	[illegible]	[illegible]	[illegible]

Source: Dropout data are from the VT AOE,
http://education.vermont.gov/documents/EDU-Data_2013_2014_DropComplReport.pdf
and discipline data are from the Burlington School District.

You will note the large disparities in several groups:

- Free and Reduced Lunch (FRL) students are almost four times as likely to be suspended as non-FRL students.
- Black students are three times as likely to be suspended as white students.
- Students with Individual Education Plans (IEPs) are more than twice as likely to be suspended as non-IEP students.

Also included are data on dropout rates. Our committee noted the correlation between high suspensions rates and high dropout rates of FRL and IEP students, and this heightened our concern about discipline disparities. For example, the dropout rate for FRL students was over 15% in 2013-14 compared to 8.3% for non-FRL students. The dropout rate for students on an IEP was 22.6%, three times higher than non-IEP students. Research indicates a correlation between suspensions and dropout rates.[1]

The following is an example of the monthly report our committee receives from the Superintendent on suspensions in elementary schools. (We receive similar reports for middle schools and the high school). This table shows evidence that progress has been made in reducing suspensions in elementary schools from 2013 to 2015. Unfortunately, data from our high school indicate rising, rather than falling, suspension rates. The data serve as an alert that attention is needed to understand the reasons behind these trends.

Table 2. **Elementary Schools Cumulative Suspended Students by Month**

	September	October	November	December	January	February	March	April	May
2013-14	16	28	41	46	55	63	64	76	82
2014-15	11	17	24	28	31	40	47	51	51
2015-16	8	17	17						

As you can see, the discipline data are key to us tracking how the school district is progressing in reducing disparities across groups. The Diversity and Equity Committee's response to these data, as well as our review of best practices in other districts across the country, led us to request that the District end all of out-of-school suspensions except in the most serious cases. The development and implementation of alternatives to out-of-school suspensions take time, and the discipline data help to keep the Board informed about how far we have moved toward this goal. It is thus a tool that promotes accountability and allows the Board and community to evaluate the strategies that the Superintendent implements.

An important step in reducing suspensions is to gain a deeper understanding of what affects student behavior. Our committee has learned a good deal about the important role of trauma in affecting student behavior. Many of our students come to us with prior trauma of some kind, such as homelessness, neglect, or generational impacts from war and forced migration in other countries. In place of exclusion, schools in the US are beginning to adopt trauma-informed approaches to help students regulate themselves. The Burlington School Board decided that our school district should move in this direction and so we will be training teachers and other staff on trauma-informed behavioral regulation approaches next

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[1] http://www.npr.org/2013/06/02/188125079/why-some-schools-want-to-expel-suspensions

year. We are also implementing restorative justice practices at our high school. Our data collection practices will help us monitor whether these strategies result in fewer out-of-school suspensions. More generally, the discipline data allowed us to identify student behavioral management as a specific need.

One of the greatest surprises resulting from our committee's request for discipline data is that although the District collected the data for years, the data was not used internally to guide policies or practices. That has begun to change. In reviewing the data last year, administrators expressed surprise (and dismay) at the disparities and levels of suspensions. Our committee's data request thus helped to illuminate discipline disparities. Building leaders and the Superintendent have begun regularly reviewing trends and setting targets for reducing suspensions and disparities.

Because of Burlington's experience, I am very supportive of efforts to promote collection of discipline data. The data alerted us to dipartites and excessive use of out-of-school suspensions as a default mechanism to manage behavior. This led us to the realization that we are not delivering educational opportunities equitably. Data of this kind are analogous to simple medical tests during a physical – blood pressure, weight, and temperature. These simple diagnostic tools can signal a problem, although they don't identify the precise cause – that takes deeper digging. But without these simple data reports, we would not know if our District has a problem with excessive or disparate use of out-of-school suspensions by groups such as race, FRL or IEP status.

To summarize, the data reports are very useful and relatively simple to produce – even for Vermont's largest school district with 4,000 students. The simplicity offers a dashboard-type of approach for monitoring trends at the school and district level. The data have allowed the superintendent to identify behavioral regulation as an important area of professional development. With this, we are optimistic that teachers and assistant principals will be able effectively adopt alternatives that support students' behavioral regulation rather than exclusion, and disengagement from the learning process.

Finally, as a state, we have a responsibility to track data that illuminates academic outcomes by protected class so that we can assure that all children are receiving an equitable education, as is Act 60/68's intention. Ultimately, Vermont's education policy goals for equitable academic services can be met only if we have the tools to evaluate our collective progress.