



VT Human Rights Commission
14-16 Baldwin Street
Montpelier, VT 05633-6301
<http://hrc.vermont.gov>

[phone] 802-828-2480
[fax] 802-828-2481
[tdd] 877-294-9200
[toll free] 1-800-416-2010

Karen L. Richards
Executive Director
[direct line] 802-828-2482
Fax 802 828-2481
karen.richards@state.vt.us

February 18, 2015

Senator Ann Cummings, Chair
Senate Education Committee
Vermont Legislature
Montpelier, Vermont

RE: S. 67- School Discipline Advisory Council

Dear Senator Cummings and Members of the Committee:

The Vermont Human Rights Commission supports the creation of a School Discipline Advisory Council and is pleased to be listed as a statutory member of the council. Statistics indicating that members of protected classes are disproportionately singled out for discipline are of grave concern to the Commission, which is charged by statute with identifying the existence of practices of discrimination that detract from the enjoyment of full civil rights and recommending measures designed to protect those rights.

As the findings of the bill indicate, school discipline both nationwide and in Vermont, is disproportionally carried out against students with disabilities and students of color, many of whom are also low-income. Colloquially, this is known as the school-to-prison pipeline. This pipeline is destructive and costly for both our society as a whole and especially so for the individuals travelling it. The creation of a council to oversee reform strategies in schools is a step in the right direction.

While the recent report *Kicked Out!* from Vermont Legal Aid, contains statistical analysis of data to support its conclusions, the data was incomplete due to some schools not reporting at all and because the actual data collected by the federal government is insufficient to provide a complete picture of the problem. If this council is to truly make a difference, the first step is to have reliable data from every Vermont school district that tracks the information necessary to determine the extent to which certain groups of students are receiving

unequal discipline. In the absence of reliable, consistent data, any recommendations that the council makes will, unfortunately, be subject to question and doubt. And in the absence of legislation spelling out the data that must be collected, a requirement that schools provide it, and a requirement that the Agency of Education analyze it, the Council will find it impossible to meet its mandate, the disparities will continue and the cost to the state will continue to show up in the budget of the Department of Corrections, among other places.

At a minimum, we need to establish consistent definitions of what constitutes exclusion (in-school and out-of-school) so that all schools are reporting the same information. We need to collect data on race, disability, ethnicity, sex, eligibility for free and reduced lunch, and whether the student received educational services while excluded. It would also be helpful to have information about seclusion, restraint and police involvement in order to gain a full picture of the extent and nature of the problem and identify the best possible solutions.

I am pleased to see the Legislature taking positive steps to address this very important civil rights issue. It is vitally important that all children have an equal opportunity to access and benefit from their education. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Karen", followed by a long horizontal flourish.

Karen L. Richards
Executive Director