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February 27, 2019

To: Chairman Groene and members of the Education Committee
From: Juliet Summers, policy coordinator for child welfare and juvenile justice
Re: **LB 495, to provide for the collection of data on school discipline**

Education is a key indicator of future opportunity for children, and we should make every effort to ensure that our education system is setting students up for success. Voices for Children in Nebraska supports LB 495, because it is a measured first step in examining our schools' disciplinary policies, and whether we are pulling students in to educational success or pushing them out to the court system.

When schools respond to student misbehavior through exclusionary policies such as excessive use of out-of-school suspensions, expulsions, or even arrests and referrals to law enforcement, both the misbehaving student and the school at large can suffer. For the student who is suspended, research shows a direct line from suspension, to further suspension and expulsion, decreased likelihood of educational attainment, and increased likelihood of court involvement.¹ For the school as a whole, studies have shown that schools with a higher reliance on exclusion as a form of discipline actually score lower on academic achievement tests among the total student body, even when controlling for socioeconomic and demographic factors.² Conversely, in places that have limited exclusionary discipline, safety does not suffer. In fact, it often improves, because schools become safer when kids feel connectedness and community.³

At Voices for Children, we believe in starting from the data, but to do that, you need good and reliable data. Right now, data on disciplinary policies and law enforcement involvement at schools is a patchwork at best. There is currently a federal reporting system for schools that collects some of this data through the Office of Civil Rights, and so I can tell you that **in the 2013-2014 school year in Nebraska, that database says there were 283 school-based arrests, and 1,529 law enforcement referrals for school-related behavior. 33% of these referrals were of students with identified disabilities.**⁴ However, with only this tool, I cannot tell you much about more recent school years. I also cannot assure you that all districts reported in all categories, or that all districts reported data in a uniform manner pursuant to consistent definitions.

¹ Skiba et al. *Are Zero Tolerance Policies Effective in the Schools? A Report by the American Psychological Association Task Force 63*. 2006.

² Boccanfuso, C. and Kuhfeld. M. *Multiple Responses, Promising Results: Evidence-Based, Nonpunitive Alternatives to Zero Tolerance* (Publication #2011-09). Child Trends. 2011. Available at: http://www.childtrends.org/wp-content/uploads/2011/03/Child_Trends-2011_03_01_RB_AltToZeroTolerance.pdf

³ Sara E. Goldstein, et al. *Relational Aggression at School: Associations with School Safety and School Climate*. Journal of Youth Adolescence. (2007).

⁴U.S. Department of Education, Office of Civil Rights. Civil Rights Data Collection. 2013-2014 State and National Estimates. Available at: <http://www.ocrdata.ed.gov>

LB 495 will provide the clear and reliable data we need, to assess whether and to what extent Nebraska kids are experiencing a school-to-prison pipeline. The addition of disciplinary information to the school-information hub we already maintain at the state level, in the same place where we already have information about school performance and other statistics, would provide important transparency to families, educational stakeholders, and lawmakers about how our schools are responding to student misbehavior. Disaggregating this data by demographics such as race, ethnicity, gender and identified disability will highlight whether our policies are providing equitable outcomes for all our students.

With that, I'd like to thank Senator Wayne for bringing LB 495, and this committee for your time, attention, and commitment to improving our education system for all. I'd be happy to answer any questions.