February 9, 2021



7521 Main Street, Suite 103 Omaha, Nebraska 68127

(402) 597-3100

www.voicesforchildren.com

**BOARD OF DIRECTORS**

Bruce Meyers

*President*

Amy Boesen

*Vice President*

Lorraine Chang, JD

*Secretary*

Michael Beverly, Jr., MBA

*Treasurer*

Gary Bren

Wes Cole, MBA

Al Davis

Noah Greenwald, JD

Daniel Gutman, JD

Tim Hron, MA, LIMHP

Susan Mayberger, MA

Melanie Morrissey Clark

John Stalnaker, JD

Charlie Stephan

Katie Weitz, PhD

Aubrey Mancuso, MSW

*Executive DIrector*

Thank you, Chairperson Walz and members of the Education Committee. My name is Julie Erickson and today I am representing Voices for Children in Nebraska as a proponent for LB 198.

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. When disciplinary processes are structured in clear and fair ways, students at risk are better supported to succeed in their education. Voices for Children in Nebraska supports LB 198, because it provides procedural protections that will keep students on track to educational success, rather than pushing them out to the streets and court system.

We know that schools may struggle with inadequate resources, but we must find ways to address misbehavior while allowing students to pursue their education. Even students who misbehave deserve a meaningful opportunity to continue their education, and we all benefit when they do so. Procedures and policies that rely too heavily on exclusion from school result in lower educational attainment not only for suspended or expelled students,[[1]](#footnote-17714) but for the student body 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]](#footnote-15660) Modifying our student discipline act to provide heightened procedural and substantive educational protections for students who might otherwise be at risk of drop out will benefit our student populations as a whole.

In the 2018-2019 school year, there were 768 students in public and nonpublic schools expelled (0.3% of our total student population). There were 27,931 students suspended (9%).[[3]](#footnote-17517) These numbers may not seem alarming, but we must remember that disaffection from school is also a major driver of our juvenile justice system. Students who miss more than twenty days of school, including for out of school suspensions or expulsions, can be referred to county attorneys for prosecution. Resorting to the justice system is a costly and heavy-handed approach to student discipline and adding clarifications and procedural protections to our student disciplinary process, that will keep at-risk students engaged in their education. LB 198, which provides additional supports and consistency to students charged with discipline violations, brings us closer to the due process and fundamental fairness that all children served by Nebraska schools deserve.

With that, I’d like to thank Senator Vargas for bringing LB 198, and this committee for your time, attention, and commitment to improving our education system for all.

1. Skiba et al. Are Zero Tolerance Policies Effective in the Schools? A Report by the American Psychological Association Task Force 63. 2006. [↑](#footnote-ref-17714)
2. Boccanfuso, C. and Kuhfeld. M. Multiple Responses, Promising Results: Evidence-Based, Nonpunitive Alternatives to Zero Tolerance (Publication #2011-09). Child Trends. 2011. [↑](#footnote-ref-15660)
3. Kids Count in Nebraska Report 2020. Voices for Children in Nebraska; data provided by the Nebraska Department of Education. Page 53. [↑](#footnote-ref-17517)