



Testimony Re: House Bill 7162 Re: Suspensions
House Education Committee
February 2, 2022
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Mr. Chairman and members of the Committee, thank you for the opportunity to provide testimony today. Rhode Island KIDS COUNT would like to voice its support for elements of House Bill 7162. This bill would allow school committees or principals to issue an out-of-school suspension to students in grades five or below only if a school psychologist or mental health professional determines a student's behavior poses a threat that cannot be reduced or eliminated through interventions and supports. The bill includes the use of restorative justice practices as an allowable corrective measure to address student behavior. Thank you to Representatives Diaz and Slater for introducing this important bill.

Over the past several years, the General Assembly has passed a number of bills aimed at reducing suspensions, particularly out-of-school suspensions. In 2012, the General Assembly passed legislation that prohibited schools from using a student's absenteeism as the sole basis for an out-of-school suspension. During the 2016 session, the General Assembly passed legislation that requires school districts to evaluate the discipline data they already collect annually, identify any racial, ethnic, or special education disparities, develop a plan to reduce any disparities, and restricts the use of out-of-school suspensions to situations when a child's behavior represents a demonstrable threat to students, teachers, or administrators or causes a serious disruption and the student has failed to respond to corrective and rehabilitative measures presented by staff, teachers, and administrators.

We are encouraged by the efforts that this body, the Rhode Island Department of Education, and individual school districts have made to reduce the use of out-of-school suspensions and encourage the use of alternative disciplinary approaches, such as restorative justice and Positive Behavioral Interventions and Supports (PBIS).

In particular, I want to commend the Rhode Island Department of Education for the many resources they have included on their website including data tools, recommendations regarding alternatives to suspensions, and guidance about how to address disciplinary issues among students receiving special education services --

<http://www.ride.ri.gov/StudentsFamilies/HealthSafety/DisciplineinSchools.as>
[DX](#)

Despite these efforts, the percentage of out-of-school suspensions for non-violence offenses remains persistent. During the 2019-2020 school year there were 13,803 suspensions and 44% of these (6,076) were out-of-school suspensions. Half of out-of-school suspensions were for non-violent offenses, such as insubordination/disrespect, disorderly conduct, obscene/abusive language, alcohol/drug/tobacco offenses, and electronic devices/technology offenses.



Out-of-School Suspensions by Infraction, Rhode Island, 2019-2020

TYPE OF INFRACTION*	#	%	TYPE OF INFRACTION	#	%
Fighting	1,328	22%	Obscene/Abusive Language	266	4%
Insubordination/Disrespect	1,020	17%	Arson/Larceny/Robbery/Vandalism	163	3%
Assault of Student or Teacher	941	15%	Weapon Possession	146	2%
Disorderly Conduct	834	14%	Other Offenses	93	2%
Harassment/Intimidation/Threat	646	11%	Electronic Devices/Technology	52	1%
Alcohol/Drug/Tobacco Offenses	587	10%	Attendance Offenses	0	0%
			Total	6,076	

Source: Rhode Island Department of Education, 2019-2020 school year.

*Harassment offenses include hazing and hate crimes. Assault offenses include sexual assault.

Of all disciplinary actions during the 2019-2020 school year, 9% (1,230) involved elementary school students (kindergarten-5th grade) and 69% of these suspensions were out-of-school suspensions. Kindergarteners received 109 disciplinary actions, including 93 out-of-school suspensions.

Rhode Island KIDS COUNT supports efforts that improve school climate, decrease the use of suspensions, and provide resources to school districts that help ensure that schools are trauma-informed, safe, and secure places that are conducive to learning and that investments are made in school mental health professionals who can address trauma and the mental health conditions that can impact a student’s health and behavior at school.

Enclosed is our report, [Policies and Practices Supporting Student-Centered Learning in Rhode Island: School Climate](#). This report uses an equity lens to look at policies, practices, and measures of school climate, including student mental and behavioral health. This bill is well-aligned with the recommendations in the report.

We urge the committee to consider revisions to this bill that would also require a school psychologists or mental health professional to deem the behavior of a student in grades six and above to pose a threat to safety and health before an out-of-school suspension can be issued.

Thank you for the leadership that the General Assembly has shown on this issue over the past several years and thank you for the opportunity to testify today.