



DIGNITY IN SCHOOLS

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June 7, 2017

Secretary of Education Betsy DeVos
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

Dear Secretary DeVos:

As a coalition of over 100 organizations in 29 states and Washington D.C., the Dignity in Schools Campaign (DSC) is committed to reforming school discipline policies and practices that push students out of school and into the justice system for misconduct that should be addressed within the school setting. Over the past 11 years, DSC has been building the power of parents, youth, organizers, advocates and educators to transform our communities, support alternatives to a culture of zero-tolerance, punishment, criminalization and the dismantling of public schools, and to fight racism and all forms of oppression.

We work to end harmful policies and practices that disproportionately deny students of color, students with disabilities, and LGBTQ students their right to a quality education, a problem that data collected by the Department of Education and other national research verifies. For example, the 2013-2014 Civil Rights Data Collection (CRDC) revealed that Black K-12 students are 3.8 times as likely to receive one or more out-of-school suspensions as white students, even though there is no evidence that Black students misbehave more than their peers.

The communities that we serve face grave challenges in accessing quality educational services and resources. These barriers are due in part to overly punitive and discriminatory school discipline practices that limit educational opportunity for far too many students, as well as insufficient federal, state, and local funding in our most underserved areas. In order to address these issues, we have outlined the following policy priorities:

- Ensure that all children and youth have access to quality public education that will support them in reaching their full potential in schools that are inclusive institutions for all students.
- End punitive disciplinary practices and create safe and positive school climates using restorative justice practices and other proven programs that support the whole child.
- Ensure that the federal government continues to hold states, districts, and schools accountable for upholding and enforcing students' federal civil rights by protecting students of color, LGBTQ students, students with disabilities, English Learners, and immigrant students from discrimination.

- Ensure robust implementation of the Every Student Succeeds Act (ESSA), especially with regards to accountability, data reporting, and school climate and discipline and ensure that every school that receives federal funding—including private schools and charter schools—are held to the same high accountability standards.
- Ensure that funding for traditional public schools is protected and not diverted through vouchers, or any other funding mechanism, for private schools or through charter school expansion.
- Ensure that the Department of Education works to support policies modeled after our *Counselors Not Cops* policy platform, including ending federal funding of School Resource Officers (SROs).¹
- Ensure that the Department of Education protects immigrant students and their families from deportation by Immigration and Customs Enforcement (ICE).

A key priority for DSC is ensuring the equitable funding of traditional public schools, which educate the vast majority of the communities we serve. We are therefore deeply concerned by the President’s budget proposal for 2018, which cuts the Department of Education’s budget by 13.5 percent. We are particularly concerned by the request to eliminate critical programs under ESSA and to divert an additional \$417 million in limited funds from traditional public schools to private schools and charter school expansion. Data regarding the disproportionate impact of school discipline practices on certain student subgroups highlight the strong need for funding to schools and districts for resources that promote positive school climates, including school-based mental health services, School-wide Positive Behavioral Interventions and Supports, conflict resolution, and professional development on implicit bias. These activities are funded by the Student Support and Academic Enrichment Grants program, which is eliminated in the budget proposal. The proposal also eliminates the Supporting Effective Instruction State Grant program, which funds teacher training—a much needed resource in many low-income communities of color, which lack adequate access to qualified, experienced teachers. Additionally, research shows that school vouchers and charters schools do not produce better outcomes for students. For example, a recent study of the DC Opportunity Scholarship Program showed that students who received vouchers scored lower on math and reading tests than the control group.² A Stanford University study found that over 70 percent of charter schools in the 26 states studied showed no significant difference or weaker gains in reading and math compared to traditional public schools.³

Further, the requested \$1 billion increase in Title I dedicated to incentivizing districts to allow federal, state, and local funds to follow students to other public schools is directly opposed to the purpose of Title I funds, which are intended to provide schools and districts serving high numbers of low-income children and youth with the additional resources required to adequately serve the needs of

¹ Dignity in Schools Campaign, *Counselors Not Cops*, http://www.dignityinschools.org/sites/default/files/DSC_Counselors_Not_Cops_Recommendations.pdf.

² Institute of Education Sciences, *Evaluation of the DC Opportunity Scholarship Program: Impacts After One Year* (April 2017), <https://ies.ed.gov/ncee/pubs/20174022/pdf/20174022.pdf>.

³ Center for Research on Education Outcomes (CREDO) at Stanford University, *National Charter School Study* (2013), <http://credo.stanford.edu/>.

these students. It is critical that public schools, especially those serving large numbers of high-needs students, are equitably funded to ensure that every child truly has access to quality educational services no matter their circumstances in life.

In addition, it is critical that our schools protect the civil rights of all students, including by addressing the overuse of exclusionary discipline practices (e.g. in- and-out of school suspensions, expulsions, referrals to law enforcement, and school-based arrests) and the disproportionate impact of these practices on students of color, students with disabilities, and LGBTQ youth. The recent appointment of Candice Jackson, who has stated that programs intended to provide equal opportunity to students of color discriminate against white students, as Acting Assistant Secretary for the Office for Civil Rights (OCR) signals a lack of commitment to protecting the rights of vulnerable children and youth. We urge you and the President to select an individual with a demonstrated commitment to students' civil rights for this position.

We also urge you to ensure adequate funding and staffing for OCR to facilitate the thorough investigation and timely resolution of civil rights complaints and to maintain the CRDC. The President's budget proposal requests \$1.7 million less than OCR currently receives, which could result in the loss of more than 40 positions. According to the Department of Education, in FY 2016 OCR received 16,720 complaints, an increase of 61 percent from the previous year. As OCR's workload significantly increases, staffing and other resources must also increase to address this need. Further, we recommend that you consider strategies to encourage schools and districts to eliminate the regular presence of police in schools. We know that referrals to law enforcement increase when police are in schools. Data from the 2013-2014 CRDC revealed that over half of all high schools with predominately Black and Latino populations have school police, and Black students are more than two times as likely to receive a referral to law enforcement or be subject to a school-related arrest as white students.

As states submit their ESSA state plans to the Department of Education, we also respectfully ask you to ensure that these plans meet the requirements of ESSA and are aligned with the purpose of the law "to provide all children significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps." This includes ensuring that states outline robust plans for supporting districts with improving school conditions for student learning as required by ESSA, including by providing funding and technical assistance to facilitate the implementation of socio-emotional supports, including restorative justice practices. Additionally, we are concerned by your stated intention to use the approval process to encourage states to adopt school choice polices. Given the issues we have outlined above regarding school choice initiatives, we urge you to reconsider pushing states to implement policies that direct limited public funds away from traditional public schools.

Finally, many immigrant children and youth in our communities live in fear that they and their families will be deported. Some of these children have suffered from extreme poverty and trauma in their home countries—others know the United States as their only home. This intense stress can have a severe, negative impact on these students' academic success, undermining their constitutional right to equal educational opportunity. We urge the Education Department to ensure these students have access to quality educational opportunities by protecting them from deportation, such as by supporting policies intended to ensure that enforcement actions do not occur at schools and other sensitive locations.

We hope you will take these recommendations into consideration. The priorities outlined above would assist the Department of Education in fulfilling its mission to “promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.” If you have any questions, please contact Zakiya Sankara-Jabar at zakiya@dignityinschools.org.

Sincerely,
The Dignity in Schools Campaign
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CC:

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