



EVERY STUDENT EVERY DAY

Ending DC's School-to-Prison Pipeline

“We cannot ignore the significant social costs borne by our Nation when select groups are denied the means to absorb the values and skills upon which our social order rests.”

- Justice William Brennan, *Plyler v. Doe* (1982)

The purpose of the Student Fair Access to School Act is to ensure student safety and access to education by establishing parameters for local education agencies' (LEA) policies for school climate and discipline, including an emphasis on positive behavior, setting limits on the use of suspensions and expulsions, creating additional supports provided by the Office of the State Superintendent of Education (OSSE) to promote trauma-informed educational settings including a special fund, and expanding annual reporting.

Definitions

Provides uniform definitions for all DC Public Schools (DCPS) and public charter schools.

Establishment of School Discipline Policies

Requires schools to develop more transparent, robust, and evidence-based school discipline policies that ensure students can access their educational program and that clearly state the due process right and procedures available to students and parents/guardians.

Requires all schools to have a general plan for education to continue during a student's suspension that will ensure the student:

- receives all assignments for the duration of the suspension; and
- can communicate with school personnel regarding their work.

Limitations on Exclusion

Recognizes the right of students in grades K-8 to be free from out-of-school suspensions and expulsions for behaviors that do not pose a safety or emotional distress concern.¹

Recognizes the right of students in grades 9-12 to be free from out-of-school suspensions for uniform violations, willful defiance, or incidents off-campus, unless such an incident involves harm.

Keeps students in school learning, but still allows schools time to separate and safety plan, by limiting the duration of out-of-school suspensions to *five* consecutive days for grades K-5 and *ten* consecutive days for grades 6-12. It also limits out-of-school suspensions to *twenty* cumulative days for all grades, unless the head of an LEA provides written justification.

Requires that students be allowed to return to school at the end of a suspension even if a parent/guardian cannot be present at the school.

Summary of the Student Fair Access to School Act (cont.)

Support for Positive School Climate and Trauma-Informed Educational Settings

Requires OSSE to support DCPS and public charter schools in implementing strategies to reduce the use of exclusionary discipline and to develop and sustain trauma-informed education settings, including through professional development opportunities, technical assistance, and the directing of funding and supportive services to schools, LEAs, and community organizations partnering with schools.

Requires OSSE to facilitate the offering of postsecondary degree or certificate programs in trauma-informed education practices, positive behavioral interventions, implicit bias, and other related subject areas.

Within two years of the bill's effective date, and every five years thereafter, requires OSSE to submit an evaluation of schools' implementation of practices to promote school safety and reduce the use of exclusionary discipline.

School Safety and Positive Climate Fund²

Creates the School Safety and Positive Climate Fund, which will be administered by OSSE and will be used to support the professional development, technical assistance, and certificate programs required by the bill, as well as the evaluation OSSE must perform every five years.



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Annual Reporting Requirements

Requires OSSE to report additional data in its annual school discipline report, including:

- Whether students receiving special education services have received a functional behavioral assessment or an updated behavior improvement plan during the school year;
- Information on students subject to involuntary dismissals, emergency removals, disciplinary withdrawals, referral to law enforcement, or school-related arrests, among other information; and
- Trend analysis based on available data on the exclusion of students who identify as lesbian, gay, bisexual, questioning of the student's sexual orientation, transgender, gender nonconforming, or questioning of the student's gender identity or expression.

Footnotes

¹ More specifically, the bill states that students in these grades cannot "be subject to an out-of-school suspension or disciplinary unenrollment, unless a school administrator determines that the student has willfully cause, attempted to cause, or threatened to cause bodily injury or emotional distress, to another person."

² Aside from the fund created by the legislation, the Fiscal Impact Statement for the Student Fair Access to School Act would provide just over \$87 million in resources to help schools with implementation.