

**Testimony Before the District of Columbia Council Committee on Education
Date of the Hearing: January 30, 2018**

**Public Hearing: B22-594, the “Student Fair Access to School Act of 2017” and B22-179, the
“D.C. Public Schools Alternatives to Suspension Amendment Act of 2017”**

**Testimony from: Yuliya Gileva, Student Attorney at the American University Washington
College of Law Disability Rights Law Clinic**

Good afternoon. My name is Yuliya Gileva, and as my colleague Marissa Ditkowsky has stated, we are student attorney at the American University Washington College of Law Disability Rights Law Clinic who represent the mother of Jermaine, a student of color with multiple disabilities. Jermaine been suspended multiple times over his academic career.

The Student Fair Access to School Act would ensure student access to education, including limits on the use of suspensions and expulsions. Suspensions, especially those that occur as a result of minor behavioral infractions, do not address the reasons for those behaviors. Instead, suspensions contribute to a greater risk of isolation, academic barriers, and truancy. The negative effects of suspensions hit the hardest for students with disabilities and minority students.

Because of Jermaine’s disabilities, he struggles with managing stressful situations, and he gets into minor altercations at school. Suspensions make it harder for Jermaine to interact and connect with his peers, teachers, and school staff. He no longer feels welcome in his school environment. When we ask him if there is someone he can trust at school, he states, “Me, myself, and I.” Suspensions, for Jermaine, have become another cause of isolation.

Suspensions are also a barrier to academic progress. Because of the suspensions, Jermaine misses lessons and discussions in the classroom, which are key to a student’s academic progress. Jermaine returns to school, he is forced to play catch up or fall behind. In addition, Jermaine’s return to school is often contingent on his mother attending a meeting or a mediation, which can cause further delays in his return because his mother works and takes care of her younger son.

Jermaine is also at risk for truancy. Jermaine’s disconnect from the school environment, due to the lack of support systems in place and constant disciplinary exclusion is part of the reason why he skips classes. He does not feel as though there is a point to attending school. From September 2017-October 2017 Jermaine missed 88 class periods, and he was tardy for three, over 27 school days. However, the school has failed to conduct any assessments to determine whether his absenteeism was somehow related to his disability. Out-of-school suspensions are not the answer for students who already feel disenfranchised.

The Act would contribute significantly to the decrease of the isolation experienced by students, decrease of truancy, and decrease in the academic hurdles for students. Specifically, the Act would not allow out of school suspensions for purely behavioral infractions, including insubordinate behavior, defiance, disobedience, disrespect, and disruptive or rowdy behavior. The narrowing of the scope of permissible suspensions is a step in the right direction considering that during the 2016-2017 school year alone, nearly 7,200 DC students were given nearly 12,900 out of school suspensions, over 4,300 of which were for “disrespect, insubordination, disruption,” or “attendance, skipping, tardy.”¹

¹ See *State of Discipline: 2016-2017 School Year*, DC Office of the State Superintendent of Education.

Suspensions are not the answer to behavioral concerns. By using suspensions as a punishment, the schools are interrupting the academic learning and personal growth of students like Jermaine. The Act is an essential step to enforcing the idea that every child's education matters.

