

EDUCATION

Resolution EDU-18-41

A RESOLUTION IN SUPPORT OF ENDING EXCLUSIONARY DISCIPLINE AND IMPLEMENTING RESTORATIVE JUSTICE DISCIPLINE IN PRE-K THROUGH 12TH GRADE

WHEREAS, the introduction of exclusionary discipline should be used only as a method of last resort;

WHEREAS, that for purposes of this resolution, "exclusionary discipline" means any type of school disciplinary action that removes or excludes a student from the student's traditional educational setting;

WHEREAS, non-violent offenses carried out by students in pre-kindergarten through 12th Grade often result in suspension or expulsion from traditional school settings;

WHEREAS, the offenses that lead to such discipline often stem from a child's emotional, social or family-related issues;

WHEREAS, exclusionary discipline often leads to negative student outcomes, such as low academic performance, higher rates of drop-outs, failures to graduate on time and even continued disciplinary problems;

WHEREAS, statistics show African American and Hispanic youth are more often suspended or expelled when a progression of disciplinary steps do not have a positive effect on the issue;

WHEREAS, from the study released by Georgetown Law's Center on Poverty and Inequality, in its new report "Girlhood Interrupted: The Erasure of Black Girls' childhood," authors reported that adults view black girls as "...less innocent and more adult-like than their white peers, especially in the age range of 5 - 14;"

WHEREAS, the study also says, "This new evidence of what we call the 'adultification' of black girls may help explain why black girls in America are disciplined much more often and more severely than white girls - across our schools and in our juvenile justice system;"

WHEREAS, it continues saying, "Black girls are five times more likely to be suspended as white girls, and twice as likely to be suspended as white boys;"

WHEREAS, lawmakers, educators, counselors, youth councils, lawyers and judges have insight into the problems facing youth today; and

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WHEREAS, a review of current practices as well as proposed ideas and policies are in order to change exclusionary practices to a restorative justice model for child discipline.

THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) recognizes the practice of exclusionary discipline among pre-kindergarten to 12th grade students occurs at a rate above and beyond that which is necessary;

BE IT FURTHER RESOLVED, that states look to their Departments of Education, juvenile court officials, and other legal legislative and court staff to review current laws and policies related to exclusionary discipline practices in public schools for students in pre-kindergarten through kindergarten who have committed non-violent offenses;

BE IT FURTHER RESOLVED, that the review shall: 1) examine the number of exclusionary discipline actions issued by a Local Education Agency (school district) and the length of each respective action; 2) detail the type of offenses committed by the student(s) that led to the disciplinary action; 3) review the impact the discipline had on the student(s); 4) examine restorative recommendations that may be used as opposed to exclusionary practices; 5) identify resources to support teachers, parents and school personnel as they work to address the child's social, emotional and behavioral health; and 6) encourage schools to adopt restorative justice and disciplinary practices;

BE IT FURTHER RESOLVED, that the NBCSL supports this resolution, and any provision within it, that will implement restorative discipline practices among our student population; and

BE IT FINALLY RESOLVED, that the NBCSL send a copy of this resolution to the President of the United States, the Vice President of the United States, members of Congress, and other federal and state government officials as appropriate.

SPONSOR(s): Representative Raumesh Akbari (TN), Representative Gilda Cobb-Hunter (SC), Senator Anastasia Pittman (OK), Delegate Angela Angel (MD), and Representative Patricia Smith (LA)

Committee of Jurisdiction: Education Policy Committee

Certified by Committee Chair(s): Assemblywoman Shirley Weber (CA) and Representative Harold Love (TN)

Ratified in Plenary Session: Ratification Date is December 2, 2017

Ratification is certified by: Representative Gregory W. Porter (IN), President