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Committee on Education Roundtable – State of School Discipline School Year 2015-2016

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Official Written Testimony of Faith Gibson Hubbard, Chief Student Advocate

Office of the Student Advocate, DC State Board of Education

Good afternoon, Chairman Grosso and to all of the members of the committee. Thank you for this opportunity to testify. My name is Faith Gibson Hubbard and I am honored to serve in the role of the Chief Student Advocate for the District of Columbia and lead the Office of the Student Advocate, which is an independent office housed within the DC State Board of Education.

The mission of the Office of the Student Advocate is to support and empower DC residents to achieve equal access to public education through advocacy, outreach, and information services. In our work, we provide step-by-step assistance for students, parents, families, and community members to be informed, be connected, and be empowered. As we all know, despite the best of intentions, the public education landscape in our city is extremely complex, and the very uniqueness of our education system is both an opportunity and a barrier for students and families. Since my appointment to this role in May 2015, I have worked in a capacity that has uncovered both the wonderful opportunities and services for students and their families to access as well as the challenges and hurdles that families face in our public education system. One example of such a challenge is the unintended consequences that have stemmed from our student discipline practices and policies.

From the very inception of our office until today, issues and questions surrounding student discipline continue to be a top concern that students and families raise. Inquiries raised by families with our office regarding student discipline do not account for a large percentage of the calls that we received on our Request for Assistance line. But, what is most interesting about the low percentage of student discipline inquiries is the high correlation between questions regarding student discipline and other inquiry areas such as special education, student safety, or even issues of truancy. What we have learned through our communication with families is that students and parents lack clarity regarding the student discipline policies that govern our diversity of local education agencies and the schools they operate.

As a city, we have undertaken various efforts to improve the data collection regarding student discipline actions, such as suspensions and expulsions, in a more disaggregated way. The presence of more non-regulatory guidance are useful tools for our understanding, but these great improvements still do not speak to the challenges families experience regarding the diversity of discipline policies from school to school.

In their most recent State of Discipline: SY 2015-16 report¹, OSSE states:

“The District does not have standardized legal definitions or requirements for in-school suspensions, out-of-school suspensions, or expulsions for schools across educational sectors. District discipline regulations from prior to the Public Education Reform Amendment Act of 2007 (PERAA) apply only to DCPS, while public charter schools each develop discipline policies that are submitted to PCSB. LEAs and schools across the District have significant latitude to determine discipline policies and practices, including establishing clear guidelines for disciplinary action, providing notice to students and parents of infractions and responses, establishing processes for how students and parents may appeal disciplinary decisions, and defining key terms related to the discipline process and resulting consequences. One of the particular challenges in the District is the different terminology used by LEAs to describe the reason a student was disciplined.”

The differing terminology and policies are major issues for families. To be transparent, many parents do not think about discipline policies until an issue arises. Our public education landscape is filled with choice and a wide range of schools – that choice is essentially made up of 60 plus school districts or LEAs, which have student discipline policies that vary greatly. Chapter 25 is only one policy, which only governs DCPS; each charter LEA has its own discipline policy that is specific to its school or schools. At the most basic level, many parents, for example, do not know that each LEA is governed by a different policy and even if they do, they are not always sure where to find the policy. In our conversations with other organizations that support families and their needs, we have realized that many service providers are also not aware of the variations. Understanding the nuanced discipline procedures that LEAs use to implement such policies can be quite opaque. As we worked to support families by unpacking the policy variations, our office found gaining access to the specific LEA policies to be an additional barrier. The lack of guidance in interpreting and utilizing discipline policies make it difficult for parents to choose the right school option to meet their children’s needs.

¹ REPORT: Office of the State Superintendent of Education, State of Discipline: 2015-2016 School Year Report. Retrieved from: <https://osse.dc.gov/page/discipline-report>

Creating more clarity around discipline processes is necessary in order to help parents understand how differences in approach can impact their children. Additionally, developing a centralized source of discipline policy guidance, geared towards parents and their concerns, will provide parents additional information to make the right decision for their children. This guidance would also help schools in educating parents on their rights in a way that supports school culture and positive communication. We believe that making a move toward gearing OSSE's discipline guidance towards helping parents understand how charter LEA and DCPS discipline policies and the policy implementation differ would be a valuable tool for families.

In an effort to support the needs of families and students in the area of student discipline, our office has partnered with Council for Court Excellence (CCE) to conduct a comparative analysis of student discipline policies for DCPS and each of the public charter LEAs. Sarah Medway from CCE discussed the findings of that analysis in her earlier testimony, so I will not repeat those findings. The initial purpose for this analysis was to support our understanding of the wide array of discipline policies and their varied nuances in order to support our work with families. What we quickly realized is that there was a void of resources for families in this area. Through the development of resource tools for families to support their school selection and transition processes, it is our hope to utilize our analysis to support families in their proactive and reactive needs surrounding school discipline policies. Such tools will allow parents and students to explore their school options in a more informed way. Currently, we continue to work closely with CCE on the development of these resource tools and DC specific student discipline best practices and recommendations for future consideration. What this process highlighted most was the absence of parent and student voice in the process of policy development. We acknowledge that LEAs do their best to follow guidance and best practices in the creation of their policies, but, once implemented, opportunities for regular check-in and evaluation with students and families are essential.

I will close my testimony by sharing the discipline recommendations that we included in the annual report released by our office in October 2016. In our report, we noted the following:

Designing disciplinary processes and policies requires the input of parents and students in order to be successful. Partnerships with parents, students, and administrators mean that there will be increased buy-in for discipline policies. A collaborative approach also means that parents, students, and administrators are all engaged in and supportive of the policy. To that end, we offered the following recommendations:

- Equity reports are a useful tool. There needs to be an increased focus on ensuring that families and students know about their existence and usefulness.

- The development of a student discipline parent and student advisory board, which would have the authority to review individual LEA discipline policies, provide policy recommendations, and necessary implementation supports.
- Schools should go over discipline policies during the beginning of the school year and also provide information on appeals and alternatives to suspension.
- Additional focus and implementation of the positive behavior interventions and supports, in addition to other restorative justice practices and supports, are essential.
- The lack of comprehensive alternative instruction policies to support the academic achievement needs of students while out of school for disciplinary reasons is alarming. In order to ensure policies that are student focused in nature, it is vital that we continue to move in the direction of developing and implementing best practices for alternative instruction (i.e. offsite tutoring) that support the academic and social-emotional needs of students.

More information regarding our school year 2015-16 annual report and recommendations can be found at: <https://sboe.dc.gov/page/reports-and-official-testimony>.

Robust engagement in public education is rooted in the “promise of bridging the gaps among parents, central office administrators, teachers, community groups, and distinct constituencies.”² Working more closely with students and families in a comprehensive way to improve the outlook of discipline policies in our system of public schools is a perfect way to bridge the gap and engage students and parents in a truly authentic way. Their ability to navigate our public education landscape is dependent upon having policies that are student and family centered while also providing the accountability that we all deserve.

In closing, if there is any person who is interested in contacting our office, they can do so by calling us at 202-741-4692 or emailing us at student.advocate@dc.gov. I thank you for this opportunity to testify and welcome any questions that you might have.

² Farkas, S., & Duffett, A. (2015). Maze of mistrust: Parents, educators, and the challenge of public engagement. *National Civic Review*, 104(1), 33-46.