



# ADVOCATES FOR CHILDREN

*Helping children succeed in school*

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## **Testimony to be delivered to the New York City Council Committee on Education**

### **Re: The New York City Department of Education School Suspension Data**

**By Avni Bhatia, Advocates for Children of New York  
November 30, 2011**

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My name is Avni Bhatia. I am a staff attorney and Skadden Fellow at Advocates for Children of New York where I focus on helping students with behavioral challenges get the support they need to stay and succeed in school. I am also a member of Dignity in Schools New York.

Dignity in Schools New York is a coalition of youth, parents, educators, and advocates dedicated to shifting the culture of New York City schools away from punishment and exclusion and towards positive, school-wide approaches to discipline and safety that improve school climate, reduce conflict, and increase learning.

Research shows that suspending a student does not eliminate problem behavior. Rather, following a suspension, problem behavior typically recurs, posing challenges for students, teachers, and schools. Students who are suspended are at much greater risk of failing classes, being retained a grade, becoming truant, and dropping out of school. At the same time, alternatives exist, and they work.

At Advocates for Children, I have seen numerous cases where at-risk children suffered from the inappropriate use of suspensions. Examples include a seven-year-old homeless student with a disability who received a superintendent's suspension for throwing an apple and spilling milk in the cafeteria when other students were making



fun of him, an eight-year-old whose school responded to his diagnosis of ADHD and anxiety disorder by suspending him repeatedly instead of providing counseling or other appropriate services, and a sixteen-year-old who was suspended for 30 days for non-violent behavior despite the fact that she was not receiving any of her mandated special education supports. The NYC Department of Education's data showed that in the 2010-2011 school year, there were 73,441 suspensions, a 2.4% increase from the previous year. While black students make up about 33% of the student population, they received over half of all suspensions. Nearly one third of suspensions were served by students with disabilities. These numbers show that there is something very wrong with our system. We were pleased that Chancellor Walcott stated, in response to the data, that he would like to see the suspension numbers go down and to make sure that the DOE is trying mediation and counseling where possible before suspending students.

Advocates for Children and Dignity in Schools New York urge the City Council to take steps to ensure that Chancellor Walcott's words translate into action. Until the DOE requires more constructive approaches to school discipline and reserves suspensions for only the most serious offenses, schools that have traditionally relied on suspensions to respond to student behavior will continue to suspend students at alarming and disproportionate rates. We believe the DOE must actively create the positive, supportive learning environments our students deserve through the implementation of research-based, school-wide, positive approaches to discipline such as restorative practices and positive behavior interventions and supports. We ask the



City Council to ensure that the funding necessary to support school-wide and district-wide alternatives to suspension is allocated.

We also ask that the City Council amend the Student Safety Act to require additional data so that we can continue to understand both positive and negative trends in the DOE's disciplinary practices. In particular, we request that the DOE provide the total number of suspensions for each school where the combined number of principal and superintendent's suspensions exceeds nine. We would also like to know the citywide totals for each of the other categories where the total exceeds nine – for example, the citywide total number of suspensions for each race & ethnicity group, grade level, and infraction type where the total number is greater than nine. While we understand the privacy concerns that have led to the redaction of data when the number of suspensions in any one category is nine or fewer, the same concerns should not exist when the total number is greater than nine. We would also like data on teacher removals in addition to suspensions. Under DOE procedures, schools are already required to record teacher removals. Obtaining data on this type of school exclusion would help give us a more comprehensive understanding of the DOE's disciplinary practices.

We appreciate the City Council's efforts in passing the Student Safety Act and look forward to working with you to strengthen this law. Thank you for the opportunity to testify.