



Solutions Not Suspensions Coalition

June 16, 2020

To: Members of the House Education Policy Committee
RE: In support of Pre-kindergarten dismissal language in HF 33 and non-exclusionary discipline provisions in HF 36

Dear Chair Youakim and Members,

We write as the Solutions Not Suspensions Coalition in support of HF 33 and HF 36, both of which include important provisions regarding the use of exclusionary discipline in Minnesota schools. Solutions Not Suspensions is a coalition of students, families, community members, and organizations committed to changing policies, practices, and mindsets in order to end exclusionary discipline practices that disproportionately impact students of color and instead foster positive school climates for all students. This is a pressing need, as Minnesota's racial disparities in discipline are significant: in the 2018-19 school year, Black students were 11.2 percent of the statewide K-12 student population but accounted for 38.4 percent of disciplinary actions. Students and families of color have long been aware of and impacted by these disparities.

As more and more Minnesotans have become aware during the past several weeks of the unjust, sometimes tragic, treatment of Black, Indigenous, and people of color in Minnesota, we urge the Legislature to lead our state into a more just future. As the House Education Policy Committee, you have a critical role to play in advancing legislation that will address and undo racial disparities in Minnesota schools, particularly with regard to discipline. We urge you to step into that role.

HF 33: Pre-kindergarten dismissals

We urge you to support and advance this bill, which has bipartisan support and passed the House before the end of regular session. This bill includes an important provision limiting the use of dismissals for pre-kindergarten students: it would permit expulsions and exclusions when a child presents an ongoing serious safety threat and after schools have taken steps to connect the student with appropriate resources to meet their needs, and would prohibit out of school suspensions of pre-kindergarten students. These provisions are critical because they would ensure that children who need support to participate appropriately in school environments can continue to access the structured school settings that are set up to teach them those skills.

Minnesota does not collect data on the use of suspensions and expulsions for pre-kindergarten

students, but nationally, pre-kindergarten students are 3 times more likely to be suspended than K-12 students. Black pre-kindergarten students are disproportionately suspended according to national data: they represented 18 percent of public preschool enrollment, but 48 percent of preschool students receiving multiple out of school suspensions. Removing our youngest learners from the structured environments of pre-kindergarten programs is likely to make matters worse for children presenting with significant behaviors. Children who struggle to meet the behavioral expectations of school need more support, not to be removed from the environment.

We are grateful for the partnership of the Minnesota Community Education Association and representatives of the Minnesota Association of Secondary School Principals and the Minnesota Administrators for Special Education, who we worked with to reach agreement on this important issue.

HF 36: Non-exclusionary Discipline

We also urge you to support and advance HF 36, which includes a set of critical improvements to advance the use of non-exclusionary discipline in Minnesota schools. Many of these are changes the Solutions Not Suspensions coalition has been advocating for several years, based on brainstorming with families, community members, and advocates about how to improve the Pupil Fair Dismissal Act. Listening to the voices of those most impacted by racial disparities is critical, now and always, and we encourage you to support this set of improvements developed with and by families impacted by exclusionary discipline. These improvements include:

- Defining non-exclusionary discipline policies and practices and requiring their use before a dismissal (Article 2, sections 8, 10) and requiring that suspension notices include with non-exclusionary discipline practices were attempted (Article 2, section 13). This will set the standard in Minnesota that non-exclusionary practices are to be used first, and non-exclusionary discipline should be a last resort.
- Defining and requiring districts to report pupil withdrawal agreements (Article 2, sections 9, 15). This will ensure that Minnesota can track the frequency of the use of these agreements, which can sometimes be used without families' full understanding of their rights.
- Requiring schools to provide alternative educational services when a child is suspended for more than five days (Article 2, section 11) and other improvements for alternative educational services (Article 2, sections 12 and 16) aimed at ensuring that, when exclusionary discipline is used, schools must continue to educate students and help connect them to any needed supports, such as mental health services.
- Improving the requirements regarding readmission plans following suspensions to ensure that students have the support they need to meet school expectations upon return (Article 2, section 14).
- Ensuring that any educational records transmitted between districts with information about expulsions or exclusions also include information about the supports the student needs to be successful (Article 2, section 2).
- Requiring improvements to districts' policies to promote non-exclusionary discipline and continuity of learning in the case of dismissals (Article 2, section 16).

- Establishing definitions for in-school-suspensions and out-of-school suspensions to promote clarity in the Pupil Fair Dismissal Act and dismissal data reporting (Article 2, section 7).
- Limiting the use of dismissals for pre-kindergarten students (Article 6, section 1); the same language as in HF 33.

This comprehensive set of changes would go a long way to changing schools' use of exclusionary discipline and move Minnesota towards supporting students so their needs are met, rather than exacerbating racial disparities and removing students from learning. Education is the foundation of so much of our society and it is essential to take these steps and others to end racial disparities in schools. Please support HF 36.

Thank you for your leadership on behalf of Minnesota's students, especially during this critical moment in Minnesota's history. We encourage you to support and advance these important steps toward ending racial disparities in student discipline.

Sincerely,

Solutions Not Suspensions Coalition

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