



Solutions Not Suspensions Coalition

May 6, 2021

To: House Education Conference Committee Members

RE: House and Senate Education Omnibus Bills, HF 1065/SF 960

Dear Chair Davnie, Chair Richardson, Representative Hassan, Representative Pryor, and Representative Kresha:

Thank you for your service on the Education Conference Committee and for your commitment to Minnesota's students! We write as the Solutions Not Suspensions Coalition, 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 Black, Indigenous, and students of color (BIPOC) and instead foster positive school climates for all students.

We write to share our views on discipline provisions in the House and Senate omnibus bills as you begin your work on the Conference Committee. The House bill contains many helpful discipline provisions. We will highlight several of our top priorities among them.

Here are several provisions in the House bill that we strongly support:

- **Limit on the use of dismissals for K-3 students.** (Article 2, House lines 51.10-51.31): This is a top priority for our members and would be a tremendous improvement for young Minnesota students, particularly Black, Indigenous, and students of color who are subject to disproportionate use of discipline. We appreciate the language in the House bill, which prohibits the use of suspensions and limits the use of exclusions and expulsions – only after various efforts to provide the student with support have been made. Students presenting with significant behaviors need support to address their underlying needs; and removing them from school deprives them of the opportunity to develop more appropriate coping skills.
- **Pupil Withdrawal Agreements.** (Article 2, House lines 23.12-23.14, 51.4-51.7, 52.3-52.7, 54.15-54.24): Far too often, students are pushed out of school without the use of a formal dismissal, leaving schools, families, and policymakers without data on these informal dismissals. We support the provisions in the House bill that would ensure pupil withdrawals are defined and reported and treated like other forms of exclusionary discipline.
- **Helping students stay caught up academically.**

Research shows that dismissals likely account for 20% of the academic gaps reported between white students and BIPOC students. Ensuring that any student subject to dismissal receives support to continue learning is essential. We strongly support the several provisions in the House bill which would do this:

- Requiring alternative educational services for pupils who are suspended more than five consecutive school days (Article 2, House lines 52.17-52.19);
 - Requiring schools to ensure pupils who have been suspended the opportunity to complete all school work and receive credit for work during suspensions and requiring that schools designate a liaison to ensure a suspended pupil receives timely course materials and other information, and completes all school work assignments and receives teachers' feedback (Article 2, House lines 52.23-52.30); and
 - Changes to required readmission plans (Article 2, House lines 53.21-53.29).
- **Changes to District Discipline Policy Requirements:**
The House bill makes myriad changes to district discipline policy requirements. We highlight a few that we believe would be especially helpful:
 - Removing requirements that policies delineate minimum consequences (Article 2, House lines 56.26-56.28, 58.14-58.16), and
 - Requiring policies to prohibit the use of exclusionary practices to address attendance and truancy (Article 2, House lines 58.29-58.30).
 - **Changes to Restrictive Procedures:**
We strongly support several of the many provisions regarding restrictive procedures, including banning the use of prone restraint for all students (line 56.7-56.20), banning the use of restrictive procedures for students under the age of 5 (line 79.20), and requiring district oversight committee to look at disparities and other additional considerations (line 75.15-75.19).

There are discipline provisions in the Senate bill which we hope you will adopt:

- Requiring annual review of district discipline policies by a stakeholder group that includes current students and parents and guardians of current students and charging that group with also recommending policy changes and reviewing district data (Article 2, Senate lines 23.4-23.15). We believe that this kind of stakeholder involvement in district discipline policies has the potential to result in much more student-centered policies that focus on ensuring students have the supports they need and on building positive school climates.
- Requiring that a district's discipline policy must provide a process for a parent, guardian, or student age 18 or older to request review of an imposed suspension (Article 2, Senate lines 23.16-23.18). One of the biggest complaints we hear from families about suspensions is the lack of recourse when a suspension has been imposed improperly. This has eroded family trust and left many families feeling disconnected and powerless. This would be a helpful change to ensure that families have the opportunity to request review of imposed suspensions.

We urge you to reject provisions in the Senate bill from Senate File 1447, which would seriously undermine Minnesota's existing statutory approach to student discipline and is likely to exacerbate racial disparities in discipline. The Senate bill includes three provisions from Senate File 1447:

- Language requiring principals to remove a student from class for three days following specific incidents and not permitting the student to return until the student has been provided assistance to prevent the behavior from recurring. (Article 3, Senate lines 60.25-60.28). This would establish a zero tolerance policy and result in frequent, automatic removals for a wide range of behavior—a range that makes it likely to result in increased racial disparities. This language also makes a student's return to class dependent on something outside the students' control – whether they receive the support they need or not. This language is inconsistent with the Pupil Fair Dismissal Act and likely in conflict with the Individuals with Disabilities in Education Act.
- Language requiring paraprofessionals to receive reports about individual student behavior history. (Article 3: Senate lines 61.8-61.11). Solutions Not Suspensions does not support policy that labels students as inherently violent and reports that claim to their educators in perpetuity. Strengthening the law to include paraprofessionals would have adverse effects in securing certain students in a school-to-prison pipeline, giving them fewer chances for redemption. We believe this law should be scaled back rather than enforced or expanded.
- Language requiring that a teacher who is physically assaulted by a student must receive a copy of the report to the commissioner submitted according to subdivision 1. (Article 3: Senate lines 59.13). Similar to above, we are concerned about expanding the number of people who have access to reports involving what is often a student's most difficult moments. We are also concerned about the student privacy implications of this.

We hope you will not include these provisions from Senate File 1447 in the final Conference Committee Report.

Thank you so much for your work on behalf of Minnesota's students! We are available to assist with any questions or anything else that might be helpful as you do your work on the Conference Committee.

Sincerely,

Solutions Not Suspensions Coalition

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