



FIRST FOCUS

MAKING CHILDREN & FAMILIES THE PRIORITY

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January 8, 2014

Secretary Arne Duncan
U.S. Department of Education
400 Maryland Ave SW
Washington, D.C. 20202

Attorney General Eric Holder
U.S. Department of Justice
950 Pennsylvania Ave
Washington, D.C. 20530

Dear Secretary Duncan and Attorney General Holder:

On behalf of First Focus, a bipartisan advocacy organization dedicated to making children and families the priority in federal policy and budget decisions, I would like to express our support for the school climate and discipline guidance issued jointly by the Department of Education and the Department of Justice on January 8, 2014. For too long, students across the country have been subject to school discipline policies that force students out of the classroom and disproportionately affect students of color and students with disabilities. This guidance is an important step toward ending these harmful practices.

The Department of Education's Office for Civil Rights has found that students of color are more than three times as likely to be expelled or suspended as their white peers, while students with disabilities are suspended, expelled, and referred to law enforcement at a disproportionately higher rate than other students. School discipline policies that cause these dismal statistics also result in nearly 60 percent of students being suspended or expelled between 7th and 12th grade. These policies negatively impact school climate, lead to distrust among students, teachers, and administrators, and take students out of the classroom, often leaving them unsupervised and missing academic work and the positive interactions that would prevent behavior issues in the future. As a result, students who are suspended or expelled are more likely to be suspended or expelled a second time, repeat a grade, drop out of school, and enter the juvenile justice system.

The recently issued guidance is an important step toward ensuring that school discipline policies do not disproportionately target a specific subgroup of students, whether by design or in practice. It reiterates and clarifies the role of schools in ensuring that their discipline practices are not discriminatory and do not have a disparate impact so schools can reexamine their discipline policies. Further, the guidance offers a number of remedies, such as offering school-based supports for students who repeatedly disrupt class. These remedies give schools a roadmap to follow if they find their discipline policies are unfair or inequitable. We hope to see additional funding to help schools successfully implement these remedies. Still, this guidance will help improve school climate, resulting in lower dropout rates, less teacher churn and bullying, and improved student academic success, teacher satisfaction, and school safety.

We thank you for issuing this important guidance and look forward to working with you on this issue. If you have any questions or comments, please contact Kevin Lindsey at KevinL@firstfocus.net.

Sincerely,

Bruce Lesley
President