



PREVENTING VIOLENCE
AND DEVELOPING
YOUTH LEADERS

YOUTH ALIVE!
3300 Elm Street
Oakland, CA 94609
Tel: (510) 594-2588
Fax: (510) 594-0667
mail@youthalive.org
www.youthalive.org

April 3, 2019

The Honorable Connie M. Leyva
Chair, Senate Standing Committee on Education
State Capitol, Room 2083
Sacramento, CA 95814

HONORARY
ADVISORY COUNCIL

HON. DIANNE FEINSTEIN
United States Senator

EDWARD JAMES OLMOS
Actor

HON. BARBARA LEE
United States Representative

RE: SB 419 (Skinner) Reducing Suspensions for Minor Incidents - SUPPORT

BOARD OF DIRECTORS

ALISA DEWYS
Consultant
Resources Global Professionals
San Francisco, CA

VAL HEAD
Support Services Administrator
Hospital Administration
Zuckerberg San Francisco
General Hospital
San Francisco, CA

ANGELA JENKINS
Public Affairs Director
East Bay Area
Kaiser Permanente
Oakland, CA

CAITLIN LANG
Principal & Owner
Liquid Form Design
Oakland, CA

MICHAEL NIETO
Assistant District Attorney
Alameda County
District Attorney's Office
Oakland, CA

KRISTA REINHARD
Marketing Consultant
Oakland, CA

LA'BAN WADE II
Housing Coordinator
UC Berkeley
Berkeley, CA

STAN WEISNER, PH.D.
Director
Behavioral & Biological Sciences
UC Berkeley Extension
Berkeley, CA

Dear Senator Leyva:

On behalf of staff and leaders of Youth ALIVE! and our constituency of youth and families personally impacted by violence, I am writing in strong support of SB 419, a bill that would amend the Education Code to address the overuse of suspensions for minor and subjective offenses. Currently, Education Code Section 48900 (k) allows students in grades 4-12 to be suspended from school for disruption or defiance. Neither disruption nor defiance is defined anywhere in the Education Code; as such, imposition of a suspension under Section 48900(k) is largely left to the subjective judgment of school personnel. This category was identified as the only grounds for an estimated 59,808 suspensions during the 2017-18 school year.

Youth ALIVE! is a national leader in addressing violence and Oakland's anchor organization for violence prevention, intervention and healing. We work directly with people impacted by and involved in violence, and we train young leaders to create change. We support SB 220 because Willful Defiance suspensions disproportionately poor students of color like those we serve, and are an entryway into a school-to-prison pipeline that we must eliminate if we are to have safe, thriving, healing communities.

In 2014, AB 420 was chaptered into law prohibiting the use of disruption/defiance as grounds for K-3 suspensions. AB 420 resulted in a 60% drop in defiance/disruption suspensions in elementary schools during 2013-2015. More than 15,000 suspensions of K-3 students were prevented, incentivizing school districts to adopt non-punitive alternatives to suspensions and expulsions.

SB 419 would eliminate disruption/defiance as grounds for suspensions for all grade levels and keep more students in schools. If SB 419 is not passed, students will continue to be subject to suspension based on disruption/defiance, which means students will be suspended from school and denied valuable learning time for anything from failing to turn in homework, not paying attention, refusing to follow directions, or swearing in class—including suspensions for just one isolated incident.

EXECUTIVE DIRECTOR

ANNE C. MARKS
Executive Director
Youth ALIVE!
Oakland, CA



YOUTH ALIVE!
3300 Elm Street
Oakland, Ca 94609
Tel: (510) 594-2588
Fax: (510) 594-0667
mail@youthalive.org
www.youthalive.org

Research has established that frequently suspending students for minor offenses is educationally unsound. In 2013, the American Academy of Pediatrics issued a position statement concluding that “out of school suspension and expulsion are counterproductive to the intended goals, rarely if ever are necessary, and should not be considered as appropriate discipline in any but the most extreme and dangerous circumstances, as determined on an individual basis rather than as a blanket policy.”¹

According to studies, suspended students are far more likely than their peers to be pushed out of school and enter the juvenile delinquency system, at greater cost to the state. Research also shows that alternatives to suspensions and expulsion—such as Restorative Practices, tiered interventions through Positive Behavioral Interventions and Supports, and social emotional learning—reduce suspensions, improve behavior, improve overall school climate and improve academic outcomes.

This bill does not limit other Education Code provisions that are more clearly defined, including the ability to suspend or expel students in grades 4 to 12 for harassment, threats, and intimidation that rise to the level of materially disrupting classwork, creating substantial disorder, and invading the rights of students and school personnel by creating a hostile educational environment (Educ. Code § 48900.4). Overall, the bill leaves in place more than 20 other reasons a student may be suspended from school or recommended for expulsion.

SB 419 and the elimination of suspension for disruption/defiance will result in an overall reduction in suspensions and an increase in positive outcomes for students and the communities in which they live. Thank you for your consideration.

Sincerely,

Anne Marks
Executive Director

cc: Senator Nancy Skinner – FAX (916) 651-4909
Senator Scott Wilk – FAX (916) 651-4921
Senator Ling Ling Chang –EMAIL: Luigi.Luciano@sen.ca.gov
Senator Maria Elena Durazo – FAX (916) 651-4924
Senator Steven M. Glazer – FAX (916) 651-4907
Senator Mike McGuire – FAX (916) 651-4902
Senator Richard Pan – FAX (916) 914-2179

¹ Academy of American Pediatrics. (2013). Policy Statement: Suspensions and Expulsions. *Pediatrics* 131 (3), e1000 -e1007