

February 11, 2019 (by email and mail)

Erin Schofield, Chairperson Bristol-Warren School Committee 151 State Street Bristol, RI 02809 Mario Andrade, Superintendent Bristol-Warren Regional Sch. Dist. 151 State Street Bristol, RI 02809

Dear Chairperson Schofield and Superintendent Andrade:

Our organizations have read with interest and concern about the disciplinary issues at Kickemuit Middle School that have prompted emergency action on the school committee's part. We appreciate your recognition of the need to take action to address the many problems identified by teachers, parents and others.

At the same time, we are deeply troubled by the committee's first concrete and immediate response to those problems: bringing a police officer into the school. When viewed in the light of both the testimony you heard last week and the disciplinary data we have reviewed that the school has provided the R.I. Department of Education, this first step is cause for some alarm. We fear that – however unintended – it may end up exacerbating, rather than alleviating, the school's problems.

We know that, as school officials, you are familiar with the documented "school to prison pipeline" phenomenon. Bringing a police officer into the middle school can only feed that problem. When a student's immature behavior is addressed by a law enforcement official trained in criminality and arrest, not in getting to the root of a behavioral issue, neither the child nor the school is well served. A police response can easily redefine behavior issues, which are rooted in social, psychological or academic problems, as criminal justice problems.

Numerous teachers spoke up at last week's school committee hearing, but almost all the testimony had the same thematic principles and suggestions, and they did not involve bringing police into the school. Instead, the teachers asked for increased mental health support for struggling children and additional behavioral services for students with IEPs so that they don't have to be completely removed from a learning environment if they are disruptive. Many teachers also noted that the uptick in, and escalation of, misbehavior at the school has taken place at the same time that programs and resources designed to address students' behavioral and emotional health problems have diminished.

Overall, the focus of the commentary was on making sure that students receive adequate mental health support, and that those who need specialized attention can get it through constructive, one-on-one methods. The teachers emphasized more than once that as staff size and resources decrease, it becomes harder to address student misconduct in a positive and productive manner.

As Superintendent, you have been quoted as acknowledging the need to "reallocate resources," and as Chairperson, you have mentioned the need to "secure additional therapeutic services ... as soon as possible." However, the initial and immediate focus on police, not social services, sends a different message. The special subcommittee that is meeting this evening has been designated a "Safety and Security Subcommittee," a title that, by its very wording, suggests solutions focused more on punishment and protection than on providing the emotional and behavioral enrichment for students in need of support that might prevent the need for more "safety and security" in the first place.

In a formal statement to the community, Superintendent Andrade discussed the need to "provide adequate time for our counselors, social workers, behavior specialists, and other support staff members to provide the necessary services for all students that require them," and to create "a school climate where students and staff members feel engaged and connected." But the plea we heard from teachers at last week's hearing was not for "adequate time" to provide services, but for additional resources and staff to provide them. The need for these services, we submit, warrants more of an immediate response than does the addition of a law enforcement presence at the school, which, of course, has nothing at all to do with providing necessary support services, but may easily lead to the over-criminalization of youthful misbehavior.

The swift action in bringing a police presence into the school also prompts numerous questions that likely have not been addressed in advance and that highlight our "school to prison pipeline" concerns. For example, what training has the officer had in adolescent development and psychology? What role is he or she supposed to play in addressing violations of school rules and misconduct that do not rise to the level of a serious criminal offense?

In addition, while an increased law enforcement presence in schools impacts all students, it is especially hard on youth of color, children with disabilities, and those who identify as LGBTQ. Statistics show that these groups are much more likely to be disciplined and arrested for school misconduct than other students. Unfortunately, a review of school discipline data from Kickemuit confirms this. Particularly in light of the recognition by many speakers of the behavioral and emotional problems triggering the incidence of misconduct at the schools, the discipline statistics regarding students with IEPs are eye-opening.

Our admittedly very quick review of the data for the past two school years shows that approximately 40% of all out-of-school suspensions at Kickemuit were of students with IEPs. Moreover, the vast majority of those suspensions involved not tangibly harmful or violent conduct, but instead offenses such as insubordination, disrespect, or "disorderly conduct." Only a minority of the suspensions were prompted by dangerous activities such as assault, fighting, threats, vandalism or similar concrete and materially harmful offenses. (We note that students of color were also disproportionately disciplined in similar ways.)

In short, to the extent a crisis exists at Kickemuit, we firmly believe that scarce financial resources must be used for preventive services and more school counselors and social workers, not a police presence – both immediately and in the long term. As long as schools prioritize punishment over treatment and services, at-risk students will be pushed out of schools and onto the path of delinquency. This hurts us all.

We want to conclude by emphasizing that we know that you and the entire school committee share the common goal of promoting a holistic approach to dealing with the problems that have prompted this public discussion. We don't mean to suggest otherwise in making these comments. What we do wish to stress, however, is the critical importance of prioritizing services over law enforcement. As speaker after speaker noted, the best protection students can have is an availability of adequate social service and educational resources – including sufficient counselors, social service workers and teachers – that can meet their needs. We hope this will be paramount in the steps you take in the days, weeks and months ahead in working to promote a positive school environment at Kickemuit.

We thank you in advance for considering our views.

Sincerely,

Steven Brown, Executive Director American Civil Liberties Union of Rhode Island sbrown@riaclu.org

> Anne Mulready, Supervising Attorney Rhode Island Disability Law Center amulready@ridlc.org

Zack Mezera, Executive Director **Providence Student Union** zack@pvdstudentunion.org

Lisa Conlan Lewis, Executive Director Parent Support Network of Rhode Island l.conlan@psnri.org

> Veronika Kot, Staff Attorney Rhode Island Legal Services vkot@rils.org

cc: Bristol-Warren School Committee Members Principal Christine Homen