



**Testimony of Scott Pearson  
Executive Director  
DC Public Charter School Board**

**Student Fair Access to School Act of 2017  
Committee on Education  
January 30, 2018**

Chairman Grosso, members of the Education Committee, thank you for the opportunity to testify today. My name is Scott Pearson, Executive Director of the DC Public Charter School Board.

The Student Fair Access to School Act of 2017 is a bill which aims to reduce the use of exclusionary discipline in schools, an issue that is very personal to me. You see, I was a “discipline” problem when I was an adolescent. I was suspended multiple times, and, probably would have been expelled had it not been for the intervention of my teacher, Dr. Lorber, who believed I deserved another chance. My school had the choice to expel me and there were moments when perhaps they should have. As I think back, I wasn’t expelled for several reasons. One of the reasons was the trusting relationship between me and my teacher mattered. But so too were the wake-up calls I and my parents received when I was suspended. Frankly, for me they served as a strong warning that some of my riskier behaviors would not be tolerated and that I needed to change.

Many years later, as an official in the Obama Administration managing the federal charter school program, I saw how some charter schools were using school discipline as a way to avoid their obligations as public schools. I am a passionate supporter of charter schools as a way to improve public schools but I am equally passionate that they are public schools who need to serve all children.

Because of my experiences as a student and my work at the Department of Education, school discipline was a priority for me from the moment I began as PCSB’s Executive Director in 2012. Immediately after joining, we reorganized the agency by creating a team focused exclusively on non-academic matters, like discipline. We immediately began publishing discipline data that had previously been hidden, and we created strict data submission policies to be sure we were getting timely and accurate data. We introduced Equity Reports to the city, which published suspension rates by subgroup for every school, comparing them with citywide averages. Our staff meet monthly to review suspension and expulsion data and we notify outlier schools to tell them their rates are high or disproportionate. We

created an audit policy to more deeply investigate disproportionate suspensions. We created and have held dozens of “board to board meetings” where our board raises the issue of high or disproportionate rates directly with school’s boards. We review every school’s discipline policies every year, to be sure they offer due process protections, safeguards for students with disabilities, and clarity for the school community. We have sponsored many professional development sessions on reducing out-of-school discipline.

This focus has produced meaningful, significant results. In school year 2011, public charter schools expelled 395 students – more than 1% of their student body. Last year, despite serving more than 10,000 additional students than in 2011, expulsions fell to just 90, or one fifth of one percent. We are now well below the national average for similar populations.

Regarding suspensions, since school year 12-13 suspension rates have fallen by more than half in public charter schools, from 14.3% of all students suspended to 9.3% in 16-17. Based on data through December, we forecast this year to be around 7%. A specific challenge that our board is actively addressing is reducing suspensions at a small group of outlier schools. In spite of our overall progress with reducing suspensions we have a small number of schools with highly disproportionate suspension rates between subgroups, including students with disabilities, African American males, and at-risk students. Highly disproportionate rates of exclusionary discipline concern us and we will examine the cause of this disproportionality in order to ensure that students are being disciplined in a fair and equitable manner. We are working with school leaders to address this challenge without disrupting the good work and steady progress occurring at the majority of our schools.

To summarize: expulsions are down more than 80% and suspensions have been cut in half.

We are proud of these results, even as we recognize that we have further to go. We are confident that the approach we have taken will continue to produce meaningful declines in suspension rates.

But as proud as we are of the reduction in suspensions and expulsions, we are equally proud of the WAY we achieved these results. We put in place no edicts, no requirements, no numerical limits, no top-down mandates. Through transparency, dialogue, best-practice sharing, good data, and focused attention, we have brought about change in a way that honors each school’s mission and community. Moreover, we have avoided the negative effects we have been hearing about all day that strict mandates can produce.

While our education community has slashed student suspension and expulsion numbers, test scores at our schools continue to rise even as our schools serve an increasingly vulnerable student population. Due to their flexibility, public charter schools evolved their practices, their philosophies, and their cultures using their own methods in response to each individual school's changing student demographics. They have moved deliberately, ensuring that teachers and staff had the training and the resources they need.

The thoughtful evolution of these practices would not have been possible if, instead of being allowed the liberty to study the problem and craft their own solution, schools were forced to cede day-to-day decisions made by educators to the Wilson building.

I and our school leaders agree with the spirit and goals of reducing disciplinary rates. But we are concerned we are pressing the gas pedal as we are heading toward a curve. The proposals in this bill could put our progress at risk and undo the excellent work being done at the school level.

We must heed the warnings from other jurisdictions. In Highline, Washington, Philadelphia, Pennsylvania, and Los Angeles, California, school discipline reform occurred abruptly and without adequate funding. Teachers were not trained in alternative discipline methods and school climates had to adjust overnight. Because of this, these districts have seen a higher than average teacher turnover rate and an increase in in-class disruption. I appreciate the desire to go faster and push harder but I urge this Council to pause and not tie the hands of educators. Where Council can help students, teachers and school leaders most is to support the core social and emotional needs of students in the District.

Our schools work with a high percentage of at-risk students and we know many inappropriate classroom behaviors can be attributed to underlying issues. Increasingly, schools are asked to address the non-academic issues facing our students. Those same schools are not necessarily equipped with teachers and proper supports to handle some of those new expectations. As you may have seen reported in the Washington Post, 47% of students in the District have faced some sort of trauma. Students are dealing with myriad issues before they even enter a school building and often struggle to get in the best position to learn. Homelessness, poverty, and safe passage, along with mental and physical health are taking their toll on a school's ability to educate its students. If we as a city want to truly create equity and see DC on the rise, we need to reimagine support for public schools that helps students outside of the classroom. Without this, I fear we will not be able to make the progress this city's residents expect, deserve and fund.

As an alternative to this legislation, which I believe is the least helpful approach to accomplishing the goal of reducing exclusionary discipline, I am asking Council to take a more deliberate approach to this important issue. We need an approach that supports schools instead of tying their hands. That approach needs to include parent and student representation, which I would note, was lacking in this summer's working group meetings.

Our great city is well-positioned financially to meet the challenges we face. We need meaningful mental healthcare. We need to make sure students not only feel but *are* safe traveling to and from school. We need to make sure housing in this city is affordable and that our housing policies aren't destabilizing student's school experiences. We need to empower DC nonprofits who are supporting schools and students every day in so many areas. So, I ask you, before the upcoming budget season, please look at areas where each Council committee can help contribute to making sure the whole child is taken care of and schools can get down to the business of educating DC's students.

Thank you again for the opportunity to testify. I am happy to answer any questions that you may have.