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Testimony Before the District of Columbia Council
Committee on Education
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Resolution of 2016*

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Introduction

Good morning Chairman Grosso and members of the Committee on Education. My name is Judith Sandalow. I am the Executive Director of Children's Law Center¹ and a resident of the District. I am testifying today on behalf of Children's Law Center, which fights so every DC child can grow up with a loving family, good health and a quality education. With 100 staff and hundreds of pro bono lawyers, Children's Law Center reaches 1 out of every 9 children in DC's poorest neighborhoods – more than 5,000 children and families each year. The majority of the children we serve attend DC Public Schools (DCPS).

Children's Law Center has a long standing policy of not taking formal positions on mayoral appointments. Since the choice of Chancellor, however, should be informed by an understanding of the problems and opportunities facing students within DCPS schools, I am providing my testimony today with the hope that I can offer useful thoughts about DCPS and its needs. I will focus on improving outcomes for students with disabilities and students who speak English as a second language, addressing the impact of trauma on children's learning, improving school climate and culture, and increasing cross-sector collaboration. I have testified before this Council many times before on these issues, therefore today I am only going to touch on each concern briefly.

Improving Outcomes for Students with Disabilities

At heart, special education services are about the rights of children with learning differences to learn and be included. In DC there is an unacceptable gap in achievement and outcomes for children with special needs in the District. Making sure that schools have capacity to effectively meet the needs of the variety of children with special needs requires urgent and sustained attention. An added benefit of properly meeting the needs of students with disabilities is that it will improve learning for all children.

Students with special needs in the District have abysmal academic performance and graduation outcomes. The Partnership for Assessment of Readiness for College and Careers (PARCC) scores of DCPS students with disabilities are only slightly less bleak than a year ago. Only five percent are proficient in English/Language Arts (ELA) and only six percent in Math – a one percent (ELA) and three percent (Math) increase from the previous year.² At the current rate of improvement it will be more than 20 years before even half of DC's children with disabilities are proficient. The educational progress of children with disabilities in DCPS schools is a serious problem.

Capacity within our public schools to provide effective, appropriate education for them remains a key issue. Students with disabilities have a great variety of different strengths and needs, therefore our school system must have a wide array of services

and settings, from fully-inclusive general education with necessary supports, to smaller pull-out groups in the school, all the way to specialized separate schools.³

DCPS has improved its special education array over the last several years. However, it still does not have the capacity to serve all its students. Because the challenges facing our children with disabilities are so great, the new Chancellor should prioritize making the necessary changes to provide special education services that effectively helps students progress towards their futures.

Improving Outcomes for English Language Learners (ELLs)

Many non-English speaking students struggle in school and many families struggle to engage in their children's education because of language barriers. We know you are aware of this and thank you for your leadership on this issue, Councilmember Grosso, including your introduction of the *Language Access for Education Amendment Act of 2015*.⁴ Although we do not have public data on the home languages of all students, the experiences of students who are English Language Learners (ELL) can provide insight about the challenges facing these parents and students. According to the most recent PARCC results, only 14% of ELL students in DCPS schools met or exceeded expectations in English/Language arts, and only 20% of ELL students in DCPS schools met or exceeded expectations in Math.⁵ Additionally, only 60% of ELL DCPS students graduated on time this year, the same percentage of students as the previous year.⁶ While DCPS has begun some innovative programming, such as the International

Academy at Cardozo, with plans to expand, the new Chancellor should ensure DCPS involves families to overcome the barriers to academic success and to college and career readiness for this vulnerable population.

Improving School Climate and Culture

In order to be successful learning communities, schools and schools systems must provide all students with a physically and emotionally safe environment.

Research has shown that schools with positive school climates can positively influence the academic outcomes of students, decreasing the need for school discipline and keeping students in school, which is critical to their academic success.

School Discipline

Out-of-school suspensions and expulsions have an extremely negative impact on the student being disciplined, as well as the school community as a whole. Research shows that suspension does not produce the desired effect – it does not effectively teach a student how to behave or result in students returning to school ready to behave and learn. In fact, just the opposite is true. Suspensions and expulsions correlate with decreased academic performance and an increased risk of dropping out, substance abuse and criminal activity.⁷

Too many students are being suspended from DCPS. While we are still awaiting OSSE's report on student discipline for more current data, discipline data provided in OSSE's most recent oversight answers shows that in School Year (SY) 2014-2015, just

over 5,000 DCPS students were suspended, with disproportionate suspensions of students of color, boys and students who receive special education services.⁸ The oversight data also continues to show that students classified as “at-risk” – referring to students that are homeless, eligible for Supplemental Nutrition Assistance Program (SNAP) or Temporary Assistance for Needy Families (TANF), in the foster care system, or over-age high school students – were more likely to be disciplined than their peers.⁹ One of the most troubling points in this data is that African-American students in the District are substantially more likely to be suspended or expelled than white students. Of the more than 5,000 DCPS students that received a suspension in SY 2014-2015, 4,579 were given to African American students.¹⁰ School push-out is not just a school discipline issue; it is very much an issue of racial justice.

We strongly encourage the new Chancellor to address DCPS’s use of suspension and expulsion as a form of discipline. One way we recommend is to ensure all DCPS schools and teachers have the training, support and funding to implement alternative disciplinary programs and procedures, like restorative justice, that create a positive school climate and a safe place for students to learn.

Truancy Prevention

The other key to keeping kids in school is reducing truancy, which remains a serious problem in our schools. DCPS reported a truancy rate of 20.9% for the 2015-2016 school year.¹¹ The District has been working to address this problem, including

creating the Truancy Taskforce and passing the *School Attendance Clarification Amendment Act of 2015*. There is, however, much more work to be done.

The data we have indicates the most frequent barriers to being in school for students are related to getting to school, including transportation issues, homelessness/housing instability issues, medical issues, and distance needed to travel to school.¹² These barriers can be addressed using school and community resources. We encourage the new Chancellor to continue the collection of data on the barriers to students' attendance and use that data to inform and expand the effort to put in place services and supports aimed at removing these barriers.

Further, we hope the new Chancellor will ensure that the student as well as parents, teachers and other staff who work with the child on a regular basis are at the center of efforts to improve attendance. As we have testified many times, schools are the best place to address individual student's barriers to attendance.

The District has advanced programs that successfully address truancy in schools, including *Show Up, Stand Out* and *Access Youth*.¹³ The new Chancellor should scale up these interventions and incorporate other truancy prevention and intervention programs into DCPS schools. These interventions, and others, should be the primary tool to address truancy, not the child welfare and court systems.

Mental Health Services/Trauma-Informed Schools

Another important way to help improve school climate and outcomes for students is for schools to address the impact of trauma and other mental health needs on children's availability to learn. We know, through research and our own experiences, that children in the District, and especially the children we serve, bring traumatic experiences and other mental health issues with them into the classroom every day – impacting their behavior and ability to learn.

There has been significant work to increase mental health services and trauma-informed practices into DCPS schools. For instance, through DCPS's School Mental Health leadership, the availability of evidence-based therapies, such as Cognitive Behavioral Intervention for Trauma in Schools (CBITS) and Grief and Trauma Intervention for Children (GTI), among others, have been expanded to more DCPS schools this year.¹⁴ Additionally, it is our understanding that staff trainings focused on addressing students' exposure to trauma have also expanded within DCPS schools.¹⁵

Increasingly, experts on the impact of childhood trauma agree that a supportive school community that views children and families through a trauma-lens can help children feel safe and connected, which is the first step in preparing these children to learn.¹⁶ Schools best equipped to handle trauma possess staff who are trained in the effects of trauma and who are able to make strong linkages to mental health providers. Teachers in such schools are able to focus on teaching rather than continuously

managing behavior issues. For these reasons, we encourage the new Chancellor to embrace the need to address trauma in all DCPS schools and support the current work being done to expand mental health services across the education system.

Increasing Cross-Sector Collaboration

One of the unique challenges facing DC is that it has more than 60 Local Education Agencies (LEA).¹⁷ While DCPS is by far the largest LEA, the combined public charter school LEAs serve almost half the students in DC.¹⁸ Many children move back and forth between DCPS and charter schools throughout the course of their education. To complicate matters, each LEA is responsible for being able to serve all children, including the full array of special education needs. It is therefore, essential DCPS improve its ability to exchange student information, share resources and training opportunities, and make it easier for community partners to work with multiple schools and across the sector.

Conclusion

The next Chancellor of DCPS needs to have the vision, skills and experience to tackle the issues I have outlined today. Children's Law Center stands ready to be a partner and a resource to the new Chancellor in order to ensure that DCPS provides high quality education to all of its students. Thank you for the opportunity to testify, and I welcome any questions.

¹ Children’s Law Center fights so every child in DC can grow up with a loving family, good health and a quality education. Judges, pediatricians and families turn to us to be the voice for children who are abused or neglected, who aren’t learning in school, or who have health problems that can’t be solved by medicine alone. With 100 staff and hundreds of pro bono lawyers, we reach 1 out of every 9 children in DC’s poorest neighborhoods – more than 5,000 children and families each year. And, we multiply this impact by advocating for city-wide solutions that benefit all children.

² OSSE (August 30, 2016). *2016 District of Columbia PARCC Results Presentation*. Retrieved from <http://osse.dc.gov/sites/default/files/dc/sites/osse/publication/attachments/2016%20OSSE%20PARCC%20Presentation.pdf>

³ 34 C.F.R. § 300.115 requires that each state have a continuum of alternative placements available to meet the needs of children with disabilities. The continuum must include the alternative placements listed in § 300.38: regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions.

⁴ See Committee Report on B21-066, Language Access for Education Amendment Act of 2015 (November 9, 2015), <http://lims.dccouncil.us/Download/33343/B21-0066-CommitteeReport1.pdf> and Children’s Law Center (November 17, 2016). *Testimony: Sense of the Council Regarding Federal Immigration Raids Resolution of 2016*. Retrieved from <http://www.childrenslawcenter.org/testimony/testimony-sense-council-regarding-federal-immigration-raids-resolution-2016>

⁵ OSSE (August 30, 2016). *2016 District of Columbia PARCC Results Presentation*. Retrieved from <http://osse.dc.gov/sites/default/files/dc/sites/osse/publication/attachments/2016%20OSSE%20PARCC%20Presentation.pdf>

⁶ OSSE (October 28, 2016). *DC 2016 Four-Year Adjusted Cohort Graduation Rates, by Subgroup*. Retrieved from <http://osse.dc.gov/sites/default/files/dc/sites/osse/publication/attachments/Adjusted%20Cohort%20Graduation%20Rate%20by%20Subgroup%202015-16.pdf>

⁷ “Out-of-school suspensions and expulsions can affect a student’s future emotional and educational well-being, as research suggests that school exclusion actually increases the likelihood that students will misbehave in the future, become truant, fail to graduate, develop substance abuse issues, or encounter the juvenile justice system.” OSSE (June 2014), *Reducing Out-of-School Suspensions and Expulsions in District of Columbia Public and Public Charter Schools*, p. 9.

⁸ OSSE FY15 Performance Oversight Responses, Q9 Attachment.

⁹ *Id.*

¹⁰ *Id.*

¹¹ District of Columbia Public Schools (August 2016). *Annual Truancy Report*. Retrieved from http://dcps.dc.gov/sites/default/files/dc/sites/dcps/publication/attachments/DCPS%20Annual%20Attendance%20Report%20SY1516_FINAL.pdf

¹² DCPS FY15 Performance Oversight Responses, Q52 Attachment.

¹³ DCPS FY15 Performance Oversight Responses, Q52.

¹⁴ Information provided to Children’s Law Center by Deitra Bryant-Mallory, Director of School Mental Health for DCPS.

¹⁵ *Id.*

¹⁶ Tishelman, A.C., Haney, P., Greenwald O’Brien, J. and Blaustein, M. (2010). A framework for school-based psychological evaluations: Utilizing a ‘trauma lens.’ *Journal of Child and Adolescent Trauma*, 3(4): 279-302, 280.

¹⁷ PCSB FY15 Performance Oversight Responses, Q1.

¹⁸ SY15-16 DCPS enrollment is 48,439 and PCS enrollment is 38,905. <http://www.dcpsb.org/blog/enrollment-public-schools-increases>