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**Testimony Re: House Bill 5234 Re: Suspensions**  
**House Education Committee**  
**February 24, 2021**  
**Elizabeth Burke Bryant, Executive Director**

Mr. Chairman and members of the Committee, thank you for the opportunity to provide testimony today. Rhode Island KIDS COUNT would like to voice its support for House Bill 5234. This bill would prohibit school committees or principals from suspending students in grades five or below unless they possess weapons or narcotics or are found by a psychologist or other mental health professional to be a danger. The bill also requires the use of restorative justice practices to address student behavior.

Over the past several years, the General Assembly has passed a number of bills aimed at reducing suspensions, particularly out-of-school suspensions. In 2012, the General Assembly passed legislation that prohibited schools from using a student's absenteeism as the sole basis for an out-of-school suspension. During the 2016 session, the General Assembly passed legislation that requires school districts to evaluate the discipline data they already collect annually, identify any racial, ethnic, or special education disparities, develop a plan to reduce any disparities, and restricts the use of out-of-school suspensions to situations when a child's behavior represents a demonstrable threat to students, teachers, or administrators or causes a serious disruption and the student has failed to respond to corrective and rehabilitative measures presented by staff, teachers, and administrators.

We are encouraged by the efforts that this body, the Rhode Island Department of Education, and individual school districts have made to reduce the use of out-of-school suspensions and encourage the use of alternative disciplinary approaches, such as restorative justice and Positive Behavioral Interventions and Supports (PBIS).

In particular, I want to commend the Rhode Island Department of Education for the many resources they have included on their website including data tools, recommendations regarding alternatives to suspensions, and guidance about how to address disciplinary issues among students receiving special education services --

<http://www.ride.ri.gov/StudentsFamilies/HealthSafety/DisciplineinSchools.aspx>

Despite these efforts, the number of out-of-school suspensions decreased by less than one percent since 2016 when the General Assembly passed the law that restricts the use of out-of-school suspensions. During the 2018-

2019 school year there were 21,562 suspensions and 46% of these (9,981) were out-of-school suspensions. More than half of out-of-school suspensions were for non-violent offenses, such as insubordination/disrespect, disorderly conduct, obscene/abusive language, alcohol/drug/tobacco offenses, and electronic devices/technology offenses.



### Out-of-School Suspensions by Infraction, Rhode Island, 2018-2019

TYPE OF INFRACTION*	#	%	TYPE OF INFRACTION	#	%
Insubordination/Disrespect	1,820	18%	Obscene/Abusive Language	539	5%
Fighting	2,072	21%	Arson/Larceny/Robbery/Vandalism	231	2%
Harassment/Intimidation/Threat	1,054	11%	Weapon Possession	178	2%
Disorderly Conduct	1,415	14%	Electronic Devices/Technology	103	1%
Assault of Student or Teacher	1,422	14%	Attendance Offenses	0	0%
Alcohol/Drug/Tobacco Offenses	993	10%	Other Offenses	154	2%
			<i>Total</i>	<i>9,981</i>	

Source: Rhode Island Department of Education, 2018-2019 school year.

\*Harassment offenses include hazing and hate crimes. Assault offenses include sexual assault.

Of all disciplinary actions during the 2018-2019 school year, 15% (1,515) involved elementary school students (kindergarten-5th grade) and 74% were out-of-school suspensions. Kindergarteners received 133 disciplinary actions, including 110 out-of-school suspensions.

Rhode Island KIDS COUNT supports efforts that improve school climate, decrease the use of suspensions, and provide resources to school districts that help ensure that schools are safe and secure places that are conducive to learning and that investments are made in school mental health professionals who can address trauma and the mental health conditions that can impact a student's health and behavior at school.

Thank you for the leadership that the General Assembly has shown on this issue over the past several years and thank you for the opportunity to testify today.