



Ohio Senate
State Senator
1 Capitol Square
Columbus, Ohio 43215
(614) 466-4538

Committees
Education, Chair
Finance
Finance-Primary and Secondary Education Subcommittee
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Peggy Lehner
State Senator
6th District

Senate Bill 246 Testimony **March 6, 2018**

Chair Oelslager, Ranking Member Skindell, and members of the Senate Finance Committee, thank you for allowing us to testify today on SB 246, also known as the SAFE Act which stands for “Supporting Alternatives for Fair Education”. This legislation calls for limiting the use of out-of-school suspensions and expulsions for children in Pre-K through 3rd Grade and instead encouraging locally-driven positive interventions and supports.

For over 25 years, the federal government has required that states annually test students largely to determine whether or not all students are making progress. And every year we have seen the same results- economically disadvantaged students, minority students, and students with disabilities consistently perform below their more advantaged peers. This phenomenon has been called the Achievement Gap and unfortunately, there is some evidence that the gap is growing wider.

The similarity between the students who create persistent achievement gap and those impacted by exclusionary discipline policies is not coincidental. In fact, research is clear that one of the factors contributing to the achievement gap is the considerable amount of time that struggling students spend out of the classroom.

You all are familiar with what we call soft skills: essential qualities that employers seek in their new hires, such as the ability to show up on time, work well with others, follow directions and be active problem solvers. Our earliest years are crucial for establishing the foundation of soft skills. Self-regulation, for example, is reflected in young children by actions such as waiting one’s turn. For example, the ability to sit still and listen to a story is something that many children are taught from their earliest days by parents who routinely read to them. For the child who has not been read to, or for a child with a learning disability, this fundamental skill is not developed.

When a child persistently gets up and wander around the room while a teacher is reading, this behavior can be perceived as disobedience which warrants punishment-perhaps even suspension. Unless a teacher is properly trained to differentiate between disobedience and an underlying

problem, and is provided strategies to help that child learn to control their own behavior, that child is set up for failure.

Our schools also need to recognize trauma and the profound impact it has on young minds. Children living in poverty can experience hunger, neglect, homelessness, and violence. Multiple studies show that there is a direct correlation between the number of ACES, adverse childhood experiences, and a child's performance in school. Without understanding how to recognize trauma-related behavior and properly address it, schools will only face repeated frustration from traumatized students.

These students, who need more supports, are met with exclusionary discipline practices which are counterproductive in addressing student behavior and extremely detrimental to young children. Imagine if you can what goes on in the mind of a 6 year-old who watches his mother beaten severely by a boyfriend and then acts out the next day at school perhaps by running around or talking back. As a result he is suspended and sent back to the environment that caused the stress. Remember, we are talking about a 6 year-old, not a 16 year-old. Not only might the child fall hopelessly behind academically, but is left feeling unwelcome in what could be the one safe place in his life.

An early suspension can follow a child throughout his or her life. In 2014 the U.S. Departments of Education and Health & Human Services reported that “young students who are expelled or suspended are as much as 10 times more likely to drop out of high school, experience academic failure and grade retention, hold negative school attitudes, and face incarceration than those who are not.

Many schools across the state and country have already incorporated more social and emotional learning practices to meet this challenge. After adopting positive behavior interventions, these schools report better teacher retention, school climate, and student academic achievement. More importantly, these students, having gained soft skills, are likely to be healthier, happier, have better jobs, and contribute more to society.

This is why we are introducing the SAFE Act: Supporting Alternatives for Fair Education. Our legislation will limit out-of-school suspensions and expulsions for children Pre-K through 3rd Grade, instead encouraging locally-driven positive interventions and supports.

In the last school year, over 34,000 suspensions and expulsions were handed out to Ohio students pre-k through third grade, the vast majority of these being for non-violent behaviors such as disruption. More than bringing this number down, the SAFE Act can help create school atmospheres that foster positive, collaborative environments for students, faculty, and administrators.

Under the bill, violent behaviors will still result in a suspension or expulsion and emergency removals may still be utilized when necessary. However, exclusionary discipline for non-violent

behavior will not. We understand that schools must use all effective means at their disposal to maintain safety and respond to immediate threats but this notion must be balanced with an understanding of what children need. The legislation's new suspension and expulsion policies will be phased in over three years starting the school year following the passage of the bill.

The Ohio Department of Education currently requires all schools to implement PBIS (Positive Behavior Interventions and Supports) in the Ohio Administrative Code. However, it is not always implemented or with fidelity. The SAFE Act codifies this requirement and prescribes education so that schools understand how to implement it.

The SAFE Act calls on our colleges of education to provide more robust preparation in positive behavior interventions, matching curriculum to student needs, and effective instructional strategies. We want our teacher prep programs to reexamine their current curricula around these topics and assure that all students receive at least one semester course or its equivalence on them. Teachers already in the classroom without any education or professional development in PBIS will be asked to complete a professional development course within three years after the bill's passage.

Our legislation seeks to ensure that implementation is incorporated with flexibility given to schools. In addition to the phase in we already mentioned, the legislation allocates 2 million dollars for the 2019 fiscal year to allow districts to choose positive behavior intervention methods and training policies based on their needs. It is our desire that future budgets set aside additional support for professional development but a number of Ohio schools that have already provided additional help for teachers used existing professional development funds.

We hope our bill is a positive step toward the creation of a system that supports our youngest and most vulnerable students so they too can take advantage of critical opportunities to grow up to be a part of the next generation's stronger, more ethical workforce.