

My name is Shoshana Hershkowitz, and I am the Statewide Organizer for Education and Child Care at Citizen Action of New York. I am also an educator who has over two decades of teaching experience in public education, at the secondary and collegiate levels.

As an educator, I have seen a rise in the youth mental health crisis. Our young people are struggling, and need guidance and resources in the school system to cope with the learning loss and trauma of the Covid 19 pandemic. Educators need the training and resources to support students through their struggles. This investment is crucial for the well being of our students and our public school system.

I am here today as a member of the Solutions Not Suspensions coalition, a group of advocates, policy and legal experts in the areas of mental health, civil rights, and education. Most importantly, we are aligned with those directly impacted by exclusionary discipline- students, who are disproportionately Black, brown, disabled, low-income, and LGBTQ+. This crisis is so severe that the Office of the New York State Attorney General has repeatedly investigated school districts for the discriminatory overuse of suspensions. These young people are being suspended at far higher rates and length than their white and wealthy counterparts, and we are here to call for change to this discriminatory policy.

Young people in grades pre-K through 12 have lost over 900,000 days in the past year to suspensions. An average of 766 students are suspended every day in New York State's schools. This is following over a year of learning interruption due to the Covid 19 pandemic. It is occurring as we witness a looming youth mental health crisis. The past few years have proven that young people need the resources, structure, and community of their schools. Pushing them out for behavioral infractions is harmful and counterproductive. The New York State Education Department itself has cited research showing that even a single suspension increases the likelihood of drop out by 23%. That puts children on a path to poverty and the school to prison and deportation pipeline. These outcomes are proven by the data and cannot be ignored.

I am here to advocate for the passage of the Solutions Not Suspensions Act, which would greatly reduce exclusionary discipline in our schools. It would eliminate suspensions for grades pre-K through 3 except in rare cases. It would ensure that suspensions for older students would not occur due to minor infractions, including dress code violations, tardiness or school absences, which is supported by existing case law in NYS. It would reduce maximum suspension length from 180 days (an entire school year) to 20 days. It would strengthen due process for students, to ensure they have access to adult representation and a fair hearing before being pushed out of school. Most importantly, it reforms codes of conduct in schools to incorporate restorative practices, which address the root causes of behavior infractions, rather than punitive punishment.

The recommendations of the bill closely align with the January 2023 report issued by the New York State Education Department. The task force that worked on the report calls for a comprehensive response that includes legislation, and explicitly states that local control is inadequate for the scope and pervasiveness of this problem. The stakeholders at the table included NYC DOE who has successfully implemented many of these recommendations, individual school districts across the state, the New York State United Teachers Association, representatives from the Executive and Legislative Branches of Government, mental health experts, and education advocates, among others. The task force recommends that funding be allocated to address training, staffing, and resources needed to implement these changes. While the Solutions Not Suspensions Act does not have a funding request, many of the

provisions of the bill can be implemented at no cost. Our coalition supports the NYSED recommendation of allocating funding, as it will provide educators and administrators the resources they need to implement this successfully.

The Executive Budget contains lines where this funding could be drawn from, including the billions of dollars in historic increases in school and Foundation Aid, \$3 million in grants for schools incorporating alternative approaches to student discipline, \$10 million in student mental health support grants, as well as budgetary increases in funding for school based mental health programs and violence prevention programs. As student discipline is directly tied to the lived conditions of students, the funding of these programs would help to address the root causes, and give students, teachers, and administrators the resources they need and deserve.

This legislation was first introduced in 2015, and still hasn't received a vote. With each passing year, hundreds of thousands more students are being pushed out of the classroom. We call on the Legislature to pass the Solutions Not Suspensions Act, and provide the funding recommended for implementing reforms as per the NYSED report. Thank you for your time and consideration.