

February 13, 2018

Council of the District of Columbia
John A. Wilson Building
1350 Pennsylvania Ave, NW
Washington, D.C. 20004

Re: Bill 22-594, Amending the “Student Fair Access to School Act of 2017”

Dear Councilmember:

We, the undersigned organizations, write in support of the Student Fair Access to School Act of 2017 (“SFASA”) to disrupt the school-to-prison-pipeline. We also write to share several ways this bill could be strengthened and clarified to ensure it benefits all students impacted by harsh school discipline policies. On behalf of the undersigned organizations and for the reasons set forth below, we urge your office to amend the SFASA to include disaggregated data on students’ housing status under the annual reporting requirements.

As organizations serving youth and families impacted by homelessness in the District, we know that suspensions and other harsh discipline policies disproportionately affect students experiencing homelessness, particularly because the trauma and stress caused by homelessness may impact a student’s behavior in school. In fact, the Office of the State Superintendent of Education’s (“OSSE”) *State of Discipline: 2016-2017 School Year* reported that at least 9% of students who received out of school suspensions were homeless.¹ Homeless students in DC received out of school suspensions at more than twice the rate of their housed peers.^{2,3} While OSSE collects information on homelessness status and out of school suspension, we want to ensure that DC law is aligned with the federal requirements to gather and make publicly available the nature and extent of the problems of homeless students in accessing public schools, the difficulties in identifying the special needs and barriers to their participation and achievement, and the progress and success in addressing this problem.⁴ We believe that the reporting of this data is vital in understanding the scope of the problem and in developing solutions to address the disproportionate usage of school discipline on DC youth experiencing homelessness.

We, the undersigned, believe there is a need for more information about the impact of school disciplinary policies on students experiencing homelessness. There is anecdotal evidence of how harsh zero-tolerance policies keep homeless students out of schools in DC.⁵ Nationally, there is evidence that homeless

¹ Office of the State Superintendent of Education, *State of Discipline: 2016-17 School Year*, https://osse.dc.gov/sites/default/files/dc/sites/osse/page_content/attachments/2016-17%20School%20Year%20Discipline%20Report.pdf

² See *id.*

³ See also, Learn DC, *Homeless Students*, <http://www.learndc.org/schoolprofiles/about/glossary/homeless-students>.

⁴ 42 U.S.C. § 11432(f)(1) et seq.

⁵ Petula Dvorak, *For homeless kids, school uniforms are just one more problem to overcome*, Washington Post, Sept. 1, 2016, https://www.washingtonpost.com/local/for-homeless-kids-school-uniforms-are-just-one-more-problem-to-overcome/2016/09/01/70d75758-705f-11e6-9705-23e51a2f424d_story.html?utm_term=.862fcfab8667; see also Emma Brown, *D.C. charter schools expel students at far higher rights than traditional public schools*,

students are suspended at higher rates than housed students for the same type of offenses. Homeless students of color and those receiving special education services are disciplined at even higher rates.⁶ Amending the SFASA to include disaggregated data on the student's housing status under the annual reporting requirements would shed light on how school discipline impacts homeless students in the District and complement D.C.'s efforts to implement federal requirements under the Every Student Succeeds Act of 2015. It will also aid OSSE's efforts to identify and remove barriers to the education of homeless students under the Education for Homeless Children and Youth Program of the McKinney-Vento Homeless Assistance Act (McKinney-Vento).⁷ Including homeless students in SFASA would also heighten the awareness of school personnel of the specific needs of homeless students.⁸ We recommend amending Section 6(a)(1) to include "(I) The student's housing status" and amending Section 6(a)(2)(E) to include "Whether the student voluntarily or involuntarily withdrew from the school during the school year **and the reason for the withdrawal.**"

For the reasons stated above, we urge your office to amend the SFASA to report disaggregated data on homeless students. Such amendment comports with the statutory language of federal laws like ESSA and McKinney-Vento and would further lead us closer to becoming a city where every student is in school, feeling safe and supported, everyday.⁹

Respectfully submitted,

DC Alliance for Youth Advocates
National Law Center on Homelessness & Poverty
Sasha Bruce
StandUp For Kids - National
StandUp For Kids - DC
The DC Center for the LGBT Community
The Community Enrichment Project DC
DC Coalition Against Domestic Violence

Washington Post, Jan. 5, 2013, https://www.washingtonpost.com/local/education/dc-charter-schools-expel-students-at-far-higher-rates-than-traditional-public-schools/2013/01/05/e155e4bc-44a9-11e2-8061-253bccfc7532_story.html?utm_term=.66a90c169380 ("She pointed to the case of a homeless 6-year-old her organization represents. He attended three D.C. public schools in preschool and kindergarten before enrolling this academic year in first grade at a KIPP DC elementary campus, part of one of the highest-performing charter organizations in the city. He was expelled in September.")

⁶ Amanda Ragnauth, *Disparities in Discipline: Making Sure Seattle's Homeless Students Aren't Left Behind*, <http://www.icphusa.org/blog/disparities-discipline-making-sure-seattles-homeless-students-arent-left-behind/>

⁷ See generally 42 U.S.C. § 11431 et seq.; see also U.S. Dep't of Educ., *Education for Homeless Children and Youths Program Non-Regulatory Guidance, Title VII-B of the McKinney-Vento Homeless Assistance Act, as Amended by the Every Student Succeeds Act, Non-Regulatory Guidance*, at 6 (July 27, 2016), available at <https://www2.ed.gov/policy/elsec/leg/essa/160240ehcyguidance072716updated0317.pdf>.

⁸ 42 U.S.C. § 11432(g)(1)(D).

⁹ 42 U.S.C. § 11432(f)(1) et seq.