

Written Public Testimony to the State Board of Education
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I want to thank the members of the board for allowing me to submit this testimony.

The Seattle Special Education PTSA is in favor of including discipline statistics as a measure of accountability, and as well we are in favor of disaggregating this data by disability status. Discipline issues are huge for students with disabilities and affect them both academically and social-emotionally.

From the local to the state and national level, efforts in describing the issue of exclusionary discipline often fail to recognize the issue as it is present for students with disabilities. This is a huge issue with one of your sources of data, the TeamChild WA Applesseed report, which is a great effort, but is very flawed as far as students with disabilities are concerned.

The entire TeamChild report skims over the issues related to discipline and students with disabilities and EXCLUDES them from any presentation of statistics, citing that "our team did not consider students qualifying for special education programs. Special education students are protected by federal and state law that mandates that educational services be provided in accordance with the student's Individual Education Plan (IEP) during disciplinary exclusions. Because all Special Education students should be receiving educational services during exclusions, the number of long-term suspensions, emergency expulsions, and expulsions listed in this section only reflect students who do not qualify for Special Education programs and as such, are distinct from figures presented in other sections.

The risk ratio for students with disabilities for in Seattle for suspensions is 5. The risk ratio for students in Seattle who are black is 4.5. These ratios are compounded for students who are black and receive special education services in Seattle. Students with these demographics have a risk ratio of 5. Washington State defines significant disproportionality as a weighted risk ratio of 4 or more.. Compare this to the 1.56 risk ratio for students living in poverty identified by the TeamChild report.

On the national level, I am sure we were all very happy to see the Dear Colleague letter and guidance from the Department of Education which was issued yesterday. While the Dear Colleague letter addresses race discrimination against all students, including students with disabilities, it confines its discussion of statistics to a footnote on page 4, citing "evidence of significant disparities in the use of discipline and aversive techniques

for students with disabilities raises particular concern for the Departments. For example, although students served by IDEA represent 12% of students in the country, they make up 19% of students suspended in school, 20% of students receiving out-of-school suspension once, 25% of students receiving multiple out-of-school suspensions, 19% of students expelled, 23% of students referred to law enforcement, and 23% of students receiving a school-related arrest. Additionally, students with disabilities (under the IDEA and Section 504 statutes) represent 14% of students, but nearly 76% of the students who are physically restrained by adults in their schools.

The Departments are developing resources to assist schools and support teachers in using appropriate discipline practices for students with disabilities.”

The guide does talk more about students with disabilities, but does not present any of the specific issues that students with disabilities face, including under-reporting, discrimination, ignorance of IDEA and failure to initiate and implement IEP's, FBA's, and BIP's.

Getting back to the bigger picture, it would be very important to make sure that the statistics around students with disabilities are included in collection of statistics as an accountability area for schools. It is further hoped that taking an even broader focus, discipline statistics could be included along with nonacademic measures of school health in the social emotional domain as well as school climate.