

Ending the School to Prison Pipeline
Hearing before the Senate Judiciary Subcommittee on the Constitution, Civil
Rights, and Human Rights

12/12/12 (sent via e-mail)

Testimony from Julie Woestehoff

Executive director, Parents United for Responsible Education, Chicago IL

www.pureparents.org, pure@pureparents.org

Parents United for Responsible Education, or PURE, is a 25-year-old public school parent advocacy group based in Chicago. Over the 25 years we have been working in Chicago, PURE has won many awards including a 2004 Ford Foundation leadership award. We are very proud of our long track record in education reform and as strong advocates for parents in Chicago and across the nation. Thank you for this opportunity to bring our viewpoint into this important discussion.

PURE believes that our students need more resources, more stability, more support services, a richer curriculum, and, especially our older students, a voice in their own education. They also need schools and districts to work more closely and effectively with their parents.

We also believe that students need less high-stakes testing, less experimentation with mediocre charter and turnaround schools coupled with disruptive and too often ineffective school closings, and an end to punitive and damaging discipline practices.

Our members have experienced all of the above problems. We will focus on two major issues in this testimony: the damage from high-stakes testing and the inappropriate student discipline code at one charter school network.

The experiences PURE has helping parents and their children, working with Local School Councils, looking at school practices, and analyzing systemwide policies clearly show that the dropout crisis for African-American and Hispanic youth in the Chicago Public Schools (CPS) is not surprising given the way the schools treat students.

In fact, it is surprising that more students do not drop out because so much of our work is helping parents **keep** their children in school, students who want to be in school but the schools are trying to push them out using a variety of methods. Some of these methods are supposedly not allowed under CPS rules. Some of them are supported by CPS.

High-stakes testing and retention

One major problem is the CPS student retention policy, which, since 1998, has held students back in 3rd, 6th, and 8th grade based on their state test scores. This happens even though the test makers recommend that promotion decisions should not be made based on test scores alone.

We have filed two discrimination complaints with the U. S. Department of Education, one in 1999 and one in 2010, charging that the policy was unfair and improper, with the most negative impact falling on Latino and African-American students.

In 1999, one of the people filing the complaint with us was a Latina eighth grader. She was an excellent student. She had won awards and scholarships for her writing. Her math score was fine, but her reading score was just a tenth of a point too low. We stated in our complaint that people who learn English as a second language have a special disadvantage taking a 40-minute test in English. For those who have not reached total fluency, each question must be mentally translated into Spanish and then answered, and the answer translated back into English. They lose a lot of time, but that does not mean that they can't read. However, CPS had no interest in that reality.

We won our complaint, but unfortunately the damage had already been done to this young woman. Understandably, she did not want to re-enroll in CPS. She went to a private school but was unable to keep up the tuition. She eventually dropped out.

Hundreds more students dropped rather than go to the CPS Academic Preparatory Centers, which have since been shut down. APCs were segregated schools where eighth grade students who could not meet the cut off scores on the Iowa test had to go for day-long test preparation. They were not allowed to leave and enroll in high school until they had met that cut off score. In 2000, the Consortium on Chicago School Research reported that 29 percent of the students who were retained or sent to APCs in 1997 had dropped out.

In 2010, we filed a new complaint seeking relief from the U. S. Department of Education's Office for Civil Rights (OCR) on behalf of students who have been flunked under the CPS elementary student promotion policy based on an arbitrary cut off score on state standardized tests. We stated in our press release, "CPS has known for years that the policy doesn't work and actually harms children. CPS knows that it disproportionately affects African-American and Latino children. CPS knows that it costs at least \$100 million per year, but instead of cutting this wasteful program, they choose to cut teaching staff and other critical educational resources that actually help children."

One of the complaining parents was the mother of a CPS sixth grader who was retained that fall. His case demonstrates how arbitrary the policy is: CPS required that he go to summer school because his math test score was below the policy cut-off point. Although his reading score was well above the cut-off, he had to take both reading and math in summer school. He passed the math portion, but "flunked" the reading portion because the teacher took away several test papers and gave him zeros. So, despite the fact that his reading was above average and he passed summer school math, he was retained. In her complaint, the parent wrote, "For every day that my son sits in a six grade classroom, he continues to be discriminated against. This entire process has taken an emotional toll on my entire family, especially my son. (who) no longer wants to attend school. He's not as open with me as he once was prior to his being retained."

These are specific examples of how system wide policies too easily label children and then throw them away. Through hard-fought battles with the prior administration, PURE was able to force changes in these policies, but the system continues to retain an average of 5,000 students every

year, and hundreds are retained for the second or third time. Decades of research show that flunking students once makes it likely that the student will drop out. Flunking an African-American or Latino student twice makes it almost 100% sure that he or she will drop out.

Why does CPS continue to have a policy that research shows will cause many students to drop out and costs hundreds of millions of dollars, when CPS has such severe budget problems that it is threatening to close as many as 100 schools, further disrupting students' lives and leading to more students dropping out?

Inappropriate charter school discipline policies

In 2010, PURE supported a parent who complained about the excessive, unreasonable discipline policies at one of the most highly-touted charter school networks, the Noble Street Charter Schools. Noble charter schools fine students for even the most trivial rule violations, such as slouching in a seat, chewing gum, or having a shirt button undone. Not only did this small network of around 6,500 students collect nearly \$400,000 in fines from the mostly low-income families for whom it is supposed to be providing a free public education, it has been widely celebrated by the Mayor and other city leaders. In fact, the Mayor has referred to Noble as having the “secret sauce” to urban education, and has pushed for an expansion of the Noble Network.

In other words, while cities and school districts all across the country are recognizing the urgent need to move away from destructive zero-tolerance discipline, Chicago schools are actively promoting an unprecedented escalation of these overly-harsh practices. Noble CEO Michael Milkie has even been vigorously defending his policy by claiming that the alternative is chaotic, unsafe schools. This is a false choice that should fool no one. There are literally thousands of schools all across the country that are able to maintain orderly, productive school environments, and none of them gouge parents with “discipline taxes.”

Noble argues that the fines collected from students are needed to cover the schools' costs for operating its disciplinary system. Yet every other public school in the country is able to administer school discipline without resorting to the fining of students. If Noble is unable to manage one of its core functions – addressing behavior and discipline – through the tens of millions of taxpayer dollars they receive annually, then it would seem that an investigation would be in order, not an expansion.

Noble and its supporters claim these fines are a small price to pay for the results that Noble achieves. However, if you take a close look at these numbers, you soon learn that they amount to little more than an educational shell game. Noble's reported graduation rate excludes the many hundreds of students who transfer out every year because of these radical practices or other reasons. In fact, the school CEO, Michael Milkie, has admitted that up to 40% of 9th grade students leave for other schools before their senior year. In other words, Noble is being allowed to use these discipline taxes to weed out the students that would otherwise drag down their numbers.

The student whose mother came to PURE for help has been systematically pushed out of the Noble school by the near-daily discipline punishments and fees, by being forced to repeat his freshman year because of the excessive discipline actions, and by general harassment.

The students that attend Noble schools deserve better, as do the students at all other Chicago schools that continue to misuse destructive disciplinary practices. These schools have much to learn from places like Baltimore and Denver, where the schools are reaping the benefits from a common-sense approach to school discipline and school safety. In both places, there has been a conscious effort to reduce harsh disciplinary consequences and instead focus on meeting student needs through early interventions, teaching appropriate behavior, and building healthy relationships between students and their teachers and administrators. As a result, attendance and academic achievement levels are on the rise, and their graduation rates are skyrocketing.

These districts, and the many others like them, are demonstrating that there are no shortcuts to educational success. The real “secret sauce” is to value and respect the educational opportunities of youth, not to push them out into the streets through nonsensical disciplinary practices.

Other problems

PURE has a thousand stories about the frustrations parents and students experience. A parent called PURE because her daughter, a high school junior, had a job starting at 3 pm on weekdays. The parent is a single mom and the family needed the income. They had asked the school to adjust the student’s schedule so that she could get to her job on time. The student had room on her schedule and was even signed up for classes she didn’t need to graduate. The school refused to make any changes. They told her that she either needed to leave school or quit her job. That was a terrible choice for a low-income family to face. So, a PURE advocate took them to the school to try to get the school to cooperate. They refused, so we had to take it higher in CPS, to the high school department. Suddenly the school decided that maybe they can change the students’ schedule. Here was a student who wanted a future and the school just couldn’t be bothered to care until a CPS administrator stepped in.

There are also many problems that happen on a case-by-case basis. PURE receives calls day after day from parents of students who want to stay in school but the door is being slammed shut in their faces. It seems that, instead of trying to HOLD the students in school, they try to let them go or push them out.

Over the past year we have received many calls to go to expulsion hearings or to help students when the school won’t let them enroll, saying that they do not live in the attendance area or that they are overcrowded. We have students sitting at home because no school will enroll them or help them find another school.

One of the main factors that we see is that there is not nearly enough counselor support for students. I would say that more than 50% of the students do not know who their counselor is, who to go to for help or information. At the same time, I’d say that 80% of the parents do not know who their child’s counselor is because the counselor has not made any contact with the parents except in cases where they are telling them that their children are being expelled, cutting classes, misbehaving, other things that could be fixed if there was better communication before

the problems got out of hand and parents and the school could work together to improve the situation. This is especially frustrating for students who feel that they get no support from the school, only blame and punishment.

The whole zero tolerance attitude makes it almost impossible to fix problems like gang problems. Language barriers are not even considered. Instead, if you mess up, you are gone. Another throw away kid.

We understand that the parents have a big role here. But if the school does not have any communication with the parents as far as meetings, workshops, programs, many parents never understand that not only do they have to be involved in elementary school but also in high school. Parents also don't know their rights, so if the school tells them that their child can't come back to the school, the parent may not know what to do. More communication and support for parents would help solve many problems and keep more students in school.

We see that high schools have not made the same effort as the elementary schools to involve parents. We see very few high school bilingual committees, NCLB committees. How many high schools invite parents to form parent patrols, or have workshops or parent volunteers programs? High school students need to see their parents in the school maybe even more than the younger children. And it's true that many parents need extra help to raise high schoolers.

One more cause of dropouts is the lack of hope so many students feel. Some of that happens because the high school does not help them plan for college, or even give them the idea that they can go on and do more. This is also a problem of poor counseling services and lack of communication with parents. When students see no real future, why would they care about completing high school?

Some solutions

What is the best way to handle issues of school discipline and school safety? How do we create safe and healthy schools that promote academic achievement?

One approach, employed by schools all across the country, relies on common-sense disciplinary practices that treat students fairly and appropriately and produces positive outcomes for students, families, and communities. The other approach, employed by many schools in Chicago, continues to use ineffective zero-tolerance strategies that result in the unnecessary suspension, expulsion, or arrest of tens of thousands of Chicago youth every year. As the research of Advancement Project and others has demonstrated, not only have these practices failed to improve school safety, they lead to high dropout rates, lower academic achievement, and too many youth being pushed onto a pathway to prison.

What is the best way to assure that students are prepared when they move from one grade to another? Any student who is not making enough progress must be given an individualized plan, in consultation with the parents, which addresses the students' real needs. Then that plan must be carried out with everyone taking responsibility for making sure the student succeeds.

Specifically PURE recommends that schools:

- ❖ **End wholesale retention of students.** Retention has been shown by decades of research to increase the drop out rate. Retention should be used only when parents and the school agree that it is in the best interest of that individual child. Other options include developing individualized education plans for at-risk students and creating student portfolios to get a better understanding of the student's strengths and weaknesses.
- ❖ **Hold an extensive, public review of enrollment, discipline, and other policies** to minimize the potential for schools to push students out and maximize the opportunities for student support and cooperative problem solving.
- ❖ **Increase both the number and the effectiveness of high school counselors** through adding positions, training, and clear communication to students and parents about what to expect from the counselors. Make sure that all students and their families receive extensive, ongoing information about college and other further educational opportunities.
- ❖ **Require every high school, with the Local School Council, to create a plan for increased parent outreach and participation.** This should include offering parents workshops on their rights and on proper high school policies, opportunities to volunteer and observe in their children's classrooms, and clear information about the school curriculum and programs.