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COMMITTEE ON NATURAL RESOURCES
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FEDERAL LANDS

COMMITTEE ON ARMED SERVICES
SEA POWER AND PROJECTION FORCES
READINESS

FRANKING COMMISSION

November 9, 2017

The Honorable Betsy DeVos
Secretary
United States Department of Education
400 Maryland Avenue SW
Washington, D.C. 20202

Dear Secretary DeVos,

I am writing to express my concern at the Department of Education's ("Department") proposed supplemental priorities for discretionary grant programs released October 12, 2017, Docket ID ED-2017-OS-0078. In particular, priority ten is troubling: it fails to explicitly endorse efforts to reduce exclusionary and aversive discipline practices in public schools, and arguably implies an openness to expanding such practices. As you know, exclusionary and aversive discipline practices have severely adverse effects on student outcomes, and they disproportionately harm minority students and students with disabilities. Decreasing the prevalence of such practices in public schools is critical to helping every student succeed. As a member of Congress from Virginia, which has a documented history of discipline disparities, I urge the Department to significantly revise this priority to better reflect students' needs.

Priority ten, entitled, "Encouraging Improved School Climate and Safer and More Respectful Interactions in a Positive and Safe Education Environment," calls for "[ensuring] that schools and institutions of higher education are physically and disciplinarily safe for students to learn." Priority ten goes on to criticize the "few students [...] disrupting the education of many." By blaming children for their behavior instead of highlighting adults' ability to help improve that behavior, the current language implicitly sanctions aversive and exclusionary discipline practices.

While I strongly agree that all students need and deserve a safe place to learn, aversive and exclusionary discipline practices are not the best way to achieve that outcome – and other options could help, rather than hurt, students who would otherwise be disciplined. The Department should focus on proactive measures that keep students in the classroom and improve overall student success, such as positive behavioral interventions and supports (PBIS), multi-tiered systems of support (MTSS), crisis intervention, de-escalation strategies, and more. I worry that the Department's current language ignores such opportunities, and instead heralds a return to the failed "zero-tolerance" or "no excuses" disciplinary approach of the Bush administration – an approach that saw a significant rise in suspensions and expulsions across the board, including most notably among minority students and students with disabilities

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The previous administration sought to address the issue of school discipline through numerous guidance documents, resulting in decreased national rates for exclusionary discipline practices that included out-of-school suspensions and expulsions. Under your leadership, however, the Department has repeatedly attacked many of these important standards and protections. I urge you to maintain and fully implement those measures, and to continue your predecessors' aggressive efforts to reduce discipline disparities in our public schools. I ask that you revise priority ten to explicitly reflect the importance of reducing the use of exclusionary and aversive discipline practices in our public schools, and to remove any ambiguity that could be seen as endorsing such measures.

I appreciate your consideration of these critical issues adversely impacting our young people.

Sincerely,

A. Donald McEachin

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Member of Congress, VA-04