



# Advocates for Justice and Education, Inc.

*The federally designated Parent Training and Information Center for Washington DC*

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District of Columbia Council  
Committee of the Whole  
Public Hearing on School Security in District of Columbia Public & Public Charter  
Schools April 21, 2021

My name is Stacey Eunnae and I am a resident of Ward 1 and Senior Staff Attorney at Advocates for Justice and Education, Inc. (AJE). AJE is an independent not-for-profit advocacy organization and the federally designated Parent Training and Information Center (PTI) for the District of Columbia. We provide free training, resources, individual assistance, and supports to parents and youth in navigating the District's public education system, especially for students with disabilities. This last fiscal year, AJE's dedicated staff and volunteers increased their calls to parents by 162%. AJE made a total of 1,741 calls this past year to advise, guide and empower DC parents advocating for their children's basic needs and access to an appropriate education. As such, we are uniquely positioned to report on the experience of hundreds of families navigating D.C. educational agencies.

Transparency and accountability in public positions, especially those that provide direct services, surveillance and social/educational programming, is essential to generating trust, safety and security in D.C.'s public schools for all children.

My testimony highlights four primary concerns that the Council needs to know that are relevant to school and student safety:

**(1) The Call for Police Free Schools (DIVEST in what does not work).**

With the goal of creating a safer, more just world for students of color in D.C., AJE joins the D.C. Police Free Schools Coalition in asking D.C.'s educational agencies to remove all forms of police from D.C. schools including DC police officers, special police officers and security officers that are contracted &/or managed through the Metropolitan Police Department (MPD). Black people are disproportionately arrested in over 90% of the District's census tracts, and at 10 times the rate of white people. According to the ACLU, from 2013 to 2017, Black individuals composed 47% of D.C.'s population but 86% of its arrestees. Much of D.C.'s Black Youth and communities of color have lost trust in the police. And without trust there is no security. Employees of educational agencies should not call or rely on the police to



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board school buses or enter schools to deal with issues like a child not keeping his mask on, like what happened earlier this month to 7-year-old D.C.P.S. student, Jedi.<sup>1</sup>

It is not just D.C. students who are negatively impacted from D.C. schools' over-reliance on police in school matters. In fall of 2019, D.C.P.S.'s attorney, Daniel McCall,<sup>2</sup> insisted a Hearing Officer call security to escort a parent out of her due process hearing because "he felt threatened," and over the years, AJE has represented many "barred" parents who are told they'll be arrested for trespassing if they return to their child's school. Please note that D.C.P.S. administrators have already sanctioned this practice and will not change without pressure from the Council and community. For example, Attorney McCall's call to security in 2019 came more than a year *after* a federal judge deemed his conduct as a D.C. lawyer "egregious" "totally indefensible" and "deplorable" for calling security to exclude a parent's attorney from a meeting he had a statutory right to attend<sup>3</sup> and six years after he used the same tactic against a Huffington Post reporter.<sup>4</sup>

Simply put, there is a lack of evidence<sup>5</sup> to suggest that school-based officers actually make school campuses and student populations safer, and D.C. students have told us that oftentimes the police presence is why they feel unsafe in schools. See, for example, the students' recommendations laid out in the "Black Youth Agenda."<sup>6</sup>

Additionally, to ensure student safety in D.C.'s schools, educational agencies should clarify and publish any new student expectations stemming from COVID-19 and refrain from using punitive discipline techniques that take children away from instruction. For years, D.C. schools relied on suspensions and expulsions when responding to student

<sup>1</sup> Arnold, Jess. "'We are being objectified' Police called to boy's bus after he kept removing his mask, mom says," WUSA9 (Mar. 30, 2021) available at <https://www.wusa9.com/article/news/education/police-called-to-seven-year-olds-bus-after-he-kept-removing-mask-mom-says/65-616a6135-ea5e-4059-96c9-408dedd2632c> (additional note: Dr. Chioma Oruh, Jedi's mother as indicated in the article, is a former staff and team member of D.C.'s Parent Center, Advocates for Justice and Education, Inc.). <sup>2</sup> Daniel McCall has been a D.C.P.S attorney for more than 11 years, and is, according to public record, paid higher than 98% of the average D.C.P.S. employee.

<sup>3</sup> See, *Blackman v. District of Columbia*, 633 F.3d 1088 (2011), Civil Action No. 97-1629, p. 6, available at [https://www.govinfo.gov/content/pkg/USCOURTS-dcd-1\\_97-cv-01629/pdf/USCOURTS-dcd-1\\_97-cv-01629-36.pdf](https://www.govinfo.gov/content/pkg/USCOURTS-dcd-1_97-cv-01629/pdf/USCOURTS-dcd-1_97-cv-01629-36.pdf).

<sup>4</sup> See, "We're Losing Our Little Boy: One Family's Heartbreaking Fight for their Son's Education," (11/24/2013) available at <https://www.huffpost.com/entry/public-schools-special>

[education n 4261145](#) (“Daniel McCall, one of the district's eight attorneys for the special education division, had kicked this reporter out of the room, then out of the school building entirely.”).<sup>5</sup> See “What do We Know About the Effects of School-based Law Enforcement on School Safety?” WestEd Justice & Prevention Research Center (2018), available at <https://www.wested.org/wp-content/uploads/2018/04/IPRC-Police-Schools-Brief.pdf>

<sup>6</sup> “Black Youth Agenda,” Black Swan Academy, available at, <https://www.blackswanacademy.org/black-youth-agenda>

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behavior issues, despite overwhelming evidence that they were harmful and ineffective at keeping students safe. In fact, not much changed over the years until this Council passed the Student Fair Access to School Act in 2018, which placed substantive restrictions on the amount of instructional days schools could take away from students for misbehavior. Since that time, I have observed a decrease in students reporting violence and other crimes against them *during* school hours when they are outside of school. Similar to the approach to reforming school discipline in D.C., the D.C. Council could prevent and/or restrict D.C. schools from relying on the police to respond to student behaviors because students' behavior is fundamentally an educational matter that calls for evidence-based interventions from educational experts. The interventions needed are Counselors Not Cops.

### **(2)The Need to Invest in Mental Health and Trauma-Informed Supports**

It is critical that D.C.P.S. and DC charter schools address the considerably elevated mental health conditions associated with the COVID-19 Pandemic.<sup>7</sup> According to the Trevor Project, suicide is the 2<sup>nd</sup> leading cause of death among people ages 10-24 and in 2019, prior to the Pandemic, 1 in 3 D.C. high school students surveyed reported feeling sad or hopeless almost every day for 2 weeks in a row and nearly 20% said they seriously considered attempting suicide in the last year. In a recent report on the impact of COVID 19 on D.C. student achievement, students reported anxiety related to the pandemic, with 77% being concerned of being exposed to COVID-19, and 45% reporting that their family's financial situation has become increasingly stressful.<sup>8</sup>

Because we already know which communities in D.C. have been impacted the most by COVID-19, food and housing insecurity, racism and gun violence, educational agencies should provide targeted assistance and programming in these specific areas. Targeted assistance should incorporate the student recommendations laid out in the “Black Youth Agenda,”<sup>9</sup> which includes: increasing the number of mental health professionals

<sup>7</sup> Younger adults, racial/ethnic minorities, essential workers, and unpaid adult caregivers experienced disproportionately worse mental health outcomes, such as increased substance use and elevated suicidal ideation. While the CDC did not survey children under 18, *prior* to the Pandemic, 1 in 3 D.C. high school students surveyed reported feeling sad or hopeless almost every day for 2 weeks in a row and nearly 20%

said they seriously considered attempting suicide in the last year.

<sup>8</sup> EmpowerK12. *COVID-19's Impact on Student Achievement and Academic Growth in DC*. 2020, static1.squarespace.com/static/5f9857f027d55d2170cd92ac/t/5fdb6d5dc70d2641e55ff244/1608215913800/COVID-19%27s+Impact+on+DC+Student+Achievement+-+EmpowerK12+Initial+Findings+Dec+2020.pdf.

<sup>9</sup> The Black Swan Academy is a non-profit organization in DC that focuses on empowering Black youth and operates “After School Programs” for students from 6th-12th grade. In these programs, students become engaged in critical discussion *about various injustices in their schools and communities, sparking action through youth community service projects and activities*. Source: blackswanacademy.org.

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(#LetMeVent) and community violence interrupters, providing community-led training for mediation and conflict resolution, and mandating training for educators and adults interacting with youth.

### **(3)The Need for Transparency as it Relates to Student Safety**

In October, 2020 I testified how *D.C.P.S. took more than six months to respond to a grievance* filed by an elementary school parent after her non-verbal child came home with bruises and a busted lip. That parent is now part of a [class-action lawsuit against D.C.P.S.](#),<sup>10</sup> comprised of parents whose disabled children came home from different D.C.P.S. schools seriously injured without adequate explanation or documentation. It is unacceptable that although there are cameras and student behavior trackers in every school building—parents are actively blocked from accessing incident reports and security footage, even in situations where a child has broken bones or has reported sexual assault.

D.C.'s educational agencies need to fundamentally change how they communicate and engage with parents, including but not limited to their allocation and use of school attorneys. D.C.P.S. and charter schools internal system that permits a school to ignore parents with serious concerns about their children's education and well-being is not in the best interest of students or schools. Further, a system where the burden is on families and small non-profit organizations like AJE to inform D.C.P.S. and O.S.S.E. about each child's situation is both unfair and inefficient. Therefore, AJE pushes schools to increase their transparency as it is directly related to student safety and calls for additional oversight in D.C.P.S.'s and other schools' 'grievance processes'.

Additionally, low teacher retention rates and staffing shortages cause system-wide failures to provide children with special education services and this also has an impact on students' safety. This likely also impacts students without disabilities since staff shortages lead some schools to substitute staff, assign under-qualified teachers to teach and/or use paraprofessionals to help fill in gaps to serve students. One potential solution would be to adjust classroom ratios based on teacher performance and student need;

however, only transparency and accountability will restore trust between schools and families.

#### **(4) Violence at D.C.P.S. School Sporting Events**

<sup>10</sup> Nathan Baca, *Broken bones, loosened teeth among student injuries lawsuit alleges against D.C.P.S.*, WUSA (Feb. 2, 2021) <https://www.wusa9.com/article/news/investigations/dc-public-schools-lawsuit-special-needs-children-injuries-neglect/65-8fe91f46-2e03-4e16-bce5-79f82d3da163>.

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At the D.C.P.S. Performance Oversight Hearing in February, 2020, I reported to the D.C. Council's then-Committee on Education that AJE was concerned about group fights and violence involving students and members of the public that were erupting frequently at D.C.P.S. high school basketball and football games. We learned from our clients that some schools tried restricting public access to, and even cancelled, games because of violence or other security issues, and that youth have been injured as well as arrested at sporting events.<sup>11</sup>

As the city's largest school district, D.C.P.S. has a responsibility and opportunity to address student conflicts which exist within and between their schools. For years, AJE has heard about long-standing "neighborhood beefs" underlying student fights and reports of students being jumped on their way to and from school but it is unclear what D.C.P.S. high schools are doing to address rivalries among their schools and sports teams. As D.C.P.S. sports teams prepare to resume in-person practice and competitive events that were put on hold because of the Pandemic, student safety and well-being must be the focal point.

AJE recommends that D.C.P.S. invest in restorative practices and work together with students and community leaders to help heal long-standing neighborhood beefs that will never be resolved by breaking fights up one at a time, and allowing the underlying problems to fester and grow. D.C.P.S. could lead by example and hold restorative conversations between principals, athletic directors and sports teams to reduce fights related to school rivalries.

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In conclusion, AJE urges the Council to approach school security and student safety centering the needs and voices of students. And D.C. youth has made clear, they want police free schools and increased access to trauma-informed mental health supports.

<sup>11</sup> See e.g., “18 H.D. Woodson Players Suspended for Turkey Bowl After On-Field Fights,” Washington Post (Nov. 15, 2017), available at [https://www.washingtonpost.com/sports/highschools/18-hd-woodson-players-suspended-for-turkey-bowl-after-on-field-fight/2017/11/15/794be168-ca33-11e7-b0cf-7689a9f2d84e\\_story.html](https://www.washingtonpost.com/sports/highschools/18-hd-woodson-players-suspended-for-turkey-bowl-after-on-field-fight/2017/11/15/794be168-ca33-11e7-b0cf-7689a9f2d84e_story.html)