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Interim President & CEO
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July 22, 2021

Submitted via www.regulations.gov

Suzanne B. Goldberg
Acting Assistant Secretary
Office for Civil Rights
U.S. Department of Education
400 Maryland Avenue SW
Washington, D.C. 20202-1100

Re: Docket ID ED-2021-OCR-0068, Comments in Response to Request for Information Regarding the Nondiscriminatory Administration of School Discipline

Dear Acting Assistant Secretary Goldberg:

On behalf of The Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership of more than 220 national organizations to promote and protect the civil and human rights of all persons in the United States, we are sharing the following materials in response to the Office for Civil Rights, U.S. Department of Education's request for information regarding the nondiscriminatory administration of school discipline:

- School Discipline Guidance Recommendations document shared on May 5, 2021, with the U.S. Department of Education's Office for Civil Rights and the U.S. Department of Justice's Civil Rights Division.
- Civil Rights Principles for Safe, Healthy, and Inclusive School Climates published on June 15, 2020.

Thank you for your consideration of our views. If you have any questions or need additional information, please contact Steven Almazan, K12 Education Program Analyst at The Leadership Conference on Civil and Human Rights, at almazan@civilrights.org.

School Discipline Guidance Recommendations

This document was originally shared with the U.S. Department of Education's Office for Civil Rights and the U.S. Department of Justice's Civil Rights Division on May 5, 2021.

After years of advocacy, the Obama administration released a guidance package on January 8, 2014, including a Joint Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline to assist states, districts, and schools in developing practices and policies to enhance school climate and comply with federal civil rights laws. Unfortunately, that guidance was rescinded by the Trump administration on December 21, 2018. While this rescission did not change the way in which civil rights laws are enforced, it did undermine the protections the guidance describes. The following recommendations are provided below as we urge the Biden administration to strengthen and issue new guidance to ensure nondiscrimination of students in the context of school discipline.

The following are pieces that we do not want to see lost in the Dear Colleague Letter:

- **Disparate impact**, including the three-part test and flow charts.
- **Examples**, including of disproportionality, positive climate and prevention recommendations, and selective enforcement as a potential violation.
- **Remedies**, what the U.S. Department of Education (ED)/Department of Justice (DOJ) can do.
- **Descriptions of the harm** of the school-to-prison pipeline and racially disproportionate discipline.
- **Accountability** for contractors (including school-based police and private security).
- **Equity and safety** are not in conflict.

The following are changes we would like added in the Dear Colleague Letter:

Role of the Department of Education (ED) and ED's Office for Civil Rights (OCR)

- Provide an overview of ED's role in implementing and enforcing laws protecting students from discrimination related to school discipline.
- Clarify OCR's role in investigating claims of discriminatory school discipline practices.
- Describe the various tools ED and DOJ will use to intervene when there is noncompliance, including resolution agreements with specific corrective actions, withholding of federal funds, etc.

Failure to Act

- Make clear that unlawful discrimination as demonstrated through a disparate impact analysis can occur both when actions are taken (e.g., a discriminatory policy in a school code, uneven enforcement of policy, etc.) but also when actions are not taken (e.g., failure to provide behavioral assessments and intervention plans, failure to conduct manifestation determinations, etc.).¹ These actions, while likely violations of other laws, may also be violations of Title VI

¹ Additional examples include calling the police instead of implementing IEP/504 intervention plans, failure to identify children who are eligible for supports and services under Section 504, and failure to meet the requirements of the McKinney-Vento Homeless Assistance Act for children experiencing homelessness.

when such failures burden students of color more than White students.²

Language and Framing

- Use gender-inclusive language instead of “both sexes.”
- Use language that invites a student-centered, developmentally sound approach to education and schooling (two distinct things).
- Use language that reminds people that adults are responsible for themselves and the healthy development of the young people in their care (who are compelled, incidentally, to be in their care, by law).

Data Collection

- Uplift record keeping, data broadly, and the Civil Rights Data Collection (CRDC).
- Ensure accurate and complete data on discipline data elements, including school-related arrests and law enforcement referrals.
- Clearly state that CRDC collection must be completed to ensure compliance with civil rights laws.³

School-Based Law Enforcement and Limitations on Law Enforcement’s Interactions in and Around Schools

- Clearly state that, as demonstrated repeatedly in research,⁴ police contact is harmful for the well-being and education of children — especially children of color, including children of color who have a disability, are LGBTQ+, or experience additional forms of marginalization. Therefore, districts are advised to discontinue school-based policing and involvement (including sharing of information) of law enforcement in discipline, well-being visits, or enforcement of other aspects of a child’s education.
- Clearly state that training and Memorandum of Understanding (MOU) agreements are insufficient to protect students from the harms of school-based policing generally and racially disproportionate policing specifically.
- Clearly state that in instances in which jurisdictions/districts fail to discontinue school-based police programs, law enforcement (including school-based police) should have no role in enforcing the student code of conduct, or other aspects of routine school discipline matters and such programs should be accompanied by extensive scrutiny and oversight by local education

² One source of supporting evidence of such failure is if students of color with disabilities have much higher rates of lost instruction due to disciplinary removals including school-related arrests.

³ ED should consider interventions to address noncompliance with CRDC through the management (e.g., ineligibility for competitive funds or withholding of grant renewals) of grant funds administered by the department.

⁴ Extensive research has shown that school-based policing poses high risks of harm to children in general, and especially to Black and Brown students, including increased risk of academic disengagement, school suspension, school dropout, and arrest and incarceration. School-based policing creates a more punitive learning environment that harms all students in that environment (for example: the Brea Perry and Ed Morris study among others). It must be recognized and acknowledged that the negative effects of school policing fall disproportionately on Black and Brown students. School police are more likely to be placed in schools with higher proportions of disadvantaged or Black and Brown students and are more likely to engage in law enforcement roles in urban, diverse school districts than in suburban, White school districts. As a result, students of color are disproportionately at risk for a host of negative outcomes, including suspension, arrest, and referral to law enforcement.

agencies (LEAs).

- Clearly state that school districts/jurisdictions should not concentrate law enforcement (including school-based law enforcement) or surveillance technologies, including metal detectors, in schools with high proportions of Black, Native, or immigrant students, and doing so is likely a Title VI violation.
- Clearly and specifically articulate Family Educational Rights and Privacy Act (FERPA) limitations on police access to records and describe the potential additional harm to students if records were to be provided to police.⁵
- Clearly state the obligation under FERPA to provide students and parents/guardians access to records (including video and audio recordings) related to discipline or police contact.
- Clearly and specifically name the presence of or coordination with law enforcement, including data sharing and referrals to law enforcement, as particularly harmful to undocumented or immigrant students or students from immigrant families, and potentially in violation of FERPA or *Plyler v. Doe*.
- Clearly describe the ways in which 287g and other agreements with immigration enforcement violate the Title VI rights of students and have no place in schools (including through the sharing of information).

Social-Emotional Learning

- Use language to describe social emotional competencies that centers an equitable, developmentally sound, student-centered, safe, and welcoming learning environment, using contemporary discourse that is informed by critical scholarship and updates older findings.
- Highlight research on social-emotional learning and strategies that teach students skills that enable positive relationships, help them resolve conflicts peaceably, and prevent bullying.
- Describe how social-emotional learning approaches can be racially and culturally affirmative and not another form of policing students of color.
- Include recommendations for creating identity-safe classrooms, such as teaching that promotes understanding, student voice, and student responsibility; cultivating diversity through regular use of diverse materials, ideas, and activities; and creating relationships in caring, orderly, and purposeful classroom environments.
- Clarify the importance of social-emotional learning that is culturally affirming/sustaining, culturally humble, antiracist, anti-oppression, trauma- and healing-informed, and research-based, using contemporary discourse that is informed by critical scholarship and updates older findings.

Support and Training for Adults

- Centering that student behavior is first, attached to student needs and second, directly responsive to the behavior of adults and the culture/climate that adults create.
- Highlight the importance of training for district and school staff so they can implement with fidelity evidence-based practices known to support inclusive and safe schools, including: adult implicit bias reduction, stress management, child and youth development, cultural humility and competency, transformative justice (with use of restorative justice for acute situations), healing

⁵ Examples include immigration enforcement actions against a child or their family, profiling of a student based on their academic record, etc.

justice, multi-tiered system of supports (MTSS), trauma- and healing-informed practices, social and emotional learning, etc.

- Highlight the importance of increasing investments in training, hiring, and retaining antiracist/anti-oppression, culturally affirming counselors, social workers, and other mental health professionals in schools — including through a Community Schools approach (include research about fostering culturally affirming and sustaining learning environments).
- Commit to monitoring school district implementation of approaches like schoolwide positive behavior interventions and supports, to ensure approaches are not being implemented in ways that are inconsistent with critical, culturally affirming approaches to creating a positive school climate.

Intersectionality

- Explicitly name the ways that certain students of color experience additional marginalization (or unlawful discrimination) in the context of school discipline as a result of their other identities which intersect with race, such as sex (including sexual orientation, gender identity, and pregnant or parenting status), immigration status, and/or disability (including examples such as hair, dress, and grooming codes — which may be facially discriminatory or enforced in a discriminatory manner — and subjective infractions such as “defiance” or “school disturbance” that allow for bias in administrator discretion and may be related to stereotypes).
- Explicitly name that students are entitled to protection on the basis of all of their identities and that civil rights violations should be addressed and enforced as such. Describe how protections under Title VI coordinate with protections under Title IX and/or Section 504, the Americans with Disabilities Act (ADA), or the Individuals with Disabilities Education Act (IDEA) (e.g., the right to a free and appropriate education [FAPE]).
- Clearly connect IDEA/504 discipline and ChildFind requirements to students’ nondiscrimination rights, as well as to the use of non-exclusionary alternatives.
- Clearly state that threat assessments can result in discriminatory action and violations of students’ privacy rights, and that school personnel (without law enforcement participation) should address behavioral incidents and situations involving students and that, for children with a disability, the Individualized Education Program (IEP) team and the protections provided under IDEA still apply.

Non-exclusionary Alternatives

- Reinforce that alternatives to exclusionary discipline, such as a referral to mental health supports, must be nondiscriminatory (e.g., adequately trained professional with competency to meet the needs of young people with dynamic identities, including LGBTQ+ students, students with disabilities, undocumented students, students of color, etc., particularly young people who are experiencing more than one of these identities or challenges at the same time).
- Clearly state that restorative practices, trauma- and healing-informed practices, mental health supports, and positive behavior interventions are alternative approaches to exclusionary discipline.
- Clearly state that if school districts concentrate zero tolerance policies and/or application of policies in schools with high proportions of Black, Native, or immigrant students, then this is

likely a Title VI violation.

Corporal Punishment, Restraint, and Seclusion

- Clearly state the tremendous harms of corporal punishment, restraint, and seclusion and name that there is no educational justification for corporal punishment or seclusion. Given the absence of any possible educational justification, any racial disparity in these treatments of children is a violation of Title VI.⁶
- Include strong language encouraging changes to state statutes that permit these actions — eliminating corporal punishment and seclusion and severely restricting the use of restraints. Assert that there is never an educational justification for hitting children.

Protecting Student Privacy

- Surveillance, which may include monitoring students' social media activity, may be a violation of Title VI and/or FERPA.
- Prohibit the use of biometric surveillance, such as facial recognition technology.

Alternative Settings

- Clearly state how racially disproportionate school discipline practices in remote learning environments are subject to Title VI violations.
- Clearly state how racially disproportionate school discipline practices in non-public schools (when a child is placed by a school district) are subject to Title VI and IDEA, including FAPE.

Community Involvement

- Highlight the importance of schools and districts being guided by students, parents, guardians, community members, and those most impacted, in building supportive and welcoming school climates and in responding to student behavior. Indicate that some students and families, especially those who have been involuntarily placed in alternative programs, are even less likely to have had a voice at the table of school-based decision-making.

For Inclusion in Guidance Package (Not DCL Directly)

Provide Technical Assistance

- Provide information, training, and technical assistance to support stakeholders in understanding and implementing student discipline practices in a nondiscriminatory manner (Title VI).
- Provide information, training, and technical assistance for using non-exclusionary discipline practices and implementing evidence-based strategies outlined in the guidance.
- Provide information, training, and technical assistance to support stakeholders in preventing, identifying, and addressing intersectional discrimination in student discipline policies and practices.

⁶ The use of corporal punishment has been most freely used in schools with students who have a larger percentage of students who are identified as Black. See: Gershoff, E. T., & Font, S. A. "Corporal Punishment in U.S. Public Schools: Prevalence, Disparities in Use, and Status in State and Federal Policy." *Social Policy Report*. 2016. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5766273/>

Provide More Accessible Resources and Examples

- Make the guidance more user-friendly, include an updated compendium of current examples of school, district, and state approaches to implementing effective, high-impact, and student-affirming practices outlined in the guidance searchable by topic.
- Include resources for implementing nondiscriminatory school discipline in a virtual setting and to foster culturally responsive learning environments.
- Provide resources for how to engage in ongoing implicit bias reduction.
- Include strategies to ensure student access to well-prepared, experienced, and certified teachers.
- Provide examples of how to respond to the behavior of all students with evidence-based, asset-driven, healing-informed practices, including ongoing training in de-escalation, proper use of functional behavior assessments (FBAs), behavior intervention plans (BIPs) for students with disabilities, etc.

Resource Equity and Access to Staff Personnel

- Include additional information on how states, districts, and schools can identify and target resources to increase student access to mental health services and supports to address underlying issues that might contribute to student behavior.
- Incorporate current research about how student access to well-prepared, experienced, and certified teachers improves school climate.
- Address equitable distribution of resources and how disproportionate amounts of resources spent on criminalization in marginalized communities rather than on health and social-emotional supports for students are civil rights violations.

Include Reference to the Related Requirements of the Every Student Succeeds Act (ESSA)

- Align recommendations with the requirements of ESSA Title I Sec. 1111 (b)(g)(C)(i-iii) requiring all states to support local educational agencies to improve school conditions for student learning, including through reducing incidences of bullying and harassment based on race, color, national origin, sex, disability, sexual orientation, gender identity, and religion; the overuse of discipline practices that remove students from the classroom; and the use of aversive behavioral interventions that compromise student health and safety, defined as seclusion and restraint.

Submitted Jointly By:

The Leadership Conference on Civil and Human Rights
The Leadership Conference Education Fund
Advancement Project National Office
American-Arab Anti-Discrimination Committee (ADC)
American Atheists
Association of University Centers on Disabilities (AUCD)
Augustus F. Hawkins Foundation
Autism Society of America
Autistic Self Advocacy Network

Bazelon Center for Mental Health Law
Center for Law and Social Policy (CLASP)
Center for Learner Equity
Charles Hamilton Houston Institute for Race and Justice at Harvard Law School
Children's Rights Clinic
Citizens for Juvenile Justice
Citizens for Public Schools
Clearinghouse on Women's Issues
Committee for Children
Council of Parent Attorneys and Advocates
Dignity in Schools Campaign
Disability Rights Education & Defense Fund
Education Law Center-PA
Family Equality
Fannie Lou Hamer Center for Change
Feminist Majority Foundation
Girls Inc.
GLSEN
Gwinnett SToPP
Hispanic Federation
Human Rights Campaign
IDRA (Intercultural Development Research Association)
Lawyers for Civil Rights Boston
Lawyers for Good Government (LAGG)
Lawyers' Committee for Civil Rights Under Law
Legal Aid Justice Center
Massachusetts Attorneys for Students' Educational Rights
NAACP Legal Defense and Educational Fund, Inc. (LDF)
National Action Network
National Alliance for Partnerships in Equity (NAPE)
National Center for Learning Disabilities
National Center for Parent Leadership, Advocacy, and Community Empowerment (National PLACE)
National Center for Transgender Equality
National Center for Youth Law
National Disability Rights Network (NDRN)
National Immigration Law Center (NILC)
National Urban League
National Women's Law Center
Nollie Jenkins Family Center
NYCLU
Public Justice
Sikh Coalition
SPAN Parent Advocacy Network



SPLC Action Fund
Strategies for Youth Inc.
The Arc of the United States
The Center for Civil Rights Remedies at UCLA's Civil Rights Project
The Education Trust
The Institute for Compassion in Justice
The National Parents Union
UnidosUS

Civil Rights Principles for Safe, Healthy, and Inclusive School Climates

This document was most recently released and made public on June 15, 2020.

The federal government's role in ensuring schools are free from discrimination has been articulated and affirmed by the U.S. Supreme Court, Congress, and the U.S. Department of Education (ED).⁷ Ensuring that all children are safe and welcome in schools is incredibly important to our organizations, our partners, and the communities we represent.

At such a tenuous time, the nation, federal and state governments, and schools are focused on the importance of building safe, healthy, and inclusive school environments. The tragedies that have occurred in schools across the country demand serious investments in evidence-based policies and practices that keep children and staff safe and do not exacerbate the school-to-prison pipeline, further criminalize marginalized children, or increase the over-policing of students in schools and communities. These investments and policy changes are needed to prevent further disenfranchisement of historically marginalized students, including students of color, Native students, students with disabilities, LGBTQ youth, religious minorities, sexual assault survivors, and immigrant students, among others. These practices include comprehensive, multi-tiered systems of support; counseling; positive behavior supports; restorative justice programs; and trauma-informed care.

In order to ensure that students are learning in safe, healthy, and inclusive environments, we seek PK-12 school climate legislation that meets the following principles. We ask members of Congress to fulfill their role in helping educators and communities create and maintain safe schools that afford all students equal educational opportunities by incorporating these principles into all relevant legislation. 1 See: *Brown v. Board of Education* (1954); *Lau v. Nichols* (1974); *Plyler v. Doe* (1982); Title VI of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; Individuals with Disabilities Education Act (IDEA); Section 504 of the Rehabilitation Act of 1973; Americans with Disabilities Act (ADA) of 1990; Age Discrimination Act of 1975.

Overarching Goals

Several goals are included throughout school climate work and run through each of the principles outlined below. We believe each priority should be fully funded, provided with adequate resources to be effective, and targeted at the schools and students that need them the most. Additionally, all school staff need to receive evidence-based, culturally responsive training and other professional development to be able to implement any programs or policies put in place to improve school climate and ensure equitable educational opportunities for all students. All legislation should include sufficient oversight and enforcement to ensure compliance.

⁷ See: *Brown v. Board of Education* (1954); *Lau v. Nichols* (1974); *Plyler v. Doe* (1982); Title VI of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; Individuals with Disabilities Education Act (IDEA); Section 504 of the Rehabilitation Act of 1973; Americans with Disabilities Act (ADA) of 1990; Age Discrimination Act of 1975.

PRINCIPLE #1: ENSURE RIGHTS OF STUDENTS

Federal law and policy must protect and enforce students' legal rights. Legislation should protect the right to a hearing for students who face suspension from school and the right to effective and timely parental notification of disciplinary actions; ensure all children, regardless of immigration status, have equal access to an education; ensure that transgender students (including boys, girls, and children of all other genders) are safe and supported at school, including by ensuring their access to programs and facilities that match their gender identity; ensure that schools address sexual harassment in an equitable manner consistent with guidance documents issued by ED in 2001,⁸ 2011,⁹ and 2014¹⁰; ensure and affirm all rights of students, including First Amendment rights, which have historically protected organizing and dissent at schools; enforce the protections assured by the Constitution with regard to search, seizure, and interrogation at school for all students; and ensure that students are not subject to discriminatory discipline based on race, color, national origin, disability, religion, or sex (including sexual orientation, gender identity, and pregnancy status), including by restoring a private right of action for disparate impact claims. All legislation must include an oversight mechanism to publicly identify when schools and local education agencies are not protecting students' rights and a private right of action when students' rights are violated.

PRINCIPLE #2: ENCOURAGE SCHOOLS TO IMPLEMENT COMPREHENSIVE AND SUPPORTIVE DISCIPLINE PRACTICES

The most effective methods for improving school climate engage children and teachers in pro-social activities that build positive relationships, promote cultural competency, confront bias, celebrate diversity, are trauma-informed, and instill a sense of community throughout the school. Any legislation intended to improve school climate should require that federal funds be used to implement only evidence-based, preventative measures that build positive school cultures and alternatives to exclusionary discipline and criminalization. This includes offering comprehensive professional development opportunities; hiring enough guidance counselors, social workers, and health professionals who are knowledgeable about child-centered civil rights laws; and employing culturally responsive practices (including accessible to people with disabilities and English language learners), restorative justice, and school-wide positive behavioral interventions and supports. All legislation should include oversight provisions and penalties for local education agencies that fail to comply.

PRINCIPLE #3: ADDRESS CHILDHOOD TRAUMA

Schools should foster a positive climate for learning by supporting all children, including by acknowledging the trauma that some children and their families – and also administrators and teachers – experience every day. Any legislation to address school climate must include funding for effective professional development for school personnel to implement practices that recognize, acknowledge, and respond appropriately to childhood trauma; more mental health services and counselors; and funding and technical assistance to programs that support children, including restorative justice programs, school-wide

⁸ U.S. Department of Education Office for Civil Rights. "Revised Sexual Harassment Guidance: Harassment of students by school employees, other students or third parties." January 19, 2001

⁹ U.S. Department of Education Office for Civil Rights. "Dear Colleague Letter." April 4, 2011

¹⁰ U.S. Department of Education Office for Civil Rights. "Questions and Answers on Title IX and Sexual Violence." April 29, 2014.

positive behavioral interventions and supports, positive youth development, and social and emotional learning. Such legislation must also include reporting and oversight requirements to ensure grant funding is being used as intended by the law.

PRINCIPLE #4: ENHANCE PROTECTIONS AGAINST HARASSMENT AND DISCRIMINATION IN SCHOOL

Congress must resoundingly affirm children’s right to be free from discrimination, including harassment and bullying (including cyberbullying) based on protected traits, including sexual orientation or gender identity. Schools that receive federal funds should be required to adopt codes of conduct that specifically prohibit bullying and harassment on the basis of actual or perceived race, color, national origin, disability, sex (including sexual orientation, gender identity, pregnancy and related conditions), and religion, as well as retaliation for being a party or witness in a complaint of discrimination or bullying. Additionally, Congress should affirm and clarify that sexual orientation and gender identity are protected traits that are subject to anti-discrimination protection in educational programs. Schools should also be required to provide reliable and accurate data disaggregated and cross-tabulated by race, sex, and disability on harassment and bullying (including cyberbullying) to the Department of Education. Further, any legislation should include a private right of action to ensure individuals can take legal recourse when state actors violate the law.

PRINCIPLE #5: ENSURE ACCOUNTABILITY THROUGH ACCURATE AND COMPREHENSIVE DATA COLLECTION

Schools and districts should be required to collect and report comprehensive school climate data that is disaggregated, cross-tabulated, accurate, timely, and broadly and publicly available without personally identifiable information. Students, parents, and community members deserve data transparency so they can gauge school climate within their districts. While the Civil Rights Data Collection includes important information about students’ experiences, additional data are needed (including, for example, on the use of force by police in schools and all involuntary removals and transfers from school over five school days in length) and oversight is needed to ensure reported data are accurate. Data should be collected so as to inform updates on infrastructure, programming, resources, and school personnel training.

PRINCIPLE #6: INVEST IN SCHOOL INFRASTRUCTURES THAT SUPPORT POSITIVE SCHOOL CLIMATES

Children deserve to attend schools that are safe, clean, and conducive to learning. Legislation to improve school climate should provide adequate and equitable funding for proper facilities and services, including heat, air conditioning, drinkable water, food assistance programs like school lunches, full ADA compliance, modern buildings, and current, modern technology designed to improve student learning. Investment in educational materials should also be culturally responsive and affirming to the histories of children and families who make up our public education system. Any legislation should include oversight and penalties for local education agencies to ensure that funding is used to update buildings to facilitate learning and prohibit the use of school infrastructure funding to militarize or “harden” schools or increase surveillance of children.

PRINCIPLE #7: ELIMINATE SCHOOL-BASED LAW ENFORCEMENT

Police, including school resource officers (SROs), do not belong in schools. Education legislation intended to improve school climate should expressly prohibit using federal funds on school police or surveillance and work towards the elimination of law enforcement and surveillance in schools. To the degree that law enforcement, including SROs and school security guards, remain in schools, any legislation proposed must require local education agencies to have written Memorandum of Understanding (or legal agreements) that define the role and responsibility of all law enforcement and school safety personnel and that also prohibit school police officers and similar school personnel, including volunteers, contractors, and affiliates, from enforcing student codes of conduct, engaging in a school discipline role, or managing student behavior that belongs in the hands of administrators; prohibit both police and school personnel from carrying weapons; and require school police to receive comprehensive and ongoing training on youth behavior, implicit bias, and student rights. All legislation should include oversight and penalties for local education agencies that fail to comply with its provisions.

PRINCIPLE #8: ELIMINATE THREATS TO STUDENTS' HEALTH AND SAFETY

Creating a safe and inclusive school climate requires stopping counterproductive and overly harsh punishments, including corporal punishment and restraints and seclusion, which impact our most marginalized youth and lead to long-term behavioral and mental health impacts. Federal legislation to address school climate must prohibit the use of restraints (except in situations of imminent danger of serious physical harm to self or others), prohibit the use of seclusion, and require the end of corporal punishment. These practices have no place in our schools. Legislation should limit or ban these harmful practices while also requiring improved disaggregated school-level data collection, an immediate meeting between parents of the student and the school when one of these practices occurs, and also include a private right of action to ensure individuals can take legal recourse when state actors violate the law.

Signers of the Civil Rights Principles for Safe, Healthy, and Inclusive School Climates, October 2019:

The Leadership Conference on Civil and Human Rights
The Leadership Conference Education Fund
NAACP Legal Defense & Educational Fund, Inc.
Campaign for Youth Justice
ACCESS
Advancement Project National Office
American Association for Access, Equity and Diversity
American Association of University Women
American Civil Liberties Union
American Humanist Association
American Islamic Congress
American-Arab Anti-Discrimination Committee
Anti-Defamation League
Arab American Institute
Association of University Centers on Disabilities

Augustus F. Hawkins Foundation
Autistic Self Advocacy Network
Bazelon Center for Mental Health Law
Center for Law and Social Policy (CLASP)
Center for Popular Democracy
Clearinghouse on Women's Issues
Council of Parent Attorneys and Advocates
Delta Sigma Theta Sorority, Inc.
Disability Rights Education & Defense Fund (DREDF)
Education Law Center - PA
Feminist Majority Foundation
GLSEN
Hindu American Foundation
Hispanic Federation
Human Rights Campaign
Impact Fund
Interfaith Alliance
Iota Phi Lambda Sorority, Inc.
Lambda Legal
Lawyers' Committee for Civil Rights Under Law
MALDEF
Movement Advancement Project
NAACP
National Alliance for Partnerships in Equity (NAPE)
National Association of Councils on Developmental Disabilities
National Association of Human Rights Workers
National Center for Law and Economic Justice
National Center for Lesbian Rights
National Center for Special Education in Charter Schools
National Center for Transgender Equality
National Center for Youth Law
National Council on Independent Living
National Disability Rights Network
National LGBTQ Task Force Action Fund
National Partnership for Women & Families
National Organization for Women
National Urban League
National Women's Law Center
NBJC
OCA - Asian Pacific American Advocates
PFLAG National
Shriver Center on Poverty Law
Southeast Asia Resource Action Center (SEARAC)

Southern Poverty Law Center
TASH
Voto Latino
YWCA USA

The following organizations joined the original signers in endorsing these Civil Rights Principles for Safe, Healthy, and Inclusive School Climates as of June 15, 2020:

National

Alliance for Educational Justice
Alliance for Strong Families and Communities
American Association of Colleges for Teacher Education (AACTE)
American Association of People with Disabilities
American Atheists
American Council of the Blind
American Dance Therapy Association
Association of Latino Administrators and Superintendents
Association on Higher Education And Disability (AHEAD)
Autistic Reality
Autistic Women & Nonbinary Network
Brain Injury Association of America
Campaign for Trauma-Informed Policy and Practice
Center for African Immigrants and Refugees Organization (CAIRO)
Center for American Progress
Center for Community Resilience
Center for Disability Rights
Center for Law and Education
Center for Public Representation
CenterLink: The Community of LGBT Centers
Children's Advocacy Institute
Children's Defense Fund
Civil Rights Project/Proyecto Derechos
Civiles Civitas ChildLaw Center, Loyola University Chicago School of Law
Collaborative for Academic, Social, and Emotional Learning (CASEL)
Collaborative for Student Success
Committee for Children
Dignity in Schools Campaign
Domestic Violence Legal Empowerment and Appeals Project
Easterseals
Education Law Center
Education Reform Now
Educators for Excellence
EduColor

Empowering Pacific Islander Communities (EPIC)
End Rape On Campus
Family Equality
Family Focused Treatment Association
First Star Institute
FORGE, Inc.
Futures Without Violence
Garifuna International Indigenous Film Festival
Girls Inc.
Global Women's Institute
Hip Hop Caucus
IDRA (Intercultural Development Research Association)
Intersystems
Japanese American Citizens League
KIPP
Kros Learning Group
Learning Disabilities Association of America
MANA, A National Latina Organization
Minority Veterans of America
Modern Military Association of America
National Action Network Nassau County Chapter
National Alliance to End Sexual Violence
National Association of the Deaf
National Black Child Development Institute, Inc.
National Center for Learning Disabilities
National Center for Parent Leadership, Advocacy, and Community Empowerment (National PLACE)
National Center for Victims of Crime
National Coalition for LGBT Health
National Council of Asian Pacific Americans
National Council on Educating Black Children
National Crittenton
National Down Syndrome Congress
National Health Law Program
National Immigration Law Center
National Juvenile Justice Network
National Network to End Domestic Violence
National WIC Association
National Youth Advocate Program, Inc.
NEA Foundation
New Leaders
Ounce of Prevention Fund
Poverty & Race Research Action Council
Public Advocacy for Kids (PAK)

RespectAbility
Restoring Community of Illinois
ReTribe Transformations, L3C
Southern Education Foundation
SPAN Parent Advocacy Network
Speak Up Special Education Advocacy
Starr Commonwealth
The Education Trust
The National Association for Bilingual Education
The Sentencing Project
The Trevor Project
TNTP
Trust for America's Health
Ujima Inc: The National Center on Violence Against Women in the Black Community
UnidosUS
Union for Reform Judaism

State/Local

Advocates for Children of New York
Agency for Humanity
All Voting is Local Georgia
Allendale Association
Alliance for Community
Transformations
Amani Community Services
APEX Behavioral Consulting LLC
Arizona Coalition to End Sexual and Domestic Violence
Avanzar
AWACE LIFE CARE CENTER
BBNC Education Foundation
Black Girls Rock of MS, Inc.
California Partnership to End Domestic Violence
California State Council on Developmental Disabilities
California Work & Family Coalition
Center for Children
Center for Pan Asian Community Services, Inc.
Chicago Lawyers' Committee for Civil Rights
Child Justice, Inc.
Children's Defense Fund - New York
Children's Defense Fund - Ohio
Children's Defense Fund - Texas
Children's Rights Clinic, Southwestern Law School
Citizens Review Board for Children

Colorado Children's Campaign
Crisis Center Dodge City
DCADV
Deaf Iowans Against Abuse, Inc.
Decoding Dyslexia MA
Disability Law Center
Disability Law Colorado
Disability Rights Arkansas
Disability Rights California
Disability Rights Center of the Virgin Islands
Disability Rights Florida
Disability Rights Maine
Disability Rights Maryland
Disability Rights Nebraska
Disability Rights North Carolina
Disability Rights Oregon
Disability Rights Pennsylvania
Disability Rights Tennessee
Disability Rights Texas
Disability Rights Wisconsin
District Alliance for Safe Housing, Inc
Earl Carl Institute for Legal & Social Policy, Inc
EdLaw Project of the Committee for Public Counsel Services
El Sol Science and Arts Academy
Equality California
Equality North Carolina
Family Crisis Center, Inc.
Friends of Goody Bassett
Garifuna International Indigenous Film Festival
Georgia Coalition for the People's Agenda
Girls Inc. of Carpinteria
Girls Inc. of Long Island
Girls Inc. of Memphis
Girls Inc. of Orange County
Girls Inc. of Santa Fe
Girls Inc. of the Valley
GIRLSwSTEAM
GRASP (Great Aspirations Scholarship Program, Inc.)
Hawaii State Coalition Against Domestic Violence
Illinois Coalition Against Domestic Violence
Indiana Coalition Against Domestic Violence
Indiana Disability Rights
Iowa Coalition Against Domestic Violence

Journey of Hope Inc.
Justice Center of Southeast MA
Kansas Coalition Against Sexual and Domestic Violence
Kentucky Coalition Against Domestic Violence
Lawyers' Committee for Civil Rights of the San Francisco Bay Area
Legal Aid Justice Center
Los Angeles LGBT Center
Loud Voices Together Educational Advocacy Group, Inc.
Maine Developmental Disabilities Council
Maryland Center for Developmental Disabilities
Maryland Essentials for Childhood
Maryland State Council on Child Abuse and Neglect
Massachusetts Advocates for Children
Massachusetts Attorneys for Special Education Rights
McFarland and Associates, Inc.
Mental Health America of North Dakota
Mental Health Legal Advisors Committee
Michigan Alliance for Special Education
Michigan Protection & Advocacy Service, Inc.
Mid-Atlantic P.A.N.D.A. (Prevent Abuse and Neglect through Dental Awareness)
Muncie Human Rights Commission
ND Federation of Families for Children's Mental Health
Nebraska Coalition to End Sexual and Domestic Violence
Nevada Coalition to End Domestic and Sexual Violence
New Jersey Coalition to End Domestic Violence
New Orleans Youth Alliance
New York State Coalition Against Domestic Violence
North Carolina Coalition Against Domestic Violence
North Dakota Protection & Advocacy Project
NYCLU
Ohio Domestic Violence Network
Ohio Hispanic Coalition
OutNebraska
Pegasus Legal Services for Children
Prevent School Violence Illinois
Progressive Life Center, Inc.
Project Butterfly New Orleans
Project Sanctuary of Mendocino County
Project: PeaceMakers, Inc
Racial Justice NOW
Rape/Domestic Abuse Program
Restore Advocacy
Rhode Island Coalition Against Domestic Violence

Rise-NY
Safehouse Crisis Center
Saint James Missionary Baptist Church
Silver State Equality-Nevada
Sisters Acquiring Financial Empowerment
Special Education Advocacy and Consulting
Special Needs Advocacy Network, Inc (SPaN) - Massachusetts
Strong Youth Foundation
Systems Change Consulting
Taller Salud
Taste of Korea Chicago
The Family Tree/Prevent Child Abuse Maryland
The Network: Advocating Against Domestic Violence
Thompson Child & Family Focus
Transforming School Discipline Collaborative
Uplift Education
Urban League of Hampton Roads, Inc.
Urban League of Springfield, MA
Ventura County Women's Political Council
Vera House, Inc.
Violence Free Colorado
Virginia Sexual & Domestic Violence Action Alliance
West Virginia Coalition Against Domestic Violence
Western CT Association for Human Rights - WeCAHR
YWCA Berkeley/Oakland
YWCA Darien-Norwalk
YWCA Kalamazoo
YWCA National Capital Area
YWCA of Glendale
YWCA of the Sauk Valley
YWCA Southeastern Massachusetts
YWCA Yakima