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April 20, 2017

*By electronic mail*

Senator Cathleen Galgiani  
California State Senate  
State Capitol, Room 5097  
Sacramento, California 95814

**RE: SB 805 (Galgiani) – Oppose As Amended March 30,  
2017**

Dear Senator Galgiani:

Public Advocates respectfully opposes SB 805 as amended, your proposal to eliminate school administrators' discretion in discipline decisions for an assault, battery, or threat of, on a school employee. This is a step backward from the Legislature's enactment in recent years of policies to pull back from a "zero tolerance" approach and conflicts with an approach of letting local districts take into account their students' circumstances and needs.

Public Advocates is a civil rights legal organization that challenges the systemic causes of poverty and discrimination by strengthening community voices in public policy and achieving tangible policy and legal victories advancing equitable opportunity. With our community partners, we are committed to ensuring equitable opportunities to learn meaningfully address the needs of our state's most vulnerable students.

With the enactment of the Local Control Funding Formula (LCFF) and a new multiple measures accountability system, the Legislature requires schools to address school climate and student engagement, both of which relate to how schools handle student misbehaviors and discipline. Many of our community partners statewide have worked hard to advocate for restorative practices or positive behavior interventions and supports, both of which reject one-size fits all approaches which have been shown to be ineffective in reducing student misbehavior and school disruption.

SB 805 takes away the discretion of school administrators and precludes them from even considering the best approach to address the needs of the situation. It is contrary to the local control contemplated by our new accountability system and would take the state back to a zero-tolerance

policy that has been found to exclude students of color and poor students, the very students for whom LCFF is intended to support, and is contrary to alternative approaches such as those being piloted in school districts because of LCFF and the multiple state priorities established by the Legislature. To quote Governor Brown in his promotion of LCFF, a weighted funding formula to address the needs of students based on poverty, language and foster youth status, *“Equal treatment for children in unequal situations is not justice.”*

Since the California Department of Education began collecting and reporting detailed data on suspensions and expulsions, it has seen a significant decline in suspensions and expulsions because of the innovative efforts of community groups, school districts, and the Department itself to provide a variety of alternative disciplinary programs and options that keep more children in school. Zero tolerance policies such as SB 805 have failed to keep schools safe, and have failed to create better learning environments for our students. In extreme disciplinary measures that will have a profound effect on a student’s educational and life trajectory, consideration of the circumstances and discretion of school site leaders are vital.

For these reasons, Public Advocates respectfully opposes SB 805. Please do not hesitate to contact me if you have questions about our position.

Sincerely,

A handwritten signature in cursive script that reads "Liz Guillen".

Liz Guillen  
Director of Legislative & Community Affairs  
(916) 803-5596 mobile

cc: Senate Education Committee

