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ACLU OF RI POSITION: SUPPORT/AMEND

TESTIMONY ON 26-H 8362, RELATING TO EDUCATION -- CURRICULUM -- FOSTER CARE YOUTH ACADEMIC REPORTS April 9, 2026

The ACLU of Rhode Island supports this legislation which would require the collection of additional information regarding the academic status of students in foster care and the development of remediation plans to address adverse and disproportionate academic or disciplinary findings affecting these children. We believe that the additions this bill makes to the current law are helpful not only to these youth but also in providing a roadmap to school officials to address adverse treatment of children in their educational care.

At the same time, in line with this bill's goals, we would suggest the adoption of two amendments designed to provide additional useful information to policymakers in trying to ensure that foster children are being properly treated in the academic setting.

Specifically, on Page 2, line 31, the bill commendably calls for collecting information not only on the number of foster care youth suspended or expelled from school, but also the infraction type. This is extremely useful information to have in order to determine, for example, if these children are being unfairly suspended for minor infractions of school rules. However, we would urge that the suspension data be broken down further by race and disability. Over the course of many years, our organization has issued reports documenting the severe and disproportionate use of school suspensions on students of color and students with disabilities.¹ It would be helpful to see if and how those disparities apply specifically to youth in foster care.

In that same vein, we would urge that the remediation plan requirements established on Page 3 of the bill address not only disproportionate suspensions generally, but also address suspension data showing discipline disparities based on race and disability. We do not think this legislation will have accomplished its goal if school officials reduce disproportionate suspensions of foster care youth, but significant disparities remain in terms of the imposition of this punishment on foster care students of color or with disabilities.

We therefore urge the committee's support of the legislation and our suggested amendments. Thank you for considering our views.

¹ See, e.g., our report, "Still Oversuspended and Underserved: Continued Disparities in Suspension Rates in Rhode Island," March 2023. <https://www.riaclu.org/publications/report-still-oversuspended-and-underserved-continued-disparities-suspension-rates-rhode/>