



STATE of RHODE ISLAND
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Legislative Impact Statement

To: Senator Hanna M. Gallo, Chair, Senate Education Committee
From: Elisabeth Hubbard, Executive Secretary
Re: 26 Senate 2215 RELATING TO EDUCATION -- SCHOOL COMMITTEES AND SUPERINTENDENTS
Wednesday, April 15, 2026

The Governor's Commission on Disabilities' Legislation Committee has developed a Legislative Impact Statement on the bill listed below. The Commission would be pleased to present testimony to the committee. Please contact me (462-01110) for additional information.

We support the change that this bill makes, which limits out of school suspension to when a child is a threat to the physical safety of others. We would suggest, however, that there be more requirements for support to be put in place by the school if a suspension happens.

The bill also says that "a school shall use appropriate behavioral supports including, but not limited to, restorative justice practices, to address a student's conduct. We believe there should be more included in this section. Many children who are suspended are students with a disability or perhaps have an undiagnosed disability. Children who have been suspended should be referred to a mental health professional as a follow-up. This will ensure that proper referrals are made and that appropriate referrals are put into place. Students should be given adequate behavioral and mental health support, and teachers need adequate support from mental health professionals and classroom aides in order to maintain a safe classroom.

Secondly, we believe that all the data collected should be forwarded to the Council on Elementary and Secondary Education for review. The determination as to whether there are disparities should be made by the Council, not the school districts.

There are concerning findings about disparities that already exist for suspensions. Below are findings from the Learning Policy Institute's Report Pushed Out: Trends and Disparities in Out-of-School Suspension.

National-Level Findings

- **Overall suspension rates have increased since 1973, reaching a peak in the early 2010s. Since then, suspension rates have generally decreased.** In 1973, the overall U.S.

suspension rate was 4%. By the 2009–10 school year, suspensions had increased to 7%, with particularly sharp increases from the mid-1980s through the 1990s. Since then, suspension rates have decreased, reaching 5% in 2017–18. This decrease coincided with efforts of the Obama administration to reduce exclusionary discipline and its disparate impacts, including issuing a guidance package to support states, districts, and schools in their efforts to move away from punitive discipline policies and toward research-based, restorative practices. However, the suspension rate in 2017–18 was still higher than the rates of suspensions observed in the 1970s and early 1980s.

- **Educators suspended secondary school students at much higher rates than elementary school students.** In 2017–18, nearly 1 in 14 secondary school students (7%) were suspended—more than three times the rate of elementary school students (2%). In addition, while the overall suspension rate decreased from the early 2010s to 2017–18, the drop was concentrated in secondary schools; decreases at the elementary level were smaller and less consistent.
- **Racial disparities in suspension have persisted across the years.** Educators consistently exclude Black students from school at the highest rate, with more than 1 in 8 Black students (12%) receiving one or more out-of-school suspensions in 2017–18. In that year, educators also suspended Native American students at rates higher than the national average (7% vs. 5%). Black and Native American students have historically been disproportionately suspended in both elementary and secondary schools. While the suspension rates of Latino/a, Pacific Islander, and white students were quite similar across the years in elementary schools, disparities emerge among these racial groups at the secondary school level, where educators suspended Latino/a and Pacific Islander students at higher rates than white students.
- **Educators continue to suspend students with disabilities at much higher rates than their nondisabled peers.** In 2017–18, almost 1 out of 11 students with disabilities (9%) were suspended, compared to 4% for students without disabilities. Black students with disabilities consistently have the highest risk of suspension, with almost 1 in 5 (19%) receiving a suspension in 2017–18.
- **School level, gender, race, and disability status together can substantially impact a student’s risk of suspension.** For example, in 2017–18, 1 in 1,000 Asian girls not receiving special education services in elementary schools were suspended (0.1%). However, during that same school year, more than 1 in 4 Black boys with disabilities (27%) in secondary schools were suspended.

<https://learningpolicyinstitute.org/product/crdc-school-suspension-report>