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ACLU OF RI POSITION: OPPOSE

**TESTIMONY ON 26-S 2524,
AN ACT RELATING TO EDUCATION – HEALTH AND SAFETY OF PUPILS –
STUDENT AND TEACHER CLASSROOM SAFETY
May 6, 2026**

The ACLU of Rhode Island opposes this legislation which would increase the ability for teachers to remove students from the classroom based on “disruptive behavior.”

While we understand the intention of addressing such behavior, we are concerned this legislation creates a confusing, complicated, and unnecessary process for removing unruly students from educational activity. Teachers obviously already have the authority to send disruptive students to the principal’s office, and state law already contains standards for the suspension of students. Although the bill seems to want to create some sort of middle ground between these two actions, the net effect of it is to deprive students of educational services for potentially lengthy periods of time.

Although the legislation does not frame class removal as a suspension, it effectively expands the ability to exclude students from the classroom for lengthy periods of time and could function as a de facto suspension mechanism without the meaningful due process safeguards that might otherwise need to be followed for a suspension. That is because, as the bill is written, the removal of a student is likely to last for days: the teacher need not provide administrators notice of the removal until the end of the school day, the principal then has 24 hours to notify the parents of the removal, a return-to-classroom plan then has to be developed in consultation with the teacher (but, apparently, not necessarily with the parents), and if the teacher still objects to the student’s return, a review committee must be formed to make a determination on the child’s return to the classroom. Although the bill mentions alternative instructional settings where the student could continue to receive an education, there is no obligation to provide those services while this potentially lengthy process plays out.

It is also important to note that disciplinary and enforcement protocols in schools disproportionately affect students of color, students with disabilities, and LGBTQ students. The ACLU of Rhode Island has released multiple studies which show a consistent discrepancy in the rates that these students are disciplined in Rhode Island. Granting educators further discretion to remove students from classrooms as this bill does may unintentionally reinforce this phenomenon and contribute to even greater educational disparities in Rhode Island. The definition of “chronically disruptive” leaves wide discretion for teachers to remove students for conduct that warrants behavioral supports, not the punishment that this bill could end up imposing.

For all these reasons, we urge rejection of this legislation. Thank you for considering our views.