FOR IMMEDIATE RELEASE  
Date: November 16, 2018  
Contact: Elizabeth McIntyre, Staff Attorney and director of the School to Prison Pipeline Intervention Project, 617-603-1659/EMcIntyre@gbls.org

Greater Boston Legal Services clients and Boston Public Schools reach settlement to end unlawful suspensions of kindergartners, first, and second graders

Boston, Massachusetts—Today, Greater Boston Legal Services (GBLS) announced that on behalf of three child clients it has settled a complaint against Boston Public Schools (“BPS”) regarding unlawful suspensions. In the S.A. et al. v. Boston Public Schools settlement agreement, BPS agrees to amend school discipline policies to: 1) no longer suspend kindergartners, first graders, or second graders; 2) to suspend third, fourth, and fifth graders only for very serious offenses, e.g., assaulting staff members; and 3) agrees to design, in collaboration with community groups, professional development trainings for all educational staff to increase the use of non-exclusionary, alternative discipline and emphasize the impact of exclusionary discipline, particularly on students of color and students with disabilities. The goal of the settlement is to ultimately prevent suspensions altogether. GBLS appreciates and has been impressed by BPS’ commitment to these issues throughout leadership changes and challenging times.

The U.S. Departments of Justice and Education both agree that exclusionary discipline, such as suspensions and expulsions, does not improve student safety nor student conduct. Suspensions and expulsions do have devastating effects long into students’ futures—these students are more likely to drop out, have to repeat a grade, and be incarcerated later in life. This is described as the school to prison pipeline: pushing students out of their school communities, denying them an education, and increasingly incarcerating them as juveniles, into and throughout adulthood. Black and Latino students and students with disabilities are disproportionately funneled into this destructive pattern.

Massachusetts passed groundbreaking school discipline reform that became effective in 2014, the same year GBLS began its School to Prison Pipeline Intervention Project. However, rather than move through the notice and hearing process required by law, schools far too often called parents and demanded that they come remove their child from school. If parents refused or were unable to immediately respond, schools told the parent, among other things, that their child would be “officially” suspended for a longer period of time, that the school would call 911, or file a report of parental neglect with the Department of Children and Families. In May 2017, GBLS sent BPS a class action complaint, informing them that it intended to file a lawsuit the following week. BPS immediately reached out to GBLS, and the two entities began negotiating this settlement to improve school discipline procedures. GBLS looks forward to continuing to represent its clients in ensuring that this settlement becomes a reality for all Boston families.

*******************

About Greater Boston Legal Services (GBLS): GBLS assists low-income community members, including survivors of domestic violence, homeless families, elders, people with disabilities, homeowners facing foreclosure, tenants in no-fault evictions, low-wage workers, immigrants facing persecution, and children facing unlawful suspensions. Annually, GBLS provides legal assistance to more than 9,000 families and individuals who live at or below 125% of the federal poverty standard. GBLS also provides legal counsel to dozens of community-based groups and organizations and conducts strategic impact advocacy to bring about positive systematic change throughout the region and state. For more information, please visit www.gbls.org.