

**Testimonials to the New York State Senate Standing Committees on Education and
NYC Education Joint Hearing on the Judith Kaye Solutions Not Suspensions Act (S1040)**

May 3, 2023

Ah Clay
Rochester City School District
School of the Arts, 9th grade

My name is Ah Clay, I attend school of the arts freshman. I once received in school suspension for going into the bathroom. The security asked me where I should be at and I said "lunch," however I wasn't down at lunch yet, I needed to use the bathroom. The guard wanted my name and I.D. when I had only intended to use the restroom. There wasn't a reason for needing my ID or my name when I was just using the bathroom. The security guard made the claim that I was going at it with him and accused me of doing something bad when I came out of the restroom. At the time, I was mad because he took me to the counselor, and the Principal didn't want to hear my side of the story, he just agreed with the security.

They should have found a better way to communicate with me instead of suspending me. They put me in ISS for 2-3 periods and I fell behind on work. The punishment didn't fit the crime. They should have given me a warning. We want better communication for students. We need teachers to understand students' problems. This has been a problem because when students have a problem and go to teachers, they never understand students.

Emily Ramos
School of the Arts, Rochester NY

Hello, My name is Emily Ramos. I am a freshman at School Of The Arts in Rochester, New York. Group of boys sitting and just hanging out, as for another group of boys heading their way. Everything seems fine and everyone is just doing their thing. Until you see a boy in green get slapped in the face by a boy in blue. All of a sudden a fight breaks out. It happened pretty fast. So fast you can't tell who won or who got hurt the most. Over all the boys got suspended. No talk, no wondering why it happened, no solution to what they should do. Instead of helping these boys and seeing what's really going on the bottom line was, suspending them. I know that they could have found a solution and tried to understand the full story. No, not they could have, they should have. There is no excuse for them to say that there was no solution for this situation. Overall we need more communication with teachers, students and restorative solutions. Thank you for your time.

Nih'zire Allah, Northeast College Prep, Rochester NY

My name is Nih'Zire. I'm in 10th grade now and I'm here to talk about solutions not suspensions. I still remember when I first got suspended in my second grade year for drawing on myself and not listening to my homeroom teacher or doing stuff that the teacher would not like just to get their attention. Just to get the adults in the school to wanna talk to me about what was I seeing at home.

I wish someone had sat with me, given me fidget toys or stress balls back then. I wish the staff had helped me just feel safe around them.

Instead I got kicked out of school at 7 years old. I learned nothing from it & ever since then I've just been in & out of school. I've been suspended multiple times every year since. Probably close to 50 times since.

I believe these experiences affected me a lot and even kinda made me the way I am now. As we speak, I have been out of school since December.

When I was in 2nd grade, it was 2014. At that time, Rochester City School District had the old code of conduct and that was all about suspensions all the time. I only JUST found out that we have a Code of Conduct that many people from the community and our school district created together. For awhile (from 2016-2019), the new Code was beginning to be used by more of the schools, they were putting in more Help Zones and "decompression" rooms, restorative circles and other supports. All of that could have helped me as a 2nd grader.

We shouldn't even be suspending 7 year olds. And even older kids can learn from our mistakes, if we're given a chance to.

Two things will really help. Pass the Solutions Not Suspensions law. Ban Pre-K to 3rd grade suspensions. They do a lot of damage. I am still struggling today trying to get back into school and then to stay motivated to keep going. I need help.

Locally in Rochester, we need our new Code of Conduct to be fully used the way it is intended. Suspension needs to be a last resort. We've had the current Code of Conduct in place since I was in 4th grade. I can only imagine how much that would have helped me grow and not be in the place I am now, if we were using this important tool.

My name is Sahiyra Dillard, I am an 11th grader at School of The Arts, and I am a Youth Organizer at TE.

There was a fight which took place during April 5th of 2022 that involved me and a few of my school peers. I can completely own up to where and when I went wrong and I know that there were things that could have happened differently.

Now it's no doubt that fights are a huge problem within schools and out in our community. When that's all that's happening around these youth how else should you expect us to act? And I'm not saying that it okays our actions but what is it that's being done to help prevent this from happening? What is it that's stopping these youth from choosing these actions?

The School Faculty had a position to play, and they did not fulfill it to their full extent. I didn't receive my hearing until April 11th, was assigned my suspension the next day and was not allowed to come back until May 31st. That's just about 2 months of missed work. Two months of ZERO communication, and 2 months that caused my motivation and mental well being to diminish. Sitting at home with that blockage from my school community lowered my social skills and spiked up feelings of depression.

Not to mention that this was my very first school offense ever and that when I returned to school there was nothing there to help me be able to catch up. Just a pile of work that I on my own had to figure out while also having to keep up with the current work, which is extremely tiring. The Code of Conduct plays a huge part in everything and me not being educated on what SHOULD be provided for me caused not only me but others who were involved to get taken advantage of cause we weren't aware of how to advocate for ourselves.

I got long-termed and others couldn't come back for the rest of the school year. I say this because while looking at the matrix, being long-termed is not a consequence for fighting. It also states that interventions should have been put in place before the behavior escalates which also never happened once. Teachers should be trained and given a complete understanding on what the CoC is. And Students and Parents should be provided with this information, it should not be hidden.

The Solutions Not Suspensions bill would put guidelines into place where we never would have missed the last few months of school, nor miss months of school at all for that matter. Other interventions, like restorative conversations to help us work through the conflict and supports, even just communication to make sure we kept up in school, would have made so much more sense and even helped us learn from the situation.

D'Mya Shaw
SNS Testimony

Hello, My name is D'Mya Shaw, I'm a sophomore at school of the arts in Rochester, New York and I was suspended wrongly. One day, I got into an argument with another youth at my school in the bathroom. The argument carried to the lunch room and while we were arguing, the girl hit me knowing I couldn't do anything due to the security guards restraining me. Because of this, we both got sent home, which I felt was wrong because she hit me first. The following day we came back to school and had to have a mediation.

During this mediation, she tried to fight me but some teachers broke it up and the teacher even told me that I wasn't in the wrong during this situation. After this, I then got sent home without my principal even asking me what happened. I voiced to him that I felt that it was unfair, but he still sent me home and not the other girl. We came back the next day, and when I walked my friend to her class which was the same class as the other youth that I was having problems with, the girl stood up out of her seat and squared up with me. I squared up as well and we started fighting.

After this fight, I was the only one to get suspended - still her mom came up to the school and started arguing with my aunt. Her mom said that her son was going to shoot me. Later on, she posted on social media telling me to meet up with her in order to fight again because she didn't win the initial fight. She also texted me and made fake social media pages posting the fight, dragging on the situation.

I feel like I was wrongly punished during this situation because I was constantly being harassed by this girl. Still, I was the only one getting suspended and my principal never talked to me about the situation even after my suspension. The principal did make us have a meeting at the board of education. During this meeting, she was making smart remarks, and the meeting didn't go well. I feel it was because they didn't use restorative practices, and because of the girl's attitude the issue could've continued because the suspension didn't help nor did the meeting. It just left me to be home missing out on my education and building up tension because I was wrongly suspended.

If I wasn't mature about it, the situation would've never ended. Me being a youth organizer, I've realized that most of the problems that youth face comes from dealing with other problems at home or past traumas. Having a budget for a school therapist could have made this meeting go much better.

Yackatherine Tirado
Northeast College Prep, 9th grade

Hi my name is Yackatherine Tirado I am a 9th grader at Northeast high school in Rochester NY. One day I was at lunch and I overheard a boy talking about a security guard's clothes. That same security guard began talking badly about the boy's family and got so mad he ended up picking a fight with him. The youth was 14/15 and the adult was a staff member, who just got hired. Then the principal proceeded to suspend the boy because "he was the one that started the fight." He did not start the fight. Even if he did start the fight, yea maybe he said something about what you were wearing, but he shouldn't have been suspended over something the security guard started. It even involved more security guards, who were not interested in trying to stop the fight. I personally think that if the student and the adult were to have a mediation the security guard would have felt better and the student wouldn't be suspended for something that could have been solved. We need more restorative practices in our schools.

Darrein Washington
Vertus Charter High School

My name is Darrein i am 16 years old and I currently attend Vertus High-school. I'm from rochester new york which currently has a 15% suspension rate 5 times as high as new york city. Rochester has the highest suspension rates in all of New york state. So i am here today to say We really need less suspensions and more solutions.i can recall a time where i was suspended constantly in the 5th grade.This almost caused me to not even know the names of fellow classmates or even bond with them.These suspensions caused me to doubt my intelligence and capabilities. I was tough kid to deal with at that age. As most kids are around that age when they are learning about the world around them and figuring out who they are. Every kids beginning is different. I felt as though they dealt with me rashly. In attempts to punish my outcries. Some may agree that locking a child in a room by themselves for a hour or kicking them out of school is the solution.To them I say WRONG!WE NEED BETTER SOLUTIONS!! want to bring change that will help kids like me...the young and restless.

Airean Wilson
School of the Arts, Rochester City School District

In 2022, my eighth grade year my school had a spirit week. In this spirit week, we had flag day where basically you come in and rep where you're from. My school has a large hispanic population, with African Americans being the largest and hispanics being the second largest, so there was a lot of Hispanic representation going on that day.

People were having fun all day wearing their flags as capes, small stamps, stickers, small flags.

A group of students was suspended that day for simply repping their country and playing music through a speaker. The usage of suspension for participating in a spirit week day is *unacceptable*. The music being played through speakers was played during passing time where the hallways were loud and rowdy and usually, people were talking loudly, singing loudly—just being loud in general.

Even if these students were told to turn off the music, suspending them from school is *not* the punishment that should've been used. The students could have been sent to the principal, ISS, detention—*anything* but taking them out of school could've been done for such a minor “offense.” Due to being suspended those students lost school time and when they returned to school I *highly* doubt they were given any assistance to get back on track because normally, people are to fend for themselves. There are other solutions that could've, and should've been used.