The Ending Punitive, Unfair, School-Based Harm that is Overt and Unresponsive to Trauma (PUSHOUT) Act

**Background:**
Across the country, the education of Black and brown students is often disrupted as a result of discriminatory and punitive discipline policies that criminalize and push them out of school. For instance, Black girls are suspended, expelled, referred to law enforcement and arrested on school campuses at disproportionately higher rates than white girls due to unfair dress code and hair policies and a lack of understanding of the historical, social and economic inequities such as poverty, trauma, hunger, and violence that often impact student behavior. As a result, girls of color are disproportionately subjected to exclusionary school discipline policies such as suspension and expulsion, which can have long-term effects on the safety, wellbeing, and academic success of all students.

In November, Congresswoman Ayanna Pressley (MA-07) introduced **H. Res. 702, The People’s Justice Guarantee** – a bold framework to transform the American criminal legal system into one that guarantees justice for all. Among other things, the People’s Justice Guarantee calls for the disruption of school discipline policies that disproportionately impact students of color and lead to the growing school-to-confinement pipeline. Informed by the stories and lived experiences of girls of color, the People’s Justice Guarantee calls on schools to create safe and nurturing environments that provide all students with the opportunity to heal, thrive and reach their highest potential.

**The PUSHOUT Epidemic:**

- Black girls are 7 times more likely to be suspended from school and 4 times more likely to be arrested at school, compared to white girls. Even as early as preschool, where Black girls make up only 20% of all girls, they make up more than half of all out of school suspensions.
- Latina girls are 1.6 times more likely than white girls to receive an out of school suspension.
- Native American youth make up just one percent of students in school, yet Native American girls are three times more likely to be suspended than white girls.
- Corporal punishment (e.g., spanking and paddling) is still permitted in 19 states across the country and is disproportionately administered on Black students and students with disabilities.
- Lesbian, gay, bisexual, transgender and queer (LGBTQ) students of color are almost twice as likely to be suspended as their white peers.
- Increased policing in schools has been shown to increase surveillance and criminalization of students—especially students of color.

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3. The term “pushout” refers to instances when a student leaves elementary, middle or secondary school, prior to graduating school due to criminalization, overuse of discipline practices, failure to address trauma, or other educational barriers that do not support or promote the success of a student.
4. National Black Women’s Justice Institute, “End School Pushout for Black Girls and Other Girls of Color,” (Sept. 2019) [https://static.wixstatic.com/u/gd/t/0c71ee_749be46493a144eb397a4d47c55d0fbbf51.pdf](https://static.wixstatic.com/u/gd/t/0c71ee_749be46493a144eb397a4d47c55d0fbbf51.pdf)
8. GLSEN, “Educational exclusion: Drop out, push out, and school-to-prison pipeline among LGBTQ youth.” 2015
The Ending PUSHOUT Act:
Congresswoman Pressley is introducing The Ending PUSHOUT Act, which will work to disrupt the school-to-confinement pipeline by investing in safe and nurturing school environments for all students, especially girls of color. Specifically, the bill does this by:

1. **Establishing $2.5 billion in new federal grants to support states and schools that commit to ban unfair and discriminatory school discipline practices and improve school climates by:**
   - Revamping and co-constructing school discipline policies (including appearance and grooming policies) in partnership with students, families and community members;
   - Providing professional development to educators on implicit bias, restorative practices, trauma-informed approaches and other culturally and linguistically relevant strategies;
   - Investing in counselors, social workers and mental health professionals and implementing trauma-informed interventions and behavioral counseling that keep students safe and in the classroom.

   **Grantee would be required to:**
   - Ban most suspensions and expulsions for our youngest learners in pre-k through 5th grade;
   - Ban suspensions and expulsions in all grades for minor infractions such as violations of grooming and appearance policies, and tardiness and chronic absenteeism;
   - Ban corporal punishment, seclusion and restraint of students;
   - Prohibit funds from being used to support school-based police and any partnerships with the Department of Homeland Security and Immigration and Customs Enforcement that contribute to the school-to-deportation pipeline and criminalize normal childlike behavior.

2. **Protecting the Civil Rights Data Collection (CRDC) and strengthening the Department of Education’s (ED) Office of Civil Rights (OCR) by:**
   - Requiring ED to collect civil rights data **annually** to ensure all students have equal access to a high-quality education and safe and a nurturing school environment;
   - Requiring additional reporting on the school pushout crisis to spot harmful trends in real time and help hold schools accountable for discriminating against students;
   - Making data about pushout and other harmful discipline practices publicly available while protecting student privacy;
   - Investing $2.5 billion for OCR to build additional capacity for monitoring and enforcement of civil rights laws.

3. **Establishing a Federal Interagency Taskforce to End School Pushout and examine its disproportionate impact on girls of color.**
The Ending PUSHOUT Act has been endorsed by the following organizations & individuals.

**NATIONAL ORGANIZATIONS**
- 50 Miles More
- AAPI Women Lead
- Alliance for Educational Justice
- Augustus F. Hawkins Foundation
- Bazelon Center for Mental Health Law
- Black and Pink, Inc
- Campaign for Trauma-Informed Policy and Practice
- Campaign for Youth Justice
- Center for American Progress
- Center for Popular Democracy
- Community Asset Development Re-defining Education
- Council of Parent Attorneys and Advocates
- Delores Barr Weaver Policy Center
- Education Trust
- Federation Of American Women’s Clubs Overseas Inc.
- Futures Without Violence
- Genders & Sexualities Alliance Network
- Girls Inc.
- GLSEN
- Hollaback!, Inc.
- Juvenile Law Center
- Lawyers’ Committee for Civil Rights Under Law
- MomsRising
- Ms. Foundation for Women
- National Alliance for Partnerships in Equity (NAPE)
- National Black Women’s Justice Institute
- National Council for Incarcerated and Formerly Incarcerated Women and Girls
- National Center for Special Education in Charter Schools
- National Center for Learning Disabilities
- National Center for Transgender Equality
- National Cритtention
- National Disability Rights Network
- National Education Association
- National Juvenile Defender Center
- National LGBTQ Task Force Action Fund
- National Women’s Law Center
- Pace Center for Girls
- SIECUS: Sex Ed for Social Change
- S.O.U.L. Sisters Leadership Collective
- Southern Poverty Law Center Action Fund
- SPLC Action Fund
- Strategies for Youth
- The African American Policy Forum
- The Dignity in Schools Campaign
- United We Dream
- Unite for Reproductive and Gender Equity (URGE)
- Women’s Law Project
- Youth Activism Project
- YVote/Next Generation Politics
- YWCA USA

**STATE ORGANIZATIONS**
- Advocating 4 Kids, Inc
- African American Juvenile Justice Project
- Alliance for Quality Education
- Black Skeptics Group Los Angeles
- Citizen Action of New York
- Citizens for Juvenile Justice Coalition for Equal Access for Girls
- Directions for Youth & Families
- Education Law Center – PA
- Florida Student Power Network
- Girl Scouts of Greater New York
- Girls for Gender Equity
- Gwen’s Girls
- Gwinnett StoPP
- Leaders Igniting Transformation
- Make the Road Nevada
- New York Transgender Advocacy Group
- Parents Across America – Guilford
- Planned Parenthood of Western PA
- The Firecracker Foundation
- The Justice for Girls Coalition
- Women’s Leadership Project
- WV Healthy Kids and Families Coalition
- Young Women’s Freedom Center

**GRASSROOTS ORGANIZATIONS AND INDIVIDUALS**
- Action Communication and Education Reform Inc.
- Amanda Gross
- Black Parallel School Board
- Black Swan Academy
- Boston Teachers Union
- Britney G Brinkman M.D.
- Center for Teen Empowerment
- Crittention Services of Greater Washington
- Community Asset Development Re-defining Education (CADRE)
- Edukou Aka-Ezoua
- Elite Educational Consulting
- EveryBlackGirl, Inc
- Felicia Y Williams
- Gabriella Mendez
- IMPACTSafety
- Jada Shirriel
- Jessica Ruffin
- Julie K Waterstone J.D.
- Katrina Feldkamp
- Love Your Magic
- Lynn Knezevich
- Michael Yonas
- Michelle Burris M.A.
- Mirror Memoirs
- Monique W. Morris, Ed.D.
- New Settlement Parent Action Committee
- Portland Parent Union
- Renee Green
- Rachel Vinciguerra
- Racial Justice NOW
- Romana Lee-Akiyama
- Sarah Brown
- Shannon Rohne
- The Village Method
- Ty Jones
- West Dayton Youth Task Force
- YWCA Austin
- YWCA Brooklyn
- YWCA Central Indiana
- YWCA Central Maine
- YWCA Central Massachusetts
- YWCA Charleston (WV)
- YWCA Delaware
- YWCA Glendale
- YWCA Greater Charleston (SC)
- YWCA Greater Cincinnati
- YWCA Greater Johnstown (PA) YWCA Hamilton (OH)
- YWCA Hartford Region
- YWCA Helena
- YWCA Houston
- YWCA La Crosse (WI)
- YWCA McLean County
- YWCA Metro St. Louis
- YWCA Monterey County (CA)
- YWCA- National Capital Area Chapter
- YWCA New Hampshire
- YWCA Niagara Frontier
- YWCA Northern New Jersey
- YWCA of Northwest Louisiana, Inc.
- YWCA Rhode Island
- YWCA Sauk Valley (IL)
- YWCA Silicon Valley
- YWCA South Hampton Roads
- YWCA Southeast Wisconsin
- YWCA Syracuse & Onondaga County
- YWCA Titusville (PA)
- YWCA Ulster County (NY)

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