October 12, 2022

*UPDATED with new sign ons*

The Honorable Nancy Pelosi
Speaker of the House
1236 Longworth House Office Building
Washington, DC 20515

The Honorable Kevin McCarthy
House Minority Leader
2468 Rayburn House Office Building
Washington, DC 20515

Senator Chuck Schumer
Majority Leader
322 Hart Senate Office Building
Washington, DC 20510

Senator Mitch McConnell
Senate Minority Leader
317 Russell Senate Office Building
Washington, DC 20510

Re: UPDATED 100 civil and human rights organizations and 221 Individuals from 41 States & DC sign joint Coalition Letter of opposition for the EAGLES Act (S.391/H.R. 1229)

*NOTE – original letter sent to Congress January 10, 2022 with 46 organizations signed on*

Dear Chair Durbin, Ranking Member Grassley, Chair Nadler, Ranking Member Jordan, Chair Scott and Ranking Member Foxx:

The 100 undersigned members and allies and 221 Individuals from 41 States and DC of the Coalition for Smart Safety and the Federal School Discipline and Climate Coalition made up of civil and human rights organizations, write in strong opposition to the EAGLES Act of 2021 (S.391/H.R. 1229). The Coalition for Smart Safety includes disability rights, civil rights, education, and privacy organizations working together to stop the false association of gun violence and violence generally with psychiatric disability. The Federal School Discipline and Climate Coalition is a diverse group of organizations and individuals committed to advocating for federal legislative, budgetary, and administrative action to protect the interests and educational rights of Black and Brown students and youth through a racial justice and educational equity lens. Collectively, our coalitions have worked to ensure that federal policies are culturally-sustaining and foster positive learning environments for students and that these environments affirm the mental and physical safety of all students while protecting their civil rights.

Recent mass shootings in our nation’s schools have necessarily turned the spotlight on proposed policies and solutions at the legislative level. While the undersigned agree that public safety and
school safety is paramount, it cannot come at the expense of historically marginalized communities such as Black, Indigenous and People of Color (BIPOC), people with disabilities, LGBTQ+, and people at the intersection of those identities. Bills such as the EAGLES Act will not keep all students safe. Instead, this bill will only serve to further isolate and stigmatize students as potential threats, which is neither helpful nor effective and will ultimately harm those students.

As our coalitions have communicated in writing before, we have major concerns with the Department of Homeland Security (DHS) taking the lead on school safety initiatives. Once again, this legislation furthers a misguided view of school safety by providing another platform for DHS to lead on school safety. DHS, whose mission is primarily focused on counterterrorism and border security, is not the appropriate agency to lead school climate or safety efforts.

Schools, educators, students, caregivers, and communities are in the best position to notice and address dangerous or violent behavior and support students in their journey through school. These stakeholders, in addition to guidance counselors, social workers, health professionals and other support professionals with support from state education agencies and the U.S. Department of Education, are best positioned to keep schools safe. DHS’s time, resources, and expertise would be ill spent trying to lead the Federal Government’s school safety efforts. It is also worth noting that this bill does not require any community stakeholder input which inevitably means that students and families, who will be most impacted by this bill, will have no opportunity to provide input on this policy. Federal policy must be informed and responsive to the people and communities who will be most affected by the policy.

This bill would greatly entrench the use of school threat assessments, which are of great concern to us; the evidence regarding the efficacy of these practices is sparse at best. Additionally, the bill would also further entrench law enforcement in schools and open yet another potential federal funding stream for law enforcement in schools, which have no discernable impact on stopping violence or active shooting incidences in schools. Several studies and reports have shown that the presence of law enforcement in schools and the involvement of law enforcement in school based disciplinary proceedings increased rates of exclusionary discipline (e.g., suspension, expulsion, seclusion and restraint), which disproportionately impact students of color and students with disabilities. This is in addition to an already troubling situation highlighted by the United States Commission on Civil Rights, which found that disciplinary measures in schools affect students of color and students with disabilities at higher rates than their peers. This moment does not call for more threat assessments and law enforcement, but rather the opposite.

We know that schools, educators, caregivers, and communities are in the best position to notice and address concerning student behavior. Experts agree behavioral interventions are most effective at reducing behavioral problems when they incorporate educators’ knowledge of their

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students, are non-punitive, and avoid removal from school. The U.S. Department of Education has a variety of evidenced based resources outlining effective discipline practices and strategies to address problematic behaviors in schools, emphasizing the need for positive behavior interventions and supports and finding that “[e]vidence-based, multi-tiered behavioral frameworks . . . can help improve overall school climate and safety.”

Congress should focus their efforts on strategies that we know improve school climate such as providing funding for schools to build positive school cultures and alternatives to exclusionary discipline and criminalization. This could also include increased funding to hire more educators, guidance counselors, social workers, health professionals as well as other specialized personnel and providing funding for the implementation of restorative justice and culturally responsive practices. There are several pieces of legislations already introduced this Congress that we know would further positive school climate thus improving school safety without harming and traumatizing Black and Brown students or coming at the expense of students of color and students with disabilities.

Again, we write in strong opposition to this bill and we urge you to abandon these efforts and instead craft policies that have been shown to create safe and inclusive schools for all children. If you have any questions, please contact Cyrus Huncharek of National Down Syndrome Congress at cyrus@ndsccenter.org, Chris Scott of Open Society Policy Center at christopher.scott@opensocietyfoundations.org or Breon Wells of The Daniel Initiative at breon.wells@thedanielinitiative.com

Sincerely,

Organizations – signed on in January 2022: 46 organizations

Alliance for Educational Justice
American Civil Liberties Union (ACLU)
AutCom (Autism National Committee)
Autistic People of Color Fund
Autistic Self Advocacy Network
Autistic Women and Nonbinary Network
Bazelon Center for Mental Health Law
Breaking Code Silence

3 “Interventions, school-wide and individual, that use proactive, preventative approaches, address the underlying cause or purpose of the behavior, and reinforce positive behaviors, have been associated with increases in academic engagement, academic achievement, and reductions in suspensions and school dropouts.” U.S. Department of Education, “School Climate and Discipline” (last updated Jan. 4, 2017) https://www2.ed.gov/policy/gen/guid/school-discipline/index.html#suspension-101.

4 Id.

5 Keeping All Students Safe Act (HR 3474/S.1878); Protecting Our Students in Schools Act (HR 3836/S.2029); Counseling Not Criminalization Act (HR 411/S.2125)
Center for Disability Rights
Center for Law and Education
Children’s Defense Fund
Connecticut Legal Rights Project
Council of Parent Attorneys and Advocates
Dignity in Schools Campaign
Disability Law Colorado
Disability Rights Advocates
Disability Rights Education & Defense Fund
Florida Student Power Network
GLSEN
Gwinnett Parent Coalition to Dismantle the School to Prison Pipeline (Gwinnett SToPP)
Incarcerated Nation Network
life for pot
Michigan Teacher of the Year Network
National Action Network
National Association for Rights Protect and Advocacy
National Association of Councils on Developmental Disabilities
National Center for Learning Disabilities
National Center for Parent Leadership, Advocacy, and Community Empowerment (National PLACE)
National Center for Youth Law
National Council of Churches
National Council on Independent Living
National Disability Rights Network (NDRN)
National Juvenile Justice Network
National Parents Union
Nollie Jenkins Family Center, Inc.
Open Society Policy Center
Parents Organized for Public Education
Rebuilding Independence My Style
Southern Poverty Law Center
SPAN Parent Advocacy Network
State Wide Education Organized Committee
Tennessee Mental Health Consumers’ Association
The Advocacy Institute
The Arc of the United States
The Coelho Center for Disability Law, Policy and Innovation
The Daniel Initiative
Uplift MN
Updated Letter October 2022: 54 organizations

A Little Piece of Light
Academy of the Stars, Inc.
Alliance of Rhode Island Southeast Asians for Education (ARISE)
Alliance to Reclaim Our Schools (AROS)
Alyssa Rodriguez Center for Gender Justice
American Youth Policy Forum
Autism Society of America
Black and Brown United in Action
Center for Law and Social Policy (CLASP)
Center for LGBTQ Economic Advancement & Research (CLEAR)
Center for Popular Democracy
Citizen Action of New York
Citizens' Committee for Children of New York
Clearinghouse on Women's Issues
Coalition for Juvenile Justice
COLAGE
Coleman Advocates for Children & Youth
College and Community Fellowship
Colorado Office of the Alternate Defense Counsel
CommunicationFIRST
Communities for Just Schools Fund
Easterseals
Elite Educational Consulting
Epilepsy Foundation
Families and Friends of Louisiana's Incarcerated Children
Family Voices
Feminist Majority Foundation
Fully Liberated Youth
Hispanic Federation
Justice Strategies
Justice Law Center
Keep The Promise Coalition
Leaders Igniting Transformation Action Fund
Learning Disabilities Association of America
Maine Parent Federation
Make the Road Nevada
Mirror Image Arts
Mississippi Coalition to End Corporal Punishment
National Black Women's Justice Institute
National Down Syndrome Congress
National Women's Law Center
Neutral Zone
Parent to Parent of Georgia, Inc
Policing and Social Justice Project
PTI Nebraska (Parent Training and Information)
RACCE
Show and Tell
Strategies for Youth
Student Advocacy Center of Michigan
Teaching for Change
The Choice Program at UMBC
The Gault Center
The Parents' Place of MD
Vermont Family Network

**Individuals signed on: 221 from 41 states and the District of Columbia (DC)**

*Listed First Name, Last Name – State/DC*

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Ruth Steger FL
Mark Koritz GA
Allister Layne GA
Jacqui Skill HI
Alexander Honigsblum IA
Nathaniel Role ID
Ellen Domke IL
John Obeda IL
Angelo Sturino IL
Sharon Baker IN
Suzanne M. KS
Chad Landry LA
Connie Lewis LA
David Dragon MA
Heather Ford MA
D’Anna Fortunato MA
Amy Henry MA
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Gary Thaler MA
Nancy Woolley MA
Ailsa Herrmann-Wu MA
Kate Herrmann-Wu MA
r Tippens MA
Maureen McCarthy MA
Sydney Pierce MA
Connie Chow MA
Linda Murphy MD
Robin Dumler MD
Melissa Goemann MD
Kelly Quinn MD
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Hugh Gurney MI
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### FedSDC

FedSDC is a diverse group of organizations and individuals committed to advocating for legislative and federal action to protect the interests and educational rights of Black and Brown students and youth through a racial justice and educational equity lens. We advocate that all children deserve to go to schools that create environments and experiences that help them to succeed. Establishing police-free schools and ending the use of seclusion, harmful and dangerous restraints, and corporal punishment while implementing effective, non-punitive, and culturally sustaining practices in schools and alternatives to school discipline is a core value for FedSDC.

*Note the organizations come from around the country as well.*

CA Individuals = 33


Chairman Jerry Nadler – House Judiciary Committee – NY = 29

Ranking Member Jim Jordan – House Judiciary Committee – OH = 7

Chairman Bobby Scott – House Ed and Labor Committee – VA = 5

Ranking Member Virginia Foxx – House Ed and Labor Committee - NC = 4

Senator Chuck Grassley – sponsor of S. 391- IA = 1

Chairman Dick Durbin – Senate Judiciary Committee – IL = 3

Ranking Member Sen. Grassley - Senate Judiciary Committee – IA = 1

All House of Representatives Chiefs of Staff (COS)

All Senate Chiefs of Staff (COS)

House Judiciary Committee Staff

House Ed and Labor Committee Staff

Senate Judiciary Committee Staff
Senate Health, Education, Labor & Pension (HELP) Committee Staff – WA = 12

White House Domestic Policy Council