



**For Immediate Release**  
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**LDF Opposes Trump Administration’s Recommendation to Rescind School Discipline Guidance, Challenges Federal Commission on School Safety Report**

Today the Trump Administration’s Federal Commission on School Safety released a report recommending rescission of the Departments of Education and Justice’s 2014 guidance package designed to help our nation’s schools eliminate racial disparities in school discipline while increasing school safety and improving school climate. The school discipline guidance makes clear that, among other things, all schools receiving federal funds must abide by civil rights laws, and that schools and districts that violate the civil rights of students will be held accountable for their actions.

**Todd A. Cox, Director of Policy at the NAACP Legal Defense and Educational Fund, Inc. ([LDF](#))** issued the following statement:

“The Secretaries of the Departments of Education and Justice have repeatedly demonstrated their unwillingness to enforce our nation’s federal civil rights laws and have now used this Commission report to continue this pattern.

“The Commission’s recommendation to rescind the federal school discipline guidance is further proof that we cannot count on this administration to protect or respect our children’s rights.

“Even though LDF’s landmark [\*Brown v. Board of Education\*](#) case was decided almost 65 years ago, we find ourselves still arguing that all children deserve to feel safe and to be treated fairly in school. LDF will continue to use the power of the law and collaborate with advocates and schools to advance educationally responsible and fair discipline practices.”

Earlier this year, the Federal Commission on School Safety—created in the aftermath of the mass school shooting in Parkland, Florida—hosted a public listening session at the U.S. Department of Education where the commission under Secretary DeVos’ leadership deliberated the repeal of the federal school discipline guidance. The guidance was created as a response to evidence that shows how students of color receive harsher punishments and are punished at higher rates—

despite the fact that they do not misbehave more than their white peers. Research [shows](#) that Black K-12 students are 3.8 times more likely to receive an out of school suspension and 2.2 times more likely to be subjected to a school-based arrest. Students of color are often disciplined for subjective infractions when their white peers are not. Advocates from across the country urged the Administration at the session to maintain this critical protection for students of color, which does not create any new requirements for schools and is intended to help them comply with existing civil rights laws.

“The recommendations from the Federal Commission on School Safety’s report indicate that the Departments of Justice and Education plan to abdicate their responsibilities under Title VI,” said [Nicole Dooley](#), **LDF Policy Counsel**. “The report incorrectly implies that government agencies do not have the authority to enforce their own disparate impact regulations. This is false. Not only has the U.S. Supreme Court stated that the federal agencies have the authority to issue disparate impact regulations, they have the responsibility to enforce civil rights laws, including implementing regulations. The school discipline guidance provides clarification to schools and districts on their ongoing responsibilities under Title VI, responsibilities that remain in place despite any rescission of the guidance.”

[LDF has publicly opposed](#) the Administration’s use of the Parkland tragedy to advance its efforts to repeal policies designed to eliminate racial disparities in school discipline—particularly its effort to “harden” this nation’s schools, including the funding for firearms training to school personnel. Repealing the school discipline guidance will not help address incidents of school violence; in fact, its repeal would remove a valuable tool from schools and districts in improving school climate and increasing educational opportunities and attainment for all students.

LDF's recent report [Our Girls, Our Future: Investing in Opportunity and Reducing Reliance on the Criminal Justice System in Baltimore](#) shares key findings and stories demonstrating how limited investment in educational opportunity and support services, and overreliance on exclusionary discipline, disproportionately pushes Black girls out of the classroom and into the juvenile justice system. The report offers specific recommendations for school systems to reduce disparities in punishment and overreliance on exclusionary discipline, reduce misconduct and bias by school police, and reduce reliance on juvenile detention facilities.

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*Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) is the nation’s first civil and human rights law organization and has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights. LDF’s Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the NAACP Legal Defense Fund or LDF.*