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“Teacher Protection Act:” Supersizing the School-to-Prison Pipeline While Failing to Provide Resources to Create Safety

Press Event: Thursday, January 11, 2018, 8:30am – Room 415NW, State Capitol, Madison

Public Hearing: Thursday, January 11, 2018, 9:00am – Room 417N (GAR), State Capitol, Madison

Madison, WI – Concerned Wisconsinites are gathering at the State Capitol in Madison for a press event followed by a public hearing on AB693, otherwise known as the Teacher Protection Act, to express their concerns about the proposal’s effects on vulnerable Wisconsin students. While everyone agrees that teachers and students deserve a safe environment for teaching and learning, the “Teacher Protection Act” offers no new resources or ideas for bringing safety through improved relationships and behavior. Instead, the bill would increase the likelihood of students being punished for behaviors that are often a direct result of disability or trauma, and would result in a detrimental increase in contact between schools and law enforcement.

According to a 2015 report from the Center for Public Integrity, Wisconsin is already seventh in the nation for referral-rate of students to law enforcement, and third in the nation when it comes to referring students with disabilities. AB693 would mandate that if a victim or adult witness of a “physical assault” at school asked their principal to refer the student to law enforcement, the principal would be required to do so.

Nikki Weigel from Wisconsin Dells knows about inappropriate law enforcement referrals first-hand. When her son Caleb, who has brain damage and anxiety as well as being on the autism spectrum, had a meltdown incident at school at age 9, he was handcuffed and put into a squad car. After an ensuing meltdown at home, she says, “He had learned so well that adults define him as a ‘bad boy,’ that he pulled out a pair of play handcuffs and tried to handcuff himself behind his own back. Then he grabbed a toy gun and tried to shoot himself, thinking he deserved to die, all for disability-related behavior he could not yet control. We need to find a better way, because this is not the answer.”

When Rep. Jeremy Thiesfeldt (R-Fond Du Lac) introduced the measure, he cited a 2016 story called “Blood on the Blackboard” that highlighted various incidents in which injuries to teachers were poorly handled by their districts. Among the interviewees was Shana Schloemer, a counselor from West Bend, who spoke about the issues that can be created by poverty and other trauma experienced by students.

When Shana heard about the story being used in context of the “Teacher Protection Act,” she says, “I was truly horrified to think I had contributed to this legislation in any way! I had no idea

that my words would be used to justify the further criminalization of students. All I wanted to do was bring a perspective of how wounded these children can be.”

In addition to increasing contact between schools and law enforcement, AB693 would also allow teachers to seek to suspend a student through a school board hearing process, if their administrator chose not to issue a suspension. Suspensions are widely-recognized as ineffective for changing behavior or teaching social/emotional skills. In addition, Wisconsin suspends students with disabilities at three times the rate of students without disabilities, while students with emotional/behavioral disability are suspended at eleven times the rate of their non-disabled peers.

According to Nicki Vander Meulen of the Madison Metropolitan School District Board of Education, “As a school board member, I can’t imagine that any school board would want to be forced to hold hearings and be increasing suspension rates by overturning their principals’ decisions. We are already suspending students with disabilities at disproportionate rates. These are the students who are most likely to be harmed by any increased emphasis on suspensions.”

Ken Taylor, Executive Director of Kids Forward, believes the actions promoted by this bill would do little to protect teachers, and would instead make it harder for students to achieve their full academic potential, particularly youth of color.

“Current data from the Wisconsin Department of Public Instruction shows that compared to white students, American Indian students are three times as likely to be suspended, Latino students are over twice as likely to be suspended, and African-American students are nearly nine times as likely to be suspended. While reasons for those disparities are complex, one powerful driver is the subjectivity of adults. Students of color are punished more severely than their white peers for similar behavior. This bill would only increase disparities, keeping more kids of color out of classroom and making it harder for them to succeed,” he said.

The participants in the press conference will call upon the legislature to reject AB693 and to instead prioritize creating well-resourced, supportive conditions for teaching, learning, and true overall safety. One increasingly-evident path to greater support for vulnerable students would be to increase special education categorical aid, which has not received a funding increase in a full decade.

At the time of this writing, sixteen organizations have registered against the bill with the Wisconsin Ethics Commission; no organization has registered in favor.

Advocates on behalf of safety for students and staff are welcome to attend the 8:30am press event and testify at the 9:00am hearing in the Assembly Judiciary Committee.

Wisconsin Family Ties, Wisconsin’s family voice for children’s mental health, is a parent-run nonprofit organization serving families that include children with social, emotional, behavioral or mental health challenges.

Disability Rights Wisconsin is the federally mandated Protection and Advocacy system for the State of Wisconsin.

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