



January 30, 2024

To the House of Delegates Education - K-12 Subcommittee:

As a leader in my community in Richmond, Virginia who has worked with young people caught in our state's juvenile justice system for the past decade, I would like to submit my formal support for HB398.

I am the Cofounder and Managing Director for a nonprofit based in Richmond called The Hive (www.thehivemovement.org). We help young people caught in our legal system and child welfare system transition into adulthood successfully. Our goal is to keep young people and young adults from returning to our legal system, and ultimately, build new models of community-based support.

I have worked as an arts educator, advocate, and nonprofit leader in this field since 2013 and I can absolutely confirm that using suspension and expulsion in its current design does not keep young people from violating their school's code of conduct. In reality, it often is the starting point from which many young people ultimately end up in our legal system, causing further strain on an already stressed system.

Punitive disciplinary action has been proven many times over to not yield the results they propose. Rather, it reinforces negative beliefs that students often already have of themselves and contributes to greater negative effects on a student's future academic performance, attendance, and behavior (American Institutes for Research, 2021).

Additionally, it has been clearly demonstrated that students of color and students with disabilities are disproportionately harmed by punitive disciplinary policies. Virginia has been cited by the Center for Public Integrity, more than once, to lead the nation in its referrals to law enforcement for school-based disciplinary action. Legal Aid Justice Center released a study in 2019 that documented the disproportionate use of disciplinary



action (Legal Aid Justice Center 2019). Countless studies done in Virginia and across the country continue to underscore this harmful trend.

HB398 represents a new path forward, one that is able to address the underlying conditions that create unsafe schools. This bill supports the Virginia Department of Education's 2021 "Model Guidance for Positive, Preventative Code of Student Conduct Policy and Alternatives to Suspension." It's time for our legislature to bring our state's public school system into the 21st century and stop using outdated 20th century practices.

Upstream thinking is often used in social work. The idea is that we can address social issues more deeply and sustainably by addressing conditions before they result in negative consequences. Young people who end up in our juvenile justice system or ultimately in our adult criminal justice system commonly first experience disciplinary punishment in schools. The use of restorative practices in school, as HB398 supports, allows our community to address issues upstream before we face the results downstream like incarceration.

There are organizations and practitioners across the country and here in Virginia ready to partner with our public school system to implement evidence-based restorative justice programs, such as Dr. Ram Bhagat. In fact, I worked with Dr. Bhagat in 2021 to implement restorative justice practices in Richmond Public Schools, which they have done to a certain extent. Other districts that have adopted restorative practices include Chesterfield, Richmond City, Harrisonburg, Fairfax, Spotsylvania, Loudoun, and Roanoke. The expertise and infrastructure is in place. We need state policies and laws to reinforce this approach statewide.

Thank you for considering this plea along with my colleagues and fellow Virginians to vote in favor of HB398.

Sincerely,

A handwritten signature in black ink that reads "Trey Hartt". The signature is written in a cursive, flowing style.

Trey Hartt
Cofounder & Managing Director
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