Delegate Brooke Lierman,

I was present at House hearing on HB 425: Public Schools - Suspensions and Expulsions on February 14th and listened to the testimony. I strongly support the bill but I wish to share my expertise specifically as it relates to consideration of the appropriate cutoff age for the suspension prohibition.

The bill proposes to ban suspensions from pre-K to 2nd grade. I noted that some witnesses would amend the bill to apply the ban only to pre-K and Kindergarten. This would be a grave mistake and seriously undercut the goal of the legislation. There is very solid neuroscience evidence that the brain structures that support self-regulation of attention, behavior and emotions are not fully developed until about third grade. On this basis, I argue strongly that the ban should be extended to include the third Grade.

I heard it argued that at some point children need to know right from wrong and therefore held accountable for their behavior. Children in first through third grade may know right from wrong but often lack the developed brain structures to translate that knowledge consistently into action. These require the ability resist impulses, to do what you’re supposed to do even though you do not want to and to refrain from doing things that you want to do but should not. These may seem like simple abilities but they take time to develop because they depend on the development of the prefrontal cortex and other sub-cortical structures. To clarify and support this point I include a graph showing the relationship between age and the development of brain structures which support self-regulation of attention, behavior and emotions.

In terms of brain development, first through third graders are more like children in pre-K and Kindergarten than children in the 4th grade and beyond. Many children have not, by 3rd grade, developed the capacity to restrain themselves even though they often know what is expected. However, knowing cannot be equated with doing. Many adults attempting to lose weight understand this distinction well from first-hand experience. They may not be able to resist eating foods they know they should not. Instead of suspensions and expulsions children having adjustment difficulties need time and support to develop and internalize the capacity for self-control.

I strongly urge you to ban suspensions and expulsions up through the third grade.

Sincerely,

Oscar Barbarin, Ph.D.
Professor and Chair, African American Studies and Professor of Psychology