

Statement of

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at the

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Many authorities on education have written books on the importance of producing an "effective learning environment" in the schools by introducing more effective methods of teaching. None of them, however, seem to understand the shocking fact that the learning environment in thousands upon thousands of schools is filled with violence and danger.

Violent crime has entered the schoolhouse and teachers and students are learning some bitter lessons.

Let's take a look at this school year (1974-1975) in one major city - New York. For the first five months of school, 31 incidents involving hand guns have occurred, including shootings, armed robbery, attempted rape and attempted suicide.

There were 474 assaults on teachers and other professional staff members for the first five months of the school year. At that rate, there will be close to a thousand assaults on teachers by the end of the school year in school buildings in the City of New York.

This ties in with the dramatic increase in public school arrests that have taken place in 1974: From September 1974 through February 1975, there were 612 arrests in the public schools of New York City. During the same period a year ago - September 1973 through February 1974 - there were 313 arrests, an increase of 95.6%.

According to New York City Police Department statistics:

	<u>1973</u>	<u>1974</u>	
Juvenile arrests of persons under 16 years of age	23,600	25,979	+10.1%
Youth arrests of persons between the ages of 16 and 20	50,531	59,784	+18.3%
Juvenile arrests for			
Felonies	14,837	16,764	+13.0%
Misdemeanors	5,638	6,256	+11.0%

These statistics are part of a nationwide pattern of increased juvenile crime...statistics which clearly illustrate that schools are no longer isolated from crimes of physical violence.

While major cities and school systems, under pressure from teachers and parents, have taken steps to protect both school employees and students, their efforts, on the whole, have not been effective.

WHY?

VICTIMS OF ASSAULTS (TEACHERS AND STUDENTS) ARE RELUCTANT TO REPORT THEM AND TO PRESS CHARGES BECAUSE OF THE ALL-TOO-PREVALENT STRATAGEM OF SHIFTING BLAME FROM THE ASSAILANT TO THE VICTIM HIMSELF.

A pupil-victim who has been mugged and had several dollars taken from him may be accused of having "invited" the attack by carrying too much money with him. Teacher victims may be accused of having "provoked" assault by demanding, for example, that a student return to his classroom rather than "cut" class and loiter in the cafeteria. The assailants soon learn that they can continue in their actions with virtual impunity because the innocent victims, instead of receiving official support, are themselves denounced when they ask for help.

THE LEGAL PROCEDURES, AS THEY NOW OPERATE, PREVENT EFFECTIVE PROSECUTION OF THOSE ACCUSED OF ASSAULT.

The accused now has attorneys and civil liberties organizations available to him in the exercise of his right to due process, but, in many instances, the victim of the assault is left to his own devices in pressing his case. The result, time and again, is that the amateur (whether he be teacher, student or principal) is no match for the legal experts on the other side. The assailant goes free. The teacher or student victim, if he is lucky, can transfer to another school in order to be spared the anguish of being assaulted by the same person.

In addition, on January 22nd the United States Supreme Court ruled in Goss et al v. Lopez et al that students have a constitutional right not to be suspended for misbehavior unless they are first afforded due process rights - the right to be informed of the reason for the proposed suspension and the right to a hearing. This ruling applies to suspensions up to ten days.

Longer suspensions might require additional due process protections. There is good reason to believe that the ruling will only serve to create further difficulties for teachers and schools already overwhelmed by discipline problems.

THE COURTS ARE POWERLESS TO ACT BECAUSE, EVEN WHEN THEY FIND THAT A STUDENT IS "DANGEROUS" TO HIMSELF AND TO THOSE AROUND HIM, THERE ARE NO SPECIAL SCHOOL OR INSTITUTIONAL FACILITIES AVAILABLE.

Those engaging in repeated acts of violence know that this lack exists and that, except for the most violent of actions, they are free to do as they please.

What is needed as a long range solution for the disruptive and/or violent student is not expulsion, but rather a different educational setting - one that caters to his special needs...(distinct from the setting for the other children, who can then go about their studies free of constant disturbance.) The only reason we are faced with the problem of pupil suspensions and expulsions is that, while we seem to care enough about the child to preserve even a single day's schooling, we do not seem to care enough to provide the funds for schooling that will work. What the disruptive student needs is alternate facilities where his individual needs are given sympathetic and skillful attention.

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We have paid a cruel and unconscionable price by accepting violence as a way of life in our schools. The price includes physical and psychological injury to countless thousands of parents, teachers and pupils. It includes

the social burden of the many emotionally disturbed or disruptive students who have not been given the alternate educational settings they needed and who are now supported by the public -- in jails or other state or federal institutions.

It includes the many children, eager to learn, but deprived of a decent education by disruption and disorder in their classrooms and fear of physical harm.

Therefore, we urge the Congress to

- ... bring to the attention of the public the problems of victims of assault in the schools and the legal procedures which prevent effective prosecution of criminals who terrorize our schools;
- ... appropriate additional funds so that the youngster who cannot adjust in the regular school situation can be helped in alternative educational settings in the public schools;
- ... allocate new funds for early childhood education through the public schools because it is universally agreed that, in large measure, the intellectual development of the human being takes place between the ages of 3 and 6. Whether or not a child has a rich or poor environment during these early years, may have a crucial effect on that child's future;
- ... appropriate additional funds to provide more security personnel in the nation's schools so that criminals will not regard the schools as fair game for robbery and assault;

... provide additional funds for narcotics education - for drug addiction is one of the causes of violence in the schools.

The Congress must make a commitment, both moral and financial, to restore and preserve the productivity and safety of our schools.