



REFORMING, REBUILDING, AND REBRANDING PUBLIC EDUCATION

**VIRGIN ISLANDS DEPARTMENT OF EDUCATION
COMMITTEE ON EDUCATION AND WORKFORCE DEVELOPMENT HEARING**

**PRESENTED ON JULY 31, 2023
DR. DIONNE WELLS-HEDRINGTON
COMMISSIONER**

TESTIMONY ON BILL NO. 35-0082



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Honorable Marise C. James
Chairwoman, Committee on Education and Workforce Development
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Sent electronically via mjames@legvi.org.

Dear Honorable Marise James,

Thank you for the opportunity to provide testimony on Bill No. 34-0082 to the 35th Legislature Senate Committee on Education and Workforce Development.

This document provides testimony. Thank you for your continued support and attention regarding the needs of the VIDE.

Sincerely,

Dionne Wells-Hedrington, Ed.D.
Commissioner

BILL NO. 35-0082

Good morning, Committee Chairwoman, Senator Marise C. James. Vice-chair, Senator Donna A. Frett-Gregory, other committee members Senator Diane T. Capehart, Senator Dwayne M. DeGraff, Senator Javon E. James Sr., Senator Franklin D. Johnson, and Senator Carla J. Joseph. I appreciate the opportunity to be here today to discuss Bill No. 35-0082.

With me are members of my leadership team: Mr. Victor Somme III, Assistant Commissioner; Dr. Renee Charleswell, Deputy Commissioner of Curriculum and Instruction; Mr. Kemo Smith, Deputy Commissioner of Fiscal & Administrative Services; Dr. Stefan Jürgen, St. Thomas-St. John District Insular Superintendent; Dr. Ericilda Ottley-Herman, St. Croix District Insular Superintendent;

After consultation with a representative of the Bill sponsor, where much clarity was provided, the Virgin Islands Department of Education can now support Bill No. 35-0082 with the conditions explained below. Bill No. 35-0082 seeks *“to limit the expulsion and suspension of students in pre-kindergarten through third grade and amending title 17 Virgin Islands Code, chapter 11, by adding a section to make a course in mitigating behavioral issues and misconduct in the classroom for school-based professionals a requirement.”*

There is little doubt that every parent, educator, and educational leader supports that students in grades PreK to Third should not be suspended nor expelled. The Virgin Islands Board of Education has been working on revisions to the Virgin Islands Student Discipline Policy, and the Department of Education has and will continue to encourage them to seek alternatives to suspension for students in PreK-third grade.

The Committee should note that the current Student Discipline Policy does not allow for the expulsion of primary and intermediate students (K-6).

The proposed legislation differs from the Board’s current position as defined for Level IV infractions. Level IV infractions are major acts of misconduct that include, but are not limited to, *“serious disruptions of the orderly conduct of school, threats to the health, safety, and property of self or others and acts...”* As these infractions are the most serious acts of misconduct, students are subject to “a mandatory ten-day suspension with consideration of a recommendation for expulsion **except...for students in the elementary grades**” (grades K-6).

Recommended amendments to the proposed legislation are as follows:

1. Section E, Subsection 2(e), should be amended to reflect that expulsion due to **weapons use and/or possession, use or distribution of a controlled substance**, or behavior that endangers the safety of others **be limited to a 60-day period with a mental health review/evaluation to determine a child’s**

readmission to school. Readmission is subject to the decision of the school's Basic Child Study Team.

2. Section E, Subsection 2(f), should be amended to reflect those decisions on the expulsion of students in grades PreK-third **“must be made as part of the school’s Basic Child Study Team to include a mental or behavioral health specialist, such as a school counselor, therapist or social worker.”**

Through the Office of the Assistant Commissioner and all Deans of Students, the Department has been working closely with the Board of Education, Committee on Policy, Rules and Regulations on revisions and updates to the Virgin Islands Student Discipline Policy, originally approved on May 14, 1998. Further, the Department has developed and will fully implement a Multi-tiered System of Behavioral Supports (MTSBS) for the 2023-2024 school year. The MTSBS goes beyond the disciplinary responses for infractions found in the Virgin Islands Student Discipline Policy in addressing the root causes of maladaptive behaviors. For example, the MTSBS calls for restorative justice and community service in lieu of suspension.

Section 2, Subsection 136, speaks to *“adding a section to make a course in mitigating behavioral issues and misconduct in the classroom for school-based professionals a requirement.”* The Department supports this provision providing that funding is allocated to support annual professional development in this regard.

The Department does not see any economic impact caused by the approval or disapproval of the proposed legislation and strongly recommends that the bill be amended with the recommended language above.

Thank you for the opportunity to provide testimony Bill No. 35-0082. My team and I stand ready to answer any questions.