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My name is Dr. Andrea Phipps Tracy. I am an experienced pediatrician, a board member of the Maine Chapter of the American Academy of Pediatrics, and the chair of the Foster Care Committee. I reside in Brunswick, Maine.

I am submitting testimony on behalf of the Maine AAP in favor of LD 474, An Act Regarding School Discipline of Maine's Youngest Children, which would ban the use of suspension, expulsion or the withholding of recess as a consequence of a violation of the student code of conduct by any child in 5th grade or below.

Many children experience Adverse Childhood Experiences, which have been shown to have a lasting negative impact on school performance. These children often enter school believing that they don't matter in their own families. This negative message gets reinforced in elementary school, when lacking the tools to deal with negative emotions, they act out in a disruptive way, and get disciplined with exclusionary measures. Resilience, on the other hand, comes from Positive Childhood Experiences, instilling the belief that one matters. I think we can all agree that we want Maine's public elementary schools to be part of the solution, not part of the problem. Let us agree to stop excluding young students who are in most need of being included.

The National AAP Council on School Health has released a Policy Statement on Out-of-School Suspension and Expulsion in 2013 which states:

- The AAP does not support the concept of zero tolerance for the developing child. The AAP maintains that out-of-school suspension and expulsion are counterproductive to the intended goals, rarely if ever are necessary, and should not be considered as appropriate discipline in any but the most extreme and dangerous circumstances, as determined on an individual basis rather than as a blanket policy.
- Out-of-school suspension and expulsion can contribute to the risk of a student dropping out of high school. The costs of a person's failure to complete his or her secondary education are significant and are borne by society as a whole.

AAP's Policy Statement on The Crucial Role of Recess in School states:

- Recess serves as a necessary break from the rigors of concentrated, academic challenges in the classroom. But equally important is the fact that safe and well-supervised recess offers cognitive, social, emotional, and physical benefits that may not be fully appreciated when a decision is made to diminish it... The American Academy of Pediatrics believes that recess is a crucial and necessary component of a child's development and, as such, it should not be withheld for punitive or academic reasons.

I would like to share the story of one of the many patients I have seen affected by out-of-school suspensions. Meet Jake, not his real name, an innately intelligent 13 year-old boy recently placed in foster care. Since he could remember, Jake had experienced neglect, physical and emotional abuse from his mother, father and stepfather, which included name-calling and extreme punishments that were either exclusionary or violent. His behaviors were impulsive, could be extremely difficult to handle, and he sometimes lashed out aggressively at his sister. When his family was evicted, his grandparents said they would be happy to take in his sister, but they did not want Jake. Needless to say, Jake had never felt that he mattered to anyone. Jake had not been taught by his family how to identify and express his emotions. Jake's brain spent an excessive amount of time in what we call toxic stress mode, known as "flight or fright mode," in which thinking, considering, and problem-solving are not possible.

Upon entering school, Jake loved reading and learning about science, but when triggered by a negative emotion, Jake, who lacked the skills to calm himself or regulate his behaviors, erupted. He was repeatedly disciplined for these extreme and disruptive behaviors. The consequences used by the school at the time were being kept "in for recess" and out-of-school suspensions, which furthered Jake's sense not mattering. Through these exclusions, this boy with an intelligent mind missed many of the daily opportunities to unwind and take a break from academic expectations at recess, and missed long portions of his education. All along, Jake was doing the best he could, with the inadequate tools he had been given.

By the time I met Jake, now with dropping grades in middle school and some maladaptive coping mechanisms learned at home, when asked what he liked most about school, he answered, "Nothing."

Jake, with his thwarted love of learning, is unlikely to complete high school. Like his parents, Jake will lack the skills to model for and teach his own child how to recognize emotions and modulate behaviors. It is my hope, that by the time Jake's child enters elementary school, that all of Maine's elementary schools will be using positive, preventive and supportive methods to provide a safe learning setting for all.

I urge you to support LD 474 for the sake of our youngest children, and future leaders.