

119TH CONGRESS  
1ST SESSION

# S. 1338

To reduce exclusionary discipline practices in schools, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

APRIL 8, 2025

Mr. BOOKER introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To reduce exclusionary discipline practices in schools, and  
for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Ending Punitive, Un-  
5 fair, School-based Harm that is Overt and Unresponsive  
6 to Trauma Act of 2025” or the “Ending PUSHOUT Act  
7 of 2025”.

8 **SEC. 2. PURPOSE.**

9 It is the purpose of this Act to—

10 (1) strengthen data collection related to exclu-  
11 sionary discipline practices in schools and the dis-

1       criminatory application of such practices, which dis-  
 2       proportionately pushes students of color, particularly  
 3       girls of color, out of school;

4           (2) eliminate the discriminatory use and over-  
 5       use of exclusionary discipline practices based on ac-  
 6       tual or perceived race, ethnicity, color, national ori-  
 7       gin, sex (including sexual orientation, gender iden-  
 8       tity, pregnancy, childbirth, a medical condition re-  
 9       lated to pregnancy or childbirth, parenting status, or  
 10      other stereotype related to sex), or disability;

11          (3) eliminate all unnecessary loss of instruc-  
 12      tional time due to unsound or excessive use of for-  
 13      mal and informal disciplinary removal from instruc-  
 14      tional settings; and

15          (4) prevent the criminalization and pushout of  
 16      students from school, especially Black and Brown  
 17      girls, as a result of educational barriers that include  
 18      discrimination, adultification, punitive discipline poli-  
 19      cies and practices, and a failure to recognize and  
 20      support students with mental health needs or experi-  
 21      encing trauma.

### 22 **SEC. 3. DEFINITIONS.**

23       In this Act:

24           (1) ACT OF INSUBORDINATION.—The term “act  
 25      of insubordination” means an act that disrupts a

1 school activity or instance when a student willfully  
 2 defies the valid authority of a school official.

3 (2) APPEARANCE OR GROOMING POLICY.—The  
 4 term “appearance or grooming policy” means any  
 5 practice, policy, or portion of a student conduct code  
 6 that governs or restricts the appearance of students,  
 7 including policies that—

8 (A) restrict or prescribe clothing that a  
 9 student may wear (including hijabs, headwraps,  
 10 or bandanas);

11 (B) restrict specific hair styles (such as  
 12 braids, locs, twists, Bantu knots, cornrows, ex-  
 13 tensions, or afros); or

14 (C) restrict whether or how a student may  
 15 apply make-up, nail polish, or other cosmetics.

16 (3) CHEMICAL RESTRAINT.—The term “chem-  
 17 ical restraint” means a drug or medication used on  
 18 a student to control behavior or restrict freedom of  
 19 movement that is not—

20 (A) prescribed by a licensed physician, or  
 21 other qualified health professional acting under  
 22 the scope of the professional’s authority under  
 23 State law, for the standard treatment of a stu-  
 24 dent’s medical or psychiatric condition; and

1 (B) administered as prescribed by a li-  
 2 censed physician or other qualified health pro-  
 3 fessional acting under the scope of the author-  
 4 ity of a health professional under State law.

5 (4) CORPORAL PUNISHMENT.—The term “cor-  
 6 poral punishment” means, with respect to a student,  
 7 a deliberate act which causes the student to feel  
 8 physical pain for the purpose of discipline, including  
 9 an act of physical force, such as striking, spanking,  
 10 or paddling, inflicted on a student’s body, requiring  
 11 a student to assume a painful physical position, or  
 12 the use of chemical sprays, electroshock weapons, or  
 13 stun guns on a student’s body.

14 (5) CULTURALLY SUSTAINING.—The term “cul-  
 15 turally sustaining” describes educational practices  
 16 that encourage students to bring their cultural and  
 17 linguistic assets and life experiences to a school com-  
 18 munity. Culturally sustaining practices incorporate  
 19 those assets and experiences into coursework and the  
 20 social fabric of a school.

21 (6) DIRECT SUPERVISION.—The term “direct  
 22 supervision” means a student is physically in the  
 23 same location as a school official and such student  
 24 is under the care of the school official or school.

1           (7) DISABILITY.—The term “disability” means  
2           a mental or physical disability that meets the condi-  
3           tions set forth in clauses (i) and (ii) of section  
4           602(3)(A) of the Individuals with Disabilities Edu-  
5           cation Act (20 U.S.C. 1401(3)(A)(i) and (ii)) or in  
6           section 504 of the Rehabilitation Act (29 U.S.C.  
7           794).

8           (8) DISCIPLINARY ALTERNATIVE SCHOOL.—The  
9           term “disciplinary alternative school” means a short-  
10          or long-term educational setting to which a student  
11          is sent for disciplinary or behavioral reasons for a  
12          specified amount of time before being allowed to re-  
13          turn to their regular school setting.

14          (9) ELEMENTARY AND SECONDARY EDUCATION  
15          ACT TERMS.—The terms “elementary school”,  
16          “English learner”, “local educational agency”, “sec-  
17          ondary school”, and “State educational agency” has  
18          the meanings given such terms in section 8101 of  
19          the Elementary and Secondary Education Act of  
20          1965 (20 U.S.C. 7801).

21          (10) EXCLUSIONARY DISCIPLINE.—The term  
22          “exclusionary discipline” describes school policies  
23          and practices, whether formal or informal action of  
24          school officials or by law enforcement, used to dis-

1 cipline students by removing them from their regular  
2 learning environment.

3 (11) GENDER IDENTITY.—The term “gender  
4 identity” means the gender-related identity, appear-  
5 ance, mannerisms, or other gender-related character-  
6 istics of an individual regardless of the designated  
7 sex at birth of the individual.

8 (12) INFORMAL REMOVAL.—The term “infor-  
9 mal removal” means an administrative removal of a  
10 student from the learning environment for part or  
11 all of the school day, or an indefinite period of time,  
12 without documenting the removal as a suspension or  
13 expulsion or engaging in formalized disciplinary  
14 processes.

15 (13) INDIAN TRIBE.—The term “Indian Tribe”  
16 has the meaning given the term in section 4(e) of  
17 the Indian Self-Determination and Education Assist-  
18 ance Act (25 U.S.C. 5304(e)).

19 (14) IN-SCHOOL SUSPENSION.—The term “in-  
20 school suspension” means an instance in which a  
21 student is temporarily removed from a regular class-  
22 room for at least half a day but remains under the  
23 direct supervision of a school official.

24 (15) MECHANICAL RESTRAINT.—The term  
25 “mechanical restraint” has the meaning given the

1 term in section 595(d)(1) of the Public Health Serv-  
 2 ice Act (42 U.S.C. 290jj(d)(1)), except that the  
 3 meaning shall be applied by substituting “student”  
 4 for “resident”.

5 (16) MULTI-TIERED SYSTEM OF SUPPORTS.—  
 6 The term “multi-tiered system of supports” means  
 7 a comprehensive continuum of evidence-based, sys-  
 8 temic practices to support a rapid response to the  
 9 needs of students, with regular observation to facili-  
 10 tate data-based instructional decision making.

11 (17) OUT-OF-SCHOOL SUSPENSION.—The term  
 12 “out-of-school suspension” means an instance in  
 13 which a student is excluded from their school for  
 14 disciplinary reasons by temporarily being removed  
 15 from regular classes to another setting, including a  
 16 home, virtual school placement, alternative school  
 17 placement, disciplinary alternative school, or behav-  
 18 ior center, regardless of whether such disciplinary  
 19 removal is deemed as a suspension by school offi-  
 20 cials.

21 (18) PHYSICAL ESCORT.—The term “physical  
 22 escort” has the meaning given the term in section  
 23 595(d)(2) of the Public Health Service Act (42  
 24 U.S.C. 290jj(d)(2)), except that the meaning shall  
 25 be applied by substituting “student” for “resident”.

1           (19) PHYSICAL RESTRAINT.—The term “phys-  
 2           ical restraint” means a personal restriction that im-  
 3           mobilizes or reduces the ability of an individual to  
 4           move the individual’s arms, legs, torso, or head free-  
 5           ly, except that such term does not include a physical  
 6           escort, mechanical restraint, or chemical restraint.

7           (20) POSITIVE BEHAVIORAL INTERVENTIONS  
 8           AND SUPPORTS.—The term “positive behavioral  
 9           interventions and supports” means a schoolwide,  
 10          systematic approach that embeds evidence-based  
 11          practices and data-driven decision-making to im-  
 12          prove school climate and culture in order to achieve  
 13          improved academic and social outcomes and increase  
 14          learning for all students (including students with the  
 15          most complex and intensive behavioral needs) and  
 16          encompasses a range of systemic and individualized  
 17          positive strategies to teach and reinforce school-ex-  
 18          pected behaviors, while discouraging and diminishing  
 19          undesirable behaviors.

20          (21) PUSHOUT.—The term “pushout” means  
 21          an instance when a student leaves elementary, mid-  
 22          dle or secondary school, including a forced transfer  
 23          to another school, prior to graduating secondary  
 24          school due to overuse of exclusionary discipline prac-  
 25          tices, failure to address trauma or other mental



1 health needs, discrimination, or other educational  
 2 barriers that do not support or promote the success  
 3 of a student.

4 (22) SCHOOL-BASED LAW ENFORCEMENT OFFI-  
 5 CER.—The term “school-based law enforcement offi-  
 6 cer” means an individual who—

7 (A) is—

8 (i) assigned by a law enforcement  
 9 agency to a secondary or elementary school  
 10 or local educational agency;

11 (ii) contracting with a secondary or el-  
 12 ementary school or local educational agen-  
 13 cy; or

14 (iii) employed by a secondary or ele-  
 15 mentary school or local educational agency;

16 (B) has the legal power to detain, arrest,  
 17 issue a citation, perform a custodial investiga-  
 18 tion, or refer a person to a criminal or juvenile  
 19 court;

20 (C) meets the definition of a law enforce-  
 21 ment personnel under State law; or

22 (D) may be referred to as a “school re-  
 23 source officer”, a “sworn law enforcement offi-  
 24 cer”, or a “school police officer”.

1           (23) SCHOOL OFFICIAL.—The term “school of-  
2       ficial” means an educator, school principal, adminis-  
3       trator, or other personnel, not considered school-  
4       based law enforcement, engaged in the performance  
5       of duties with respect to a school.

6           (24) SECLUSION.—The term “seclusion” means  
7       the involuntary confinement of a student alone in a  
8       room or area where the student is physically pre-  
9       vented from leaving, and does not include a time  
10      out.

11          (25) SECRETARY.—The term “Secretary”  
12      means the Secretary of Education.

13          (26) SERIOUS BODILY INJURY.—The term “se-  
14      rious bodily injury” has the meaning given that term  
15      in section 1365(h)(3) of title 18, United States  
16      Code.

17          (27) SEXUAL ORIENTATION.—The term “sexual  
18      orientation” means how a person identifies in terms  
19      of their emotional, romantic, or sexual attraction,  
20      and includes identification as straight, heterosexual,  
21      gay, lesbian, or bisexual, among other terms.

22          (28) SPECIAL EDUCATION SCHOOL.—The term  
23      “special education school” means a school that fo-  
24      cuses primarily on serving the needs of students who  
25      qualify as “a child with a disability” as that term

1 is defined under section 602(3)(A)(i) of the Individ-  
 2 uals with Disabilities Education Act (20 U.S.C.  
 3 1401(3)(A)(i)) or are subject to section 504 of the  
 4 Rehabilitation Act of 1973 (29 U.S.C. 794).

5 (29) THREAT ASSESSMENT.—The term “threat  
 6 assessment” means actions consisting of referrals or  
 7 meetings initiated by a member of school staff, ad-  
 8 ministrator, school counselor, or educator that in-  
 9 clude law enforcement officers to assess whether a  
 10 student constitutes a threat or risk to self or others.

11 (30) TIME OUT.—The term “time out” has the  
 12 meaning given the term in section 595(d)(5) of the  
 13 Public Health Service Act (42 U.S.C. 290jj(d)(5)),  
 14 except that the meaning shall be applied by sub-  
 15 stituting “student” for “resident”.

16 (31) TRAUMA-INFORMED SERVICES.—The term  
 17 “trauma-informed services” means a service delivery  
 18 approach that—

19 (A) recognizes and responds to the impacts  
 20 of trauma with evidence-based supports and  
 21 intervention;

22 (B) emphasizes physical, psychological, and  
 23 emotional safety for both providers of services  
 24 and survivors of trauma; and

1 (C) creates opportunities for survivors of  
 2 trauma to rebuild a sense of healing and em-  
 3 powerment.

4 (32) ZERO-TOLERANCE POLICY.—The term  
 5 “zero-tolerance policy” is a school discipline policy  
 6 that results in an automatic disciplinary con-  
 7 sequence, including out-of-school suspension, expul-  
 8 sion, and involuntary school transfer.

9 **SEC. 4. STRENGTHENING CIVIL RIGHTS DATA COLLECTION**  
 10 **WITH RESPECT TO EXCLUSIONARY DIS-**  
 11 **CIPLINE IN SCHOOLS.**

12 (a) IN GENERAL.—The Assistant Secretary for Civil  
 13 Rights shall annually carry out data collection, while  
 14 maintaining appropriate safety and privacy standards, au-  
 15 thorized under section 203(c)(1) of the Department of  
 16 Education Organization Act (20 U.S.C. 3413(c)(1)),  
 17 which shall include data with respect to students enrolled  
 18 in a public preschool, elementary, or secondary school (in-  
 19 cluding traditional public, charter, virtual, special edu-  
 20 cation school, and alternative schools or placements) who  
 21 received the following disciplinary actions during the pre-  
 22 ceding school year:

23 (1) Suspension (including the classification of  
 24 the suspension as in-school suspension or out-of-

1 school suspension), which shall include data with re-  
2 spect to—

3 (A) the number of students who were sus-  
4 pended, disaggregated and cross-tabulated by  
5 type of suspension and by—

6 (i) enrollment in a preschool or in an  
7 elementary school and secondary school by  
8 grade level;

9 (ii) race;

10 (iii) ethnicity;

11 (iv) sex (including, to the extent pos-  
12 sible, sexual orientation and gender iden-  
13 tity);

14 (v) low-income status;

15 (vi) disability status (including stu-  
16 dents eligible for disability under the Indi-  
17 viduals with Disabilities Education Act (20  
18 U.S.C. 1401 et seq.) or section 504 of the  
19 Rehabilitation Act of 1973 (29 U.S.C. 10  
20 794));

21 (vii) English learner status;

22 (viii) foster care status;

23 (ix) housing status, to the extent pos-  
24 sible;

1 (x) Tribal citizenship or descent, in  
 2 the first or second degree, of an Indian  
 3 Tribe, to the extent possible; and

4 (xi) pregnant and parenting student  
 5 status, to the extent possible;

6 (B) the number and length of suspensions;

7 (C) the reason for each such suspension,  
 8 including—

9 (i) a violation of a zero-tolerance pol-  
 10 icy and whether such violation was due to  
 11 a violent or nonviolent offense;

12 (ii) a violation of an appearance pol-  
 13 icy, dress code, or grooming policy;

14 (iii) an act of insubordination;

15 (iv) willful defiance; and

16 (v) a violation of a school code of con-  
 17 duct; and

18 (D) the number of days of lost instruction  
 19 due to each out-of-school and in-school suspen-  
 20 sion.

21 (2) Expulsion, including agreements to with-  
 22 draw a child from school in lieu of an expulsion  
 23 process, which shall include data with respect to—

24 (A) the number of students who were ex-  
 25 pelled, disaggregated and cross-tabulated as

outlined under clauses (i) through (xi) of subsection (a)(1)(A); and

(B) the reason for each such expulsion, including—

(i) a violation of a zero-tolerance policy and whether such violation was due to a violent or nonviolent offense;

(ii) a violation of an appearance policy, dress code, or grooming policy;

(iii) an act of insubordination, willful defiance, or violation of a school code of conduct;

(iv) the use of profane or vulgar language;

(v) an act of insubordination; and

(vi) a violation of a school code of conduct.

(3) The number of students subject to an out-of-school transfer to a different school, including alternative education placements or a virtual school, disaggregated and cross-tabulated as outlined under clauses (i) through (xi) of subsection (a)(1)(A), and the primary reason for each such transfer.

(4) The number of students subject to a referral to law enforcement or threat assessment process,

disaggregated and cross-tabulated as outlined under clauses (i) through (xi) of subsection (a)(1)(A), including the primary reason for each such referral, and whether such referral resulted in an arrest.

(5) The number of students arrested at school, including at school-sponsored activities, disaggregated and cross-tabulated as outlined under clauses (i) through (xi) of subsection (a)(1)(A), and the primary reason for such arrest.

(6) The number of students subject to a referral to or placement in a residential facility, including for temporary or short-term holds (such as 48-hour or 72-hour holds) disaggregated and cross-tabulated as outlined under clauses (i) through (xi) of subsection (a)(1)(A).

(7) The number of students subject to placement in juvenile or criminal legal confinement or other institutionalized settings, including diversion to arrest programs and mental and psychiatric programs, disaggregated and cross-tabulated as outlined under clauses (i) through (xi) of subsection (a)(1)(A).

(b) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and an-



1 nually thereafter, the Assistant Secretary for Civil  
2 Rights shall submit to Congress a report on the data  
3 collected under subsection (a).

4 (2) REQUIREMENTS.—The report required  
5 under paragraph (1) shall—

6 (A) identify, with respect to the data col-  
7 lected under subsection (a), schools, local edu-  
8 cational agencies, and States that demonstrate  
9 a pattern of the overuse and discriminatory use  
10 of exclusionary disciplinary practices;

11 (B) be disaggregated and cross tabulated,  
12 except that such disaggregation shall not be re-  
13 quired in the case of a State, local educational  
14 agency, or a school in which the number of stu-  
15 dents in a subgroup is insufficient to yield sta-  
16 tistically reliable information or the results  
17 would reveal personally identifiable information  
18 about an individual student, by—

19 (i) enrollment in a preschool or in an  
20 elementary school and secondary school by  
21 grade level;

22 (ii) race;

23 (iii) ethnicity;

1 (iv) sex (including, to the extent pos-  
 2 sible, sexual orientation and gender iden-  
 3 tity);

4 (v) low-income status;

5 (vi) disability status (including stu-  
 6 dents eligible for disability under the Indi-  
 7 viduals with Disabilities Education Act (20  
 8 U.S.C. 1401 et seq.) or section 504 of the  
 9 Rehabilitation Act of 1973 (29 U.S.C.  
 10 794));

11 (vii) English learner status;

12 (viii) foster care status;

13 (ix) housing status, to the extent pos-  
 14 sible;

15 (x) Tribal citizenship or descent, in  
 16 the first or second degree, of an Indian  
 17 Tribe; and

18 (xi) pregnant and parenting student  
 19 status, to the extent possible;

20 (C) be publicly accessible in multiple lan-  
 21 guages, accessibility formats, and provided in a  
 22 language that parents, families, and community  
 23 members can understand; and

24 (D) be presented in a manner that protects  
 25 the privacy of individuals consistent with the re-

1           quirements of section 444 of the General Edu-  
 2           cation Provisions Act (20 U.S.C. 1232g), com-  
 3           monly known as the “Family Educational  
 4           Rights and Privacy Act of 1974”.

5   **SEC. 5. GRANTS TO REDUCE EXCLUSIONARY SCHOOL DIS-**  
 6                   **CIPLINE PRACTICES.**

7           (a) IN GENERAL.—The Secretary shall award grants  
 8           (which shall be known as the “Healing School Climate  
 9           Grants”), on a competitive basis, to eligible entities for  
 10          the purpose of reducing the overuse and discriminatory  
 11          use of exclusionary discipline practices and policies in  
 12          schools.

13          (b) ELIGIBLE ENTITIES.—In this section, the term  
 14          “eligible entity” means—

15               (1) one or more local educational agencies (who  
 16               may be partnered with a State educational agency),  
 17               including a public charter school that is a local edu-  
 18               cational agency under State law or local educational  
 19               agency operated by the Bureau of Indian Education;  
 20               or

21               (2) a nonprofit organization (defined as an or-  
 22               ganization described in section 501(c)(3) of the In-  
 23               ternal Revenue Code, which is exempt from taxation  
 24               under section 501(a) of such Code) with a track

1 record of success in improving school climates and  
2 supporting students.

3 (c) APPLICATION.—An eligible entity seeking a grant  
4 under this section shall submit an application to the Sec-  
5 retary at such time, in such manner, and containing such  
6 information as the Secretary may require, including an as-  
7 surance that the eligible entity shall prioritize schools with  
8 high rates of disparities in exclusionary discipline, such  
9 as suspensions, expulsions, law enforcement referrals, and  
10 school-based arrests, for students of color, students with  
11 disabilities, LGBTQI+ students, English language learn-  
12 ers, students experiencing homelessness, students involved  
13 in the foster care system, and students living at the inter-  
14 sections of these identities, and historical patterns of dis-  
15 parities in exclusionary school discipline. The Secretary  
16 shall make applications publicly accessible in an appro-  
17 priate digital format.

18 (d) PROGRAM REQUIREMENT.—An eligible entity  
19 that receives a grant under subsection (a) shall prohibit  
20 the use of—

21 (1) out-of-school suspension or expulsion for  
22 any student in preschool through grade 5 for inci-  
23 dents that do not involve serious physical injury;

24 (2) out-of-school suspension or expulsion for  
25 any student in preschool through grade 12 for insub-

1 ordination, willful defiance, vulgarity, truancy, tardi-  
2 ness, chronic absenteeism, or as a result of a viola-  
3 tion of a grooming or appearance policy;

4 (3) corporal punishment;

5 (4) seclusion;

6 (5) a mechanical or chemical restraint on a stu-  
7 dent; or

8 (6) a physical restraint or physical escort that  
9 is life threatening, that restricts breathing, or that  
10 restricts blood flow to the brain, including prone and  
11 supine restraint, on a student, except when each of  
12 the following requirements are met:

13 (A) The student's behavior poses an immi-  
14 nent danger of serious physical injury to the  
15 student, program personnel, or another indi-  
16 vidual.

17 (B) Before using physical restraint, less  
18 restrictive interventions would be ineffective in  
19 stopping such imminent danger of serious phys-  
20 ical injury.

21 (C) Such physical restraint is imposed  
22 by—

23 (i) program personnel trained and cer-  
24 tified by a State-approved crisis interven-  
25 tion training program; or

1 (ii) program personnel not trained  
2 and certified as described in clause (i), in  
3 the case of a rare and clearly unavoidable  
4 emergency circumstance when program  
5 personnel certified as described in clause  
6 (i) is not immediately available due to the  
7 unforeseeable nature of the emergency cir-  
8 cumstance.

9 (D) Such physical restraint ends imme-  
10 diately upon the cessation of the imminent dan-  
11 ger of serious physical injury to the student,  
12 any program personnel, or another individual.

13 (E) The physical restraint does not inter-  
14 fere with the student's ability to communicate  
15 in the student's primary language or primary  
16 mode of communication.

17 (F) During the physical restraint, the least  
18 amount of force necessary is used to protect the  
19 student or others from the threatened injury.

20 (G) The physical restraint does not affect  
21 or interfere with, with respect to a student, a  
22 disability, health care needs, or a medical or  
23 psychiatric condition documented in a—

24 (i) health care directive or medical  
25 management plan;

- 1 (ii) a behavior intervention plan;
- 2 (iii) an individualized education pro-
- 3 gram or an individualized family service
- 4 plan (as defined in section 602 of the Indi-
- 5 viduals with Disabilities Education Act (20
- 6 U.S.C. 1401)); or
- 7 (iv) another relevant record made
- 8 available to the State or eligible entity in-
- 9 volved.

10 (e) USE OF FUNDS.—

- 11 (1) REQUIRED USES.—An eligible entity that
- 12 receives a grant under this section shall use funds
- 13 to—

- 14 (A) evaluate the current discipline policies
- 15 of schools under the eligible entity and, in part-
- 16 nership with students (including girls of color),
- 17 the family members of students, and the local
- 18 community of such school, develop discipline
- 19 policies for such schools to ensure that such
- 20 policies are not exclusionary or discriminately
- 21 applied toward students;

- 22 (B) provide training and professional de-
- 23 velopment for school officials to avoid or ad-
- 24 dress the overuse and discriminatory dispropor-
- 25 tionate use of exclusionary discipline practices

in schools and to create awareness of implicit and explicit bias and use culturally sustaining practices, including training in—

(i) identifying and providing support to students who may have experienced or are at risk of experiencing trauma or have other mental health needs;

(ii) administering and responding to assessments on adverse childhood experiences;

(iii) providing student-centered, trauma-informed services and positive behavior management interventions that create safe and supportive school climates;

(iv) using restorative practices;

(v) using culturally and linguistically responsive intervention strategies;

(vi) developing social and emotional learning competencies; and

(vii) increasing student engagement and improving dialogue between students and educators;

(C) implement and evaluate evidence-based alternatives to suspension or expulsion, including—



1 (i) multi-tier systems of support, such  
2 as positive behavioral interventions and  
3 supports;

4 (ii) social, emotional, and academic  
5 learning strategies designed to engage stu-  
6 dents and avoid escalating conflicts; and

7 (iii) other data-driven approaches to  
8 improving school environments;

9 (D) improve behavioral and academic out-  
10 comes for students by creating a safe and sup-  
11 portive learning environment and school cli-  
12 mate, which may include—

13 (i) restorative practices with respect  
14 to improving relationships among students,  
15 school officials, and members of the local  
16 community, which may include partnering  
17 with local mental health agencies or non-  
18 profit organizations;

19 (ii) access to mentors and peer-based  
20 support programs;

21 (iii) extracurricular programs, includ-  
22 ing sports and art programs;

23 (iv) social and emotional learning  
24 strategies designed to engage students and  
25 avoid escalating conflicts;

1 (v) access to counseling, mental health  
 2 programs, and trauma-informed services,  
 3 including suicide prevention programs; and

4 (vi) access to culturally responsive  
 5 curricula that affirms the history and con-  
 6 tributions of traditionally marginalized  
 7 people and communities;

8 (E) hire social workers, school counselors,  
 9 trauma-informed care personnel, and other  
 10 mental health personnel who shall not serve as  
 11 proxies for school-based law enforcement offi-  
 12 cers; and

13 (F) support the development, delivery, and  
 14 analysis of school climate surveys.

15 (2) PROHIBITED USES.—An eligible entity that  
 16 receives a grant under this section may not use  
 17 funds to—

18 (A) hire or retain school-based law enforce-  
 19 ment personnel, including school resource offi-  
 20 cers;

21 (B) purchase, maintain, or install surveil-  
 22 lance equipment, including metal detectors or  
 23 software programs that monitor or mine the so-  
 24 cial media use or technology use of students;

1 (C) arm educators, principals, school lead-  
2 ers, or other school personnel; and

3 (D) enter into formal or informal partner-  
4 ships or data and information sharing agree-  
5 ments with—

6 (i) the Secretary of Homeland Secu-  
7 rity, including agreements with U.S. Immi-  
8 gration and Customs Enforcement or U.S.  
9 Customs and Border Protection; or

10 (ii) State, local, or other law enforce-  
11 ment agencies, including partnerships that  
12 allow for hiring of school-based law en-  
13 forcement.

14 (f) TECHNICAL ASSISTANCE.—The Secretary, in car-  
15 rying out subsection (a), may reserve not more than 2 per-  
16 cent of funds to provide technical assistance to eligible en-  
17 tities, which may include—

18 (1) support for data collection, compliance, and  
19 analysis of the activities of the program authorized  
20 under subsection (a); and

21 (2) informational meetings and seminars with  
22 respect to the application process under subsection  
23 (c).

24 (g) REPORT BY GRANTEES.—Not later than one year  
25 after the date of enactment of this section, an eligible enti-

1 ty receiving a grant under this section shall submit to the  
2 Secretary, and to the public, a report on the activities  
3 funded through the grant. The Secretary shall make each  
4 such report publicly accessible in an appropriate digital  
5 format. Such report shall include, at a minimum, a de-  
6 scription of—

7 (1) the evaluation methods of disciplinary prac-  
8 tices prior to the grant;

9 (2) training and professional development serv-  
10 ices provided for school officials, including school-  
11 based law enforcement officers, to address discrimi-  
12 natory discipline practices, implicit and explicit bias,  
13 and other uses described in subsection (e)(1);

14 (3) aggregated and de-identified behavioral, so-  
15 cial emotional, and academic outcomes experience by  
16 students;

17 (4) any instance of physical restraint used on a  
18 student with an explanation of a circumstance de-  
19 scribed in subsection (d)(6);

20 (5) the number of students who were referred  
21 to some form of alternative practice described in  
22 subsection (e)(1)(C);

23 (6) disaggregated data on students suspended,  
24 expelled, arrested at school, and referred to the juve-  
25 nile or criminal legal system, except that such

disaggregation shall not be required in the case of  
 a State, local educational agency, or a school in  
 which the number of students in a subgroup is in-  
 sufficient to yield statistically reliable information or  
 the results would reveal personally identifiable infor-  
 mation about an individual student, cross tabulated  
 by—

(A) reason for disciplinary action;

(B) type and length of disciplinary action;

(C) grade level;

(D) race;

(E) ethnicity;

(F) sex (including to the extent possible,  
 sexual orientation and gender identity);

(G) low-income status;

(H) disability status;

(I) English learner status;

(J) foster care status;

(K) housing status, to the extent possible;

(L) Tribal citizenship or descent, in the  
 first or second degree, of an Indian Tribe; and

(M) pregnant and parenting student sta-  
 tus, to the extent possible; and

(7) any other information required by the Sec-  
 retary.

1 **SEC. 6. JOINT TASK FORCE TO END SCHOOL PUSHOUT OF**  
2 **GIRLS OF COLOR.**

3 (a) ESTABLISHMENT.—The Secretary and the Sec-  
4 retary of Health and Human Services shall establish and  
5 operate a joint task force to end school pushout (in this  
6 section referred to as the “Joint Task Force”).

7 (b) COMPOSITION.—

8 (1) CHAIRS.—The Secretary and the Secretary  
9 of Health and Human Services shall chair the Joint  
10 Task Force.

11 (2) MEMBERS.—

12 (A) IN GENERAL.—The Joint Task Force  
13 shall include 21 total members and be com-  
14 posed of—

15 (i) 6 students, including 2 Black,  
16 Brown, and Indigenous girls;

17 (ii) 2 educators;

18 (iii) 3 parents, including foster par-  
19 ents, legal guardians, and caregivers with  
20 children enrolled in public school;

21 (iv) 3 public school officials;

22 (v) 3 representatives from the civil  
23 rights community, including civil rights  
24 and disability organizations;

25 (vi) 2 psychologists, social workers,  
26 trauma-informed personnel, and other

1                   mental health professionals with expertise  
2                   in child and adolescent development; and  
3                   (vii) 2 researchers with experience in  
4                   behavioral intervention with children and  
5                   youth.

6                   (B) LAW ENFORCEMENT OFFICERS.—The  
7                   Joint Task Force shall not include law enforce-  
8                   ment officers.

9                   (3) ADVISORY MEMBERS.—In addition to the  
10                  members under paragraph (2), the Assistant Attor-  
11                  ney General of the Civil Rights Division of the De-  
12                  partment of Justice and the Director of the Bureau  
13                  of Indian Education shall be advisory members of  
14                  the Joint Task Force.

15                  (4) MEMBER APPOINTMENT.—Not later than  
16                  60 days after the date of the enactment of this Act,  
17                  the Secretary and the Secretary of Health and  
18                  Human Services shall appoint the members of the  
19                  Joint Task Force—

20                         (A) in accordance with paragraph (2);

21                         (B) using a competitive application proc-  
22                         ess; and

23                         (C) with consideration to the racial, ethnic,  
24                         gender, disability, and geographic diversity of  
25                         the Joint Task Force.

1       (c) STUDY AND RECOMMENDATIONS.—The Joint  
2 Task Force shall—

3           (1) conduct a study to—

4               (A) identify causes for disparities in school  
5 discipline administration that push girls of color  
6 out of schools;

7               (B) identify best practices for reducing the  
8 overuse and discriminatory use of exclusionary  
9 discipline practices;

10              (C) identify interventions and account-  
11 ability for local and State educational agencies  
12 when disparities in school discipline are found;  
13 and

14              (D) determine to what extent exclusionary  
15 discipline practices contribute to the criminal-  
16 ization of—

17                   (i) girls of color;

18                   (ii) English learners;

19                   (iii) Indigenous girls;

20                   (iv) LGBTQI+ students;

21                   (v) students experiencing homeless-  
22 ness;

23                   (vi) students involved in the foster  
24 care system; and

25                   (vii) students with disabilities; and



1           (2) develop recommendations based on the  
2           study conducted under paragraph (1).

3           (d) REPORT.—Not later than 360 days after the date  
4 of the enactment of this Act, and biannually thereafter,  
5 the Secretary and the Secretary of Health and Human  
6 Services shall submit to Congress a report on the rec-  
7 ommendations under subsection (c)(2). The report shall  
8 be—

9           (1) available to the public through the public  
10          website of the Department of Health and Human  
11          Services and by request;

12          (2) accessible in accordance with the require-  
13          ments of the American with Disabilities Act of 1990  
14          (42 U.S.C. 12101 et seq.); and

15          (3) available in multiple languages.

16 **SEC. 7. AUTHORIZATION OF APPROPRIATION.**

17          (a) IN GENERAL.—There is authorized to be appro-  
18 priated \$500,000,000 for each fiscal year after the date  
19 of enactment of this Act to carry out sections 5 and 6.

20          (b) ADDITIONAL FUNDING TO THE OFFICE FOR  
21 CIVIL RIGHTS.—There is authorized to be appropriated  
22 \$500,000,000 for each fiscal year after the date of enact-  
23 ment of this Act to carry out section 4.

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