



Nowhere to go

*The devastating journey
of youth expelled
from Michigan schools*

A Special Report
The Student Advocacy Center of Michigan

Acknowledgments

Thank you so much to the **parents** and **students** who agreed to take time from their days to open their homes and share often painful stories about a difficult time in their lives. Thank you for answering so many questions, being open and reflective, and generous in time and spirit.

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**All photos taken in Southeast Michigan
by Peri Stone-Palmquist.**

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Nowhere to go

He was in eighth grade, the son of a single mom who left for work while her children slept and came home, only to lock herself in the bedroom. He caused trouble for his teachers and struggled in his classes, but was committed to finishing, to graduating high school.

Today, he is 19 with only a seventh grade education. He is a father but cannot provide for his son. He has spent time in jail and cannot find a job.

The what-ifs and how-comes loom large, pushing one to imagine a life without zero tolerance, without expulsion, without so many in charge turning their backs.

What happened? And what could have happened differently for this youth and so many others?

We must find the answers ...

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Introduction

With burden on parents, expelled students left with no road map

Each year, some 1,500 students are expelled from Michigan schools.¹ And for the past 10 years, policymakers, educators and others have worried about their fate – would they pose a threat to society² or be pushed away when they needed help the most?³ These concerns were voiced repeatedly but never translated into meaningful support.

Michigan school officials have no obligation to provide for the educational needs of students expelled from a general education program or even to provide a referral to an educational program. They are only asked to provide referrals to a county social service department or community mental health agency, which have no obligation to respond.⁴ In 2001-2002, only 40 percent of expelled students were provided a referral to an educational service.

Left with no meaningful assistance, often barred from all state-funded public schools, expelled students' paths

are difficult at best; their destinations uncertain. No one tracks their journey — the state does not know what happens to them. This research attempts to fill that knowledge gap.

The stories shared on these pages are mined from more than 20 hours of face-to-face interviews with 25 students and parents in southeast Michigan. Twelve families total are represented: 12 students and 13 parents. Their stories illuminate the complexities of post-expulsion life, the barriers and obstacles to securing services, and the dire need for a safety net.

Background

Michigan's discipline code grows harsher with no offers of help

Over the past 10 years Michigan has developed one of the harshest school discipline codes in the country.⁵ Michigan allows or mandates expulsion for a broader range of offenses than other states, discourages the case-by-case discretion and consideration of intent encouraged in other state school discipline codes, and is one of only a few states that statutorily places the entire burden of finding a suitable alternative education entirely on the student and family.⁶

Certainly, this wasn't always the case. As late as 1993, Michigan's school discipline code was flexible, saying that a school board "may authorize or order" the suspension or expulsion of a student guilty of "gross misdemeanor or persistent disobedience" if it best served the interest of the school.⁷ All this changed in 1994 when, amidst several local instances of weapons possession on school grounds,⁸ the Michigan Legislature enacted a zero tolerance approach, mandating permanent expulsion for possession of a dangerous weapon, arson or rape on school grounds, with a

few exceptions.⁹

Initially, legislators considered a bill that would have required expulsion only for those students unlawfully possessing a firearm, but the Senate passed a bill to include other dangerous weapons as well.¹⁰ This decision meant Michigan's zero tolerance law exceeded what Congress would mandate in the federal Gun-Free Schools Act, passed eight days after Michigan enacted its policy. Congress mandated a one-year expulsion for firearms possession on school grounds but allowed for exceptions on a case-by-case basis.¹¹

Unlike 35 other states,¹² Michigan never did include this case-by-case lan-



1985

guage. Rather, the state took more steps to go beyond federal requirements. In 1995, the state amended the law again, mandating expulsion for criminal sexual misconduct on school grounds and tweaking the rules for reinstatement.¹³ The most recent changes occurred in 1999. The new provisions, which remain in place today, allow teachers to suspend a student for up to one full day for good reason, require suspensions of up to 180 school days for a physical assault against another pupil, and require permanent expulsions for any “physical assault” against a school employee or volunteer.¹⁴ The revised code also permits suspensions or expulsions for cases of “verbal assault” against a school employee or volunteer, although in a September 2003 ruling, U.S. District Judge David M. Lawson wrote that the state law was unenforceable because it was “unconstitutionally vague and overbroad.”¹⁵

1994

1995

Michigan was one of 27 states to expand the federal mandatory expulsion provision to include any weapon and, in some cases, look-alike weapons.¹⁶ A 2000 audit showed that 17 states have mandated expulsion for drug and alcohol possession. Other states expel students for disobedience (12 states), assaults against other students (10 states), vandalism (eight states), and verbal assaults (six states).¹⁷ Michigan expels students for offenses in all of these categories.

1999

Michigan is also unique in its handling of the education of expelled students. It is one of only a few states that put the burden on parents to secure an education – a policy that has been hotly contested even before the rise of Michigan’s zero tolerance policy. In 1985, Michigan Attorney General Frank Kelley issued an opinion about the matter in response to a request from the state superintendent of public instruction.¹⁸ Although public school attendance is compulsory for children ages six to 16,¹⁹ Kelley ruled that school boards were not required to provide an alternative education program for expelled general

education students. A student eligible for services under the Education for All Handicapped Children Act, however, must continue to receive some educational services during the period of expulsion.²⁰ According to the ruling, the Legislature has the power to amend the school code to require alternative education programs for expelled or suspended students.²¹

And indeed, state legislators did try. In 1994, Michigan senators proposed a bill to amend the juvenile code and require that an alternative education program intended for juvenile delinquents be offered to students expelled for unlawful possession of a firearm or other dangerous weapon.²² In a county with an alternative education program, the expelled student would have to be enrolled. Funding would come from the State School Aid Fund.

According to a legislative analysis, there was uncertainty about “the judicial or education systems that would be responsible for establishing and operating these programs.”²³ Probate judges were concerned that juvenile courts would be expected to establish educational programs.²⁴ In addition, the analysis pointed out that some school districts didn’t offer alternative programs “intended for juvenile delinquents,” and their programs weren’t available for every grade.²⁵ Finally, the analysis noted that while the bill specified funding from the school aid fund, it didn’t guarantee funding would be available.²⁶

Although this bill failed, the issue surfaced repeatedly during the second reading of the 1994 senate bill amending the discipline code.²⁷ Two state representatives moved to require that the school board develop an individualized plan of alternative education to ensure progress similar to the expelled student’s peers. Four representatives moved, unsuccessfully, to require that alternative education programs be provided by intermediate school districts, agencies that serve the districts in their region in numerous ways.²⁸ When the

2003

discipline code was amended without alternative education provisions, four representatives mentioned this shortcoming.

Rep. Gregory Pitoniak, D-Taylor, said he would have supported the bill had it required that expelled students through the age of 15 participate in an alternative program and that schools arrange such programming.²⁹ “Without these provisions,” he said, “it is probable that the expelled student would eventually be involved in criminal

“I do not support leaving [expelled students] with no school to attend, no activity, no guidance other than roaming our communities with the weapon.”

-Rep. Lynne Martinez

activity, posing a threat to society and a major cost burden to taxpayers. Ironically, if convicted of a crime, a youth would likely be mandated to an alternative education program as

part of his/her sentence.”

Rep. Lynne Martinez, D-Lansing, said she supported expelling students for weapons possession at school but voted against the bill because it did “half the job.”³⁰ She explained: “I do not support leaving them with no school to attend, no activity, no guidance other than roaming our communities with the weapon.”

Legislators took up the issue again when the state amended the expulsion statute in 1995. The amendments allowed but did not mandate that districts provide homebound services to students not placed in alternative education programs.³¹ In addition, an amendment required that a prorated per-pupil state grant follow the expelled student to a public school-sponsored alternative education program or public school academy.³²

In 1999, during the third reading of a

bill amending the discipline code, a senator offered an amendment to require the school board to place expelled students in a suitable program to continue his or her education during expulsion.³³ While that failed, the bill empowered authorizing bodies such as school boards and intermediate school district boards to create strict discipline academies to serve at-risk students.³⁴ The most recent listing of state strict discipline academies includes only three academies.³⁵

In the end, more than 60 percent of students expelled from districts reporting their data (82 percent) were *not* provided a referral to an educational service in the 2001-2002 school year.³⁶ At least 941 cases did not receive such a referral – be it for alternative education, instruction at home, or a strict discipline academy. Many of these students received a referral for other kinds of services: 112 (7 percent) were referred to the court, 105 (7 percent) to community mental health services, and 50 (3 percent) to the Family Independence Agency. But 364 (25 percent) of the cases received no referral of any kind.³⁷

The success of the referrals provided is unclear. When asked to provide expelled students’ exit status, school officials reported that close to 1,200 students (75 percent of cases) were expelled with no further services.³⁸

What makes these numbers particularly troubling is the fact that increasingly more children are impacted each year. In 1995, as Michigan’s zero tolerance policy was enacted, only about 240 students were expelled.³⁹ In 2001-2002, 1,588 expulsions were reported – and these expulsions occurred throughout the state. Although only 36 percent of reporting school districts expelled at least one student,⁴⁰ every single intermediate school district was represented.

Research Methods

Under ideal circumstances, a researcher trying to pinpoint the unique consequences of expulsion would draw a sample from students randomly expelled or draw a random sample from all expelled students in a region. Neither is practical.

The first would involve expulsions without merit, and the second, extensive but likely unhelpful paperwork. Because Michigan has no comprehensive list of expelled students' names, researchers would have to rely on busy and often-reluctant school districts to respond to Freedom of Information requests for written minutes documenting any action taken after an expulsion hearing. Even if a full list could be culled from released minutes, contact information would be difficult to secure in cases where students' last names differed from their parents or phone numbers were unlisted.

To avoid these obstacles, this research drew its sample from clients of the Ann Arbor-based Student Advocacy Center of Michigan (SAC), which works to secure appropriate educational services for at-risk students. SAC has unusual access to expelled students, opening doors that would likely be closed to a researcher relying on "cold calls."

Also, SAC's clients likely represent some of the best-case scenarios among expelled youth in Michigan, providing a wider window of understanding than this small sample size would otherwise afford. It is reasonable to assume that if students with the resources to question their expulsion struggled in the months after the disciplinary action, those without such means would also struggle. Limiting interviews to these critical cases allows for some useful, logical generalizations about other expulsion cases.⁴¹

To be included in the sample, the SAC client had to fall into several categories. They had to be in 7th-12th grades, which is the time most expulsions occur, and permanently expelled. The expulsion had to occur during the 2000-2001, 2001-2002 or 2002-2003 school year, a sufficient time to account for any single-year anomalies. Finally, they had to live in one of 10 southeast Michigan counties: Genesee, Ingham, Jackson, Lenawee, Livingston, Macomb, Monroe, Oakland, Washtenaw and Wayne. This area includes urban, suburban and rural school districts,

variety meant to yield important shared patterns.

Once this list of 48 clients was assembled, the students were assigned random numbers in a computer spreadsheet program and sorted – not to allow for generalizations about the larger population of expelled students, but to provide a systematic, unbiased way to winnow down the sample pool. In the end, nine students and nine parents were interviewed – a sample size large enough to provide meaningful insight into post-exclusion life and fodder for future research.

Ideally, a researcher would interview school officials to verify families' stories and gain additional insights. But this would require written parental permission and a willingness to talk on the part of school officials, provided they still work in the school or area and can remember the case. These are challenges that require significant time and resources to overcome, yet still do not provide information for the central question of this research, which focuses on what happens after the expulsion. It should be noted that the facts shared in this report were consistent among students and parents under intense questioning, and that many parents possessed paperwork that verified certain details of their case.

Finally, the critical step of interviewing a "control group" was taken to explore whether any bad outcomes experienced by our sample could be attributed to the expulsion. For instance, would this student have dropped out or fallen behind in school regardless of the expulsion or did this disciplinary action have a direct impact? To study this question, I interviewed three students and four parents who were very similar to the "experimental group" – except the school district chose not to expel them, even when they committed the same offense as someone in the experimental group. To identify these students, a master list of SAC clients in grades 7-12 who averted expulsion in the past three years and lived in the 10-county region was used.

The Sample

To protect confidentiality, the subjects' names were changed. Further, the subjects' place of residence and home school districts were not identified, other than being noted as southeastern Michigan school districts. The chart below details the names used to identify interviewed subjects.

It should be noted that interviews took place after verbal consent had been given twice, once to the Student Advocacy Center of Michigan and once to the researcher, and written consent had been secured. To further ensure protection of the students, parents/guardians were asked to sign the student consent form, as well as their own consent form.

Interviews were conducted when both parent/guardian and student were available, although interviews were conducted one-on-one, unless either subject objected. The interviews took place in a private space where conversations couldn't be overheard. All interviews were recorded with subjects' knowledge and consent.

Name	Family Structure	Student's Race	Student's Gender	Grade	Charge at expulsion
"Chloe, mom Nina"	single-mom	black	female	7th/8th	Assault involving a student/ assault involving a student
"Jordan, mom Phoebe"	single-mom	white	female	10th	Verbal assault
"Vinnie, mom Lydia"	divorced, cohabitating	white	male	11th	Distribution of controlled substance
"Sean, dad Paul"	two-parent	white	male	8th	Distribution of controlled substance
"Ronnie, mom Paula"	single-mom	white	male	7th	Turning on gas stove burners
"Jessie, dad Barney"	mom/step-dad	biracial	male	7th/8th	Indecent exposure/ Multiple office referrals
"Adam, mom Hannah"	single mom	white	male	10th	Possession of knife
"Austin, mom Andrea"	single mom	black	male	11th	Carrying a concealed weapon
"Andre, mom Carla"	single mom	biracial	male	8th	Fighting
Control Group					
"Eric, mom Jane"	single mom	white	male	9th	Possession of a knife
"Tyra, mom Gina"	two-parent	black	female	8th	Possession of a knife
"Tim, parents Rick, Missy"	two-parent	white	male	7th	Bomb threat

Who is expelled?

Michigan's Center for Educational Performance and Information released a report in February of 2003 that gives some details about students expelled in the 2001-2002 school year.⁴² This data, drawn from 82 percent of the state's 4,176 schools, indicates that certain segments of the student population are disproportionately affected by expulsion and that the reasons for expulsion are quite varied. A total of 1,588 expulsions were reported.

❖ The majority of Michigan's expelled students are **MALE** and **WHITE**. Out of 1,586 cases reporting gender and race, 74% were male and 55% percent were white.

The majority of students interviewed for this study also were male and white. Among the 12 students, 75% were male and 58% were white.

❖ **AFRICAN-AMERICAN** students are overrepresented among those that are expelled. While 20% of the state's 1.7 million students are black (73% are white), 39% of the state's expelled students were black.

Among the 12 students interviewed for this study, 25% were black and close to 17% were bi-racial.

❖ More than half of Michigan's expelled students are in **8TH, 9TH OR 10TH GRADE**. Out of 1,584 cases reporting grade level, 25% were in 9th grade, 17% were in 8th grade, and 15% were in 10th grade.

This research focused on students in middle and high school precisely because the majority of expulsions occur during these years. Among the 14 expelling incidents reported in interviews for this research, most occurred when the student was in 8th grade (36%) or 7th grade (29%).

❖ The majority of Michigan's expulsions involve a **PHYSICAL ASSAULT, DRUGS OR NARCOTICS, OR THE POSSESSION OF A DANGEROUS WEAPON OTHER THAN A FIREARM**. Out of 1,525 incident types reported, 23% involved physical assaults, 20% involved drugs or narcotics, and 13% involved other dangerous weapons. Students were also expelled for verbal assaults (7%), disrupting the educational process (3%), bomb threats (less than 3%), handguns (2%), aggravated assault (less than 2%), sexual harassment (less than 2%), and larceny/theft (1%), and other behavior (10%).

Similarly, more than half of the 14 expelling incidents reported by the 12 students interviewed for this study involved a physical assault (21%), the distribution of a controlled substance (14%) or the possession of a dangerous weapon other than a firearm (21%). Other expelling incidents involved verbal assault, a handgun violation, a bomb threat and other behavior.

Michigan does not track a number of factors about its expelled students, but national research and studies from other states help provide a more complete picture of family conditions and factors involved in the misbehavior of expelled students. These findings reveal a troubling picture of economic disadvantage, family crises and disengagement, as well as emotional, social and academic challenges. Clearly, discipline problems do not happen in a vacuum but a complex context.

❖ Nationally, those living in **POVERTY** are overrepresented among expelled students.⁴³ While 11 percent of the general population live in poverty, 25% of expelled students in the U.S. do.

Income levels of the families interviewed for this report were not tracked, but all lived in modest homes. One family lived just off a busy street lined with boarded-up, vacant buildings. Many of the businesses that remained open had installed bars in the windows.

Several families, particularly the single parents, spoke of financial difficulties. Paying for a private school or other educational service was viewed as a hardship or near impossible, even when working two jobs. Large medical bills and extensive debt plagued one family.

❖ Nationally, expelled students do not disproportionately live in single-family households, but one study found a pattern of **FAMILY DISENGAGEMENT** and **CRISIS**.⁴⁴ The study of 177 expulsion files in a medium-sized, suburban district in California found chronic patterns of non-involvement in parent conferences, difficulty in getting parents to respond to school inquiries, difficulty getting the students to school, and multiple school moves. Family crises, such as a parent's death and past abuse, were also evident in some records, providing what the study's authors called "a salient context for troubled students whose culminating act was an expellable offense."

Among the 12 expelled students in this study, 67% lived in single-parent homes, compared to 22% in the general population. But parental involvement was high, possibly because the sampling strategy drew best-case scenarios.

In fact, one mother had previously set an appointment with a school counselor the very same week her son ended up expelled. And virtually all the parents devoted immense efforts to searching for services post-expulsion. The one exception in this study was a single mom with five children. The year her son, Andre, was expelled, Carla would leave for work so early the eighth-grader had to drag himself out of bed on his own. After work, she would return

home so depressed, she'd head straight to her bedroom and shut the door.

While the majority of parents were deeply involved in their children's lives, some interviewed families had experienced crises like those found in the California study. Most notably, Ronnie watched his father die of brain cancer while he was in sixth grade, the school year before his expulsion. His mother, Paula, said Ronnie acted angry and was probably mad at his dad for dying. Other students struggled with their parent's divorce, and/or a move to a new community. It should also be noted that older brothers of two of the students, Jessie and Andre, had dropped out of high school.

❖ Compared to students in school, expelled students were more likely to report being **SAD** and **DEPRESSED**, and experience **DIFFICULTY GETTING ALONG WITH OTHERS**.⁴⁵

Among the students in this research, four students had experienced some depression before the expulsion. One of these four had attempted suicide and two had been on medication for depressive symptoms.

Bullying was also experienced by four of the interviewed students. In some cases, the bullying was severe.

Chloe, 13 at the time of her expulsion, said students spit on her, put water on her seat and posted nasty notes about her. One teacher would let her “hide” in her classroom to work as an aide, but Chloe

had to face these students every day regardless. She dreaded going to school but didn’t want to drop out either. “I figured I could pull through,” she said. Ultimately, Chloe was expelled for assaulting one of those bullies, who on this particular day, demeaned and pushed her.

In another case, Adam was so worried he would be jumped by a group of peers, he brought a small folding knife to school to defend himself against any possible attack. School officials heard about the knife, found it during a locker search, and expelled Adam, a 10th grader at the time.

❖ Expelled students often report **TROUBLE WITH ACADEMICS**. Expelled students are more likely than students in school to have a history of engaging in no extracurricular activities, skipping school two or more times, and demonstrating difficulty concentrating.⁴⁶ In the California study, a large number of expelled students were receiving low grades and the majority of cases had a documented, long-standing history of difficulty with behavior and school adjustment.⁴⁷

In this sample, the majority of expelled students reported average to below average grades, although several said they did well academically until they hit middle school. One student was

enrolled in honors classes at the time of expulsion. While academics were a struggle for many, most students said they liked school. All said they wanted and planned to graduate.

Complex Cases

**When details are ignored,
punishments don't fit.**

The stated purpose of zero tolerance policies is to ensure school safety, but under Michigan's broad laws, even students who don't pose an immediate threat may be removed from school. When intent and individual circumstances are considered – as is encouraged in federal and many state discipline codes — a complex picture emerges. These aren't crystal-clear, closed-book cases. These aren't students who can be summarily dismissed as violent, dangerous and hopeless.

All of the students interviewed for this study had been disciplined for misbehavior in school at some point before the expelling incident. But the severity and frequency ranged from one “referral” to frequent suspensions; the indiscretions were as harmless as insubordination, repeated tardiness, or forgetting homework to the more serious charge of fighting.

The actual expelling incidents involved both violent and non-violent offenses, but a closer look casts doubt on whether the students seriously endangered the student body, disrupted the school environment, or behaved in a way that merited school exclusion.

In Jessie's case, for

instance, the girls who accused him of exposing himself were the same girls he reported for smoking earlier in the week. Jessie continues, a year later, to deny any wrongdoing. And his step-dad, who says Jessie won't even walk around the house in his underwear, believes him.

Andre doesn't deny that he fought another student – but he does question the fairness of his punishment. Andre says the fight was instigated by a white student who first bumped into Andre and when asked for an apology, called Andre a “nigger.” Andre, who had a record of insubordination and disrupting class, was expelled, while the other student was reportedly suspended for just three days.

Sean was expelled for distribution of a controlled substance. This honors stu-



dent, with a near-perfect discipline record, was hardly pushing illicit substances to unsuspecting eighth-graders. Rather, he was confiding to a friend, “Joe,” that an older, larger high school student was forcing him to carry around his marijuana when Joe repeatedly asked for some. Sean gave him a pinch and later in the week admitted this to school officials, who considered the exchange distribution of a controlled substance.

Austin, who was expelled for the serious charge of carrying a concealed weapon on school grounds, also has a complicated case. Austin said when he reached into the backseat of his car to grab his bag one school morning, he found a gun that he believes a friend accidentally left there the night before. “When I seen it, I didn’t know what to do,” he said. Ultimately, he decided to hide it in nearby bushes – several blocks from school – figuring it would be best not to have it on him. A neighbor who saw the incident contacted school officials (although didn’t show up later to testify in court), and Austin was hauled out of school

in handcuffs. A judge dismissed the charges after Austin completed a three-month probation period, but this decision didn’t impact school officials, who never did readmit Austin.

When intent, culpability, and the veracity of charges are considered, many cases of expulsion seem overly harsh, particularly in the absence of post-expulsion services. The punishment does not always fit the “crime,” raising questions about the fairness of a uniformly harsh policy that discourages case-by-case discretion.

Some cases, however, are more clear cut. Brad, for instance, did intend to give baggies of marijuana to friends the day he was expelled. Ronnie admits he turned on the gas stove burners in a school kitchen and left them running.

But we must think critically about the best way to respond—and not assume that total school exclusion will ensure school safety. Do these students emerge better or worse off? Are the schools or communities they live in better or worse off?

The School's Response

Officials offer little to no guidance

Because Michigan places the entire burden of finding a suitable alternative education entirely on the student and family,⁴⁸ it's not surprising that without exception, each interviewed parent said school officials offered little to no help as they sought educational services for their child. Suggestions that were made by school officials, typically upon request, were not effective solutions.

Sean's father, Paul, called the school principal, upon the advice of the superintendent, looking for advice. Sean wasn't "bad enough" to get into the alternative program, and the school didn't have money in its budget to send Sean anywhere anyway, the principal said, suggesting private school instead. "I said, 'That's it?'

They said, 'that's it.'... What help is that? Nothing," Paul said, recalling the exchange.

Chloe's mother, Nina, said school officials suggested she home-school her daughter – a difficult proposition for the single mother, who worked until 5 p.m. each day and had been out of school for more than 10 years. "Home-schooling was out of the question," she said. "Home

schooling is for kids whose parents are at home." Even for families positioned to home-school their child, this option can have a downside. Sean was home-schooled by both his uncle and grandfather, a university professor, but when the school readmitted him, they refused to recognize this work with credits. Once reinstated, Sean said he was actually ahead of his class in several subjects, but remained half a semester behind, credit-wise, until he attended summer school for \$500.

During Brad's discipline hearing, school officials said they would check into online classes or admission into a neighboring district when his mother, Lydia, asked for help. After two days passed with no word, Lydia called the school and was told a neighboring district would not admit him. Schools do not have an obligation to admit



expelled students; admission remains a choice. Lydia confirmed this denial herself and called two other public schools and an alternative school, all of which refused to admit Brad. She also checked out the school's other suggestion, a fee-based online educational program that required a certified teacher to administer tests. "I don't know too many certified teachers," Lydia said. She made several calls but couldn't find a teacher willing to work with Brad. At one point, Lydia called the state department of education, which suggested a free, book-based migrant farm workers program that also required a sponsor. Lydia said she got a package from the program, but it was clear that the material was too easy and Brad's

"The principal didn't want him back in school — that's the feeling I got."

-Paula, mother of Ronnie

home district would never accept credits from it. "We just kind of gave up," Lydia said. "It was unbelievable that they don't have something in place for the kids that have to go through this."

While the majority of families received little useful guidance from their schools, some districts were more proactive — although it took an attorney's involvement to make a difference in the case of Debra, expelled in April of her 10th grade year from a private school for using an expletive to describe an administrator. Debra's mother, Phoebe, said that once an attorney intervened, the school finally allowed Debra to take her finals.

In Adam's case, the district said it would pay for online classes. But the referral — which came three months after he was told he wouldn't be eligible to attend any Michigan school — came as Adam's mother, Hannah, talked to the district's special education administrator about Adam's diagnosed depression. Perhaps Adam's emotional state spurred some action, but the services didn't seem to meet his needs. Adam said the online program was really easy. "I didn't really learn anything," he said. Not surprisingly, Adam never com-

pleted the program and showed no interest in a similar suggestion, given by an assistant superintendent, to take an online class taught by a university professor.

Ronnie also received more attention than many other expelled students interviewed for this study but it appears that, like Adam, his emotional stability was also a factor. Ronnie's father had died of brain cancer the year before, and immediately after he was kicked out of school in February of his seventh grade year, he was placed on homebound instruction. This involved a substitute teacher coming for a maximum of three hours a week to Ronnie's home. "Which I think is a joke," Ronnie's mother, Paula said, adding that while sometimes the teacher would stay longer than three hours, at least one week he didn't come at all. Outside of these three or so hours a week, Ronnie said he did no other schoolwork.

The next month, Ronnie was evaluated for special education needs. The tests indicated that he was emotionally impaired but school officials determined that he didn't qualify for special education services. Special education students must receive services post-expulsion, so this determination meant Ronnie could be expelled with no services. Indeed, school officials stopped offering homebound instruction after Ronnie's disciplinary hearing in May, when it was decided he would be expelled for 180 days. During the hearing, the principal noted that Ronnie was not a good student, Paula said. "The principal didn't want him back in school — that's the feeling I got," she said.

After the hearing, the superintendent pulled Ronnie and his mom into a private room and told them no public school could admit him by law. "He just told (Ronnie) like, 'Oh boy, you're going to have to get a job and pay your mom and she'll have to send you to private school,'" Paula recalled. "'You're going to be cutting grass' and all that. 'Save your money.'" The superintendent also warned Paula that if she let Ronnie stay home, family services could

check on them and fine her \$100 a month. “I didn’t know that,” she said. “I was like, ‘Oh, family services are going to get involved?’ And he said, yeah, they have to report that Ronnie is not in school.” Paula said she was mad at the whole situation. “I was like, what am I going to do with this kid?” But beyond telling Ronnie to get a job, the school offered no help.

What is particularly troubling – even more so than a school’s inaction — is instances when school officials become barriers to future services. In three cases, parents said they felt like the school was working against them as they attempted to find a place for their child to be educated. Andrea, mother to Austin, said the home district mailed letters to schools where Austin was applying for admission that said he showed no remorse for the expelling incident, which involved a handgun. When Andrea found out, she confronted school administrators, pointing out they never talked to Austin personally. They apologized, but the damage was done.

Carla doesn’t know what, if anything, the home district told the high school Andre hoped to attend in the fall. But Andre’s home district never did forward the necessary paperwork and school records for admittance, despite repeated phone calls,

Carla said. The family had actually moved 45 minutes away for a fresh start, but it soon became clear that fresh start wouldn’t materialize and by spring of what would have been Andre’s ninth-grade year, the family moved back to the home district to see what else they could find for Andre.

Worried about the effect of an expulsion on Jessie’s permanent record, his parents actually signed a withdrawal agreement with the promise the district wouldn’t press charges or put the disciplinary action on his records. These agreements, which often require students to waive their education and legal rights, are being increasingly used by districts to induce students threatened with expulsion to withdraw from school.⁴⁹

It’s an under-the-radar way to remove a student without having to report it to the state. And while the expulsion doesn’t show up on a student’s official record, it doesn’t disappear completely. In Jessie’s case, his reputation dogged him despite the agreement. Every school the family applied to would contact the home school and after learning about his case, would deny him admittance. It took about 10 tries to find a school willing to take him, dad Barney said.

Education Denied

**Too many schools
shut out the expelled**

Students who were officially expelled experienced just as much, if not more, trouble than Jessie. The majority of parents said numerous schools denied their child admittance, but none were so confounded as Austin, expelled for carrying a concealed weapon on school grounds, one of the most serious charges among the sample group.

The search for a new school didn't begin until March of Austin's 11th grade year, about four months after he was first arrested and hauled to a juvenile detention facility. His charges had been dismissed in court, but the district decided to expel him for 180 days, leaving his mother, Andrea, wondering what to do in the interim. She

approached the intermediate school district for suggestions and set off on a path of exhausting denials. An alternative school said it couldn't accept Austin because it was part of the expelling school district. An adult education program said Austin wasn't old enough. A private school in a nearby city denied his application for admission, and another private school

cost \$1,500 to earn very little credit. Frustrated, Andrea, a single mom, ordered books to start home-schooling her son. He started working through the books, but when it came time to find a certified teacher to administer tests, Andrea could find no one willing to help. Finally, a nearby district agreed to enroll Austin in two summer school classes for a cost of \$450. But in the fall of Austin's senior year, Andrea was back to square one.

She applied to a neighboring district, which was receptive at first but the day before classes were to start, said no. "I'm just lost, okay," Andrea said, recalling her frustration. She went back and forth with the intermediate school district, which ultimately recommended an alternative school 30 minutes away, when traffic was good. Although this option required a com-



~~Public School~~

mute in the family's only car, Andrea figured it could work until Austin was readmitted to his home school.

But in November, 30 days after Andrea filed a petition, the home district denied Austin's admission. As her son commuted 60 minutes a day to attend a school full of students "who didn't care," Andrea petitioned another district in December and was notified of the denial 30 days later. Again in January, Andrea petitioned another district, which said admission would be no problem. His class schedule was all set, Andrea said. But they, too, said no. To make things worse, Austin found out he was not earning enough credits at the alternative school to graduate in the spring like his friends. This, Andrea said, put him over the edge. "He just gave up," she said.

Austin's case is a particularly startling look at the lack of opportunities available to expelled students, but it is by no means unique. Two public schools and one alternative school denied admission to Brad, expelled for distribution of a controlled substance. An alternative school and numerous other general education schools denied admission to Jessie, accused of exposing himself in school. As mentioned, Andre, expelled for fighting, was unable to get into a school 45 minutes away because of paperwork problems, and once the family moved back to the home district, he was denied admission to an alternative school and eventually denied reinstatement at his home district.

Paula said several schools, including a charter school, denied admission to her son, Ronnie, expelled for leaving gas stove burners running. An alternative school required a release that Paula was certain the expelling district school would-

n't provide, so she decided not to apply and instead, make a personal plea to a private school associated with her church.

Chloe actually was able to get into a neighboring school district after her first expulsion for fighting. When she was expelled from that district, again for fighting, she was enrolled in an anger management program with the hope that once she completed it, she could attend the alternative school sponsoring the program. But Chloe and several other enrolled students were told there was no room and ultimately, Chloe's mother, Nina, said she was told to keep her child at home. At a reinstatement hearing in May of her eighth grade year, Chloe was permitted to come back to her home district, but she was not allowed to attend summer school to catch up. At that hearing, Chloe was asked what she had learned while out of school. "And my daughter said she learned she cannot be educated in (this school district). She has to fight her way through school," Nina said.

Even "good kids" had a tough time finding services. Debra's mother, Phoebe, said she called multiple alternative and public schools after her daughter was expelled from a private school. But because she was expelled so late in the school year – April – no one would take her.

Sean, an honors student, was denied admission by three alternative schools and one public school. When his father, a pastor, approached a private Christian school, the headmaster said he couldn't admit Sean that school year. Sean would have to agree to stay for a couple of years, but even then, his chances of admission in the fall would be slim, the family was told.

~~Charter School~~

~~Alternative School~~

~~Private School~~

The Student's Journey

Once expelled, students slip out of routine

While parents took extensive measures to secure an education for their children,⁵⁰ the expelled students faced a lonely existence, often cut off from their friends and the structure many needed and craved.

Sean, who was surrounded by supportive parents, siblings and church community, said he felt incredibly isolated during his expulsion.

“There was this year time, I was dead to the world,” he said. “I wasn’t doing anything important. There was just nothing there. ... There was a two to three month time, I felt so sad; I was just incredibly depressed. There was just nothing that could lift me up in the morning.”

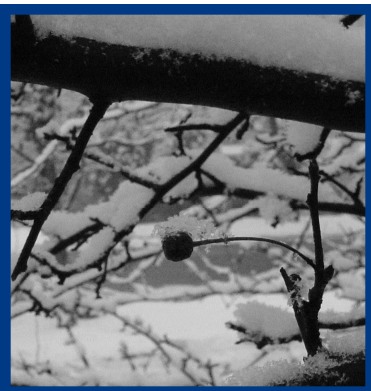
Ronnie said he was bored out of his mind. His depression was exacerbated.

Adam said the exclusion also made his depression worse. He stayed in the house, shades drawn, and felt ostracized.

Austin said he grew

lonely. “I was miserable—it was hard to deal with not being in school.” His mother, Andrea, said the ordeal made her son sad and depressed, because he liked going to school. “It made him give up, in a way,” she said. “It broke him down — to try and try and try and not succeed.”

Beyond the emotional baggage of exclusion, students talked about the loss of structure and purpose to their days. Brad said at first, he maintained his school schedule and got up early, but over time, he started getting up at noon and spending most of his time watching TV. Chloe said she could feel herself getting lazy. She tried to do work on her own, but it was “dull” and hard without a teacher. She was afraid of failing. “Not being able to learn,” she said, “that was a new experience.”



The Destination

**Students fall behind,
drop out, disconnect**

The act of expulsion manifested in predominantly negative outcomes for students, even those who could point to a positive lesson learned. At best, students were behind in their courses; at worst, their interest in school soured, sometimes to the point of dropping out.

The destinations for all were troubling, even in the best-case scenario. Take Sean, an honors student kicked out for distributing a pinch of marijuana in March of his eighth-grade year. By January of his freshman year, he came back to school a half a semester behind, because the school wouldn't award credits for his home schooling. The next summer, he had to attend summer school for \$500.

The good news is, Sean is doing quite well now, but his accomplishments must be understood as an exception, not the rule. Honors students are not the ones routinely expelled, so it's not surprising that the student least likely to be expelled was the one who fared the best. By sophomore year, Sean was caught up and earning higher than a 3.5 grade point average. His pre-

ACT score was in the 99th percentile in the country, so colleges were already knocking on his door.

When looking back now, Sean says his time away from school helped him grow and allowed him to deepen a relationship with his grandfather, who has since passed away. But Sean says no one should be fooled – the time away from school wasn't good for him. "Everything has a good side to it," he said. "You've got to look at the negative. Look at what it did to me mentally and emotionally."

In other words, expulsion took a serious toll even on a student with resources, support, good grades, and a clean discipline record, raising important questions about the effectiveness of zero tolerance — do the benefits outweigh the costs? Could any potential benefits be secured without these costs?



These questions are vital considering that most expelled students don't end up in situations as positive as Sean — with colleges knocking on the door.

Instead, they end up like Ronnie, who is repeating seventh grade at a private school, which his mother, Paula, secured through a personal contact at her church. The widow is now working overtime to afford the tuition.

They end up like Chloe, who is committed to staying out of trouble but is repeating eighth grade and hates her current school. Chloe's mom, Nina, said the ordeal has made her daughter lose faith in public schools.

They end up like Debra, who drank, stayed out late, and even shoplifted after her expulsion. She started her junior year two credits behind and is graduating on time only because she settled on an adult education program that expects less of its students than traditional high schools, her mother, Phoebe, said.

"Her sights for herself have been lowered," Phoebe said. "I'm disappointed in that." Had she stayed at the private school, there was no telling what she would have been "inspired to do," she said.

They end up like Adam, who told his mother he was suicidal the night before he was to re-enter school after missing half of his tenth-grade year for bringing a knife to school. He was hospitalized and stayed there until October. He's now in eleventh grade, a semester behind, skipping school frequently, and earning Ds and Es — worse grades than before the expulsion. He didn't like school before, but the expulsion made him have less respect for the educational system. He doesn't feel like going to school anymore. "It totally turned him off of school," his mother, Hannah, said.

Worse yet, they could end up like Austin, Brad or Andre, whose stories raise serious concerns about possible connections between school exclusion and school dropout. For instance, once Austin found out that he wasn't earning enough credits to graduate from the alternative school he

drove 30 minutes to each morning, he dropped out. "I was basically mad," he said. "I really wanted my diploma." The summer after his "senior year," Austin enrolled in a GED program, but more than six months later, he still hadn't taken the actual exam. Instead, he sleeps until 11 a.m. every day and sometimes goes out to search for the ever-elusive job. His mother, Andrea, points out that on job applications, he has to report that he's only completed the 11th grade. "This is the worst thing that could have happened to him," she said.

Brad, who was expelled as a tenth-grader, has been out of school for two years now. He said he wanted to graduate and get school done but figured he'd "wait it out." His home school said it would only consider his reinstatement if he agreed to counseling and full release of his records — a request that made Brad feel like school officials would always be watching him. "There's not a lot of trust there," he said, explaining that he didn't ever want to go back there. Lydia doubted they would let him in anyway.

During what would have been his senior year, one school accepted his enrollment application, but faced with the prospect of starting as a sophomore was too humiliating, he said. Brad continued working, but at the time of the interview, was seriously considering pursuing a GED. He was also pondering college with the hopes of moving into a better-paying union job, but Lydia wishes he would set his sights on a non-labor job, such as one working with computers. "His expectations of everything are lower," she said, adding later, "It's sad. (Brad) could have done better if there had been more people who believed in him."

Andre, expelled in eighth grade for a fight, is by far the most troubling case of the students interviewed for this study. The last grade he completed was seventh, yet today he should be a high school graduate. Instead, he is a 19-year-old dropout, a teenage father who has spent time in a county jail and now struggles to find employment.



Held Back
Missing Credits
Repeating
Truancy
Dropout

“I’m ashamed,” Andre admitted. “I’m stuck at the eighth grade level.” But after several attempts to get back into various schools, Andre said he got tired and gave up. Carla, a single mom with five children who has struggled with bouts of depression, said there were no other schools nearby and no way for him to travel to schools farther away, so she dropped it. “It was discouraging,” she said, “We just threw the towel in. . . I should have pressed the issue.”

Now, Andre struggles with a low self-esteem and dim job prospects. Carla said during one job interview, the employer asked if Andre would be willing to do production work. He said no, came home and asked his mom what production meant. “I feel sorry for him,” she said. “He is uneducated.”

There’s no way to know how Andre would have ended up had he not been expelled. School had always been hard for him and since elementary school he had been pulled out of the regular classroom for special help, Carla said. He got in trouble often, but not for serious offenses. In sixth grade, he attended a half-day alternative program for awhile. All through school, he talked back a lot, disrupted the classroom, acted out — to get attention, he said. He had a temper. Students knew it

and would push his buttons. He was clearly a high-risk student, but he says he never thought about dropping out.

“If I wouldn’t have been kicked out, I’d be in school right now,” Andre said. “It’s just I was kicked out, and I gave up basically. But I tried, I tried to get back in school.”

Andre was 17 when he was caught smoking marijuana in a car with friends. He spent about two weeks in the county jail, but after violating his probation (he didn’t report to his probation officer) he ended up serving 90 days. Also at age 17, Andre became a father. He met his baby’s mother at the house of a friend who was skipping school. Andre says he’s not sure if either of these things would have happened had he been in school, but says all of the free time didn’t help.

Now, Andre sees his son every other weekend, but has no money to give him. Steady employment has been elusive. He quit a job at a car wash secured by his girlfriend’s father, was fired from a fast food restaurant, and left a job that involved back-breaking labor after two months. At the time of the interview, he hadn’t worked in about a year, although he had been actively job-hunting for a month and was considering pursuing a GED. His mother, Carla, said she tells him he needs to go back to school. “It’s discouraging,” she said.

“If I wouldn’t have been kicked out, I’d be in school right now.”

-Andre

Another Way

Second-chance approach can help kids thrive

Successful alternatives do exist to school exclusion and harsh, unforgiving policies. In some cases, school officials can give students another chance and despite their mistakes, allow them to stay in school, learn from the incidents and ultimately, become productive members of the school community.

Take Eric, who brought a knife to the first day of classes in a new school his freshman year. Eric's mother, Jane, had moved to Michigan hoping to give Eric a fresh start. He always had problems in school but in eighth grade was hauled out of school in handcuffs.

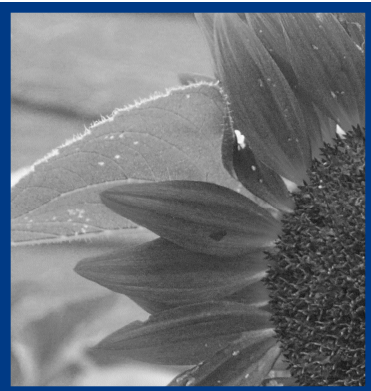
A student, who had made it his mission to annoy Eric, had torn apart a school project and the incident set Eric off. He went after the student and when a teacher got in the way, he picked her up and put her on a desk. He shoved another teacher before the ordeal was over, and ended up being charged with simple assault and sentenced to 50 hours of community service.

But, because he was a special education student—with dyslexia, dysgraphia, Asberger's syndrome and attention-deficit hyperactivity disorder — the

school district let him back in and placed him in an episodic rage disorder program. Worried about her son, Jane decided to move to Michigan, but the troubles quickly returned.

At a school preview session, Eric saw students with shaved heads and assumed he was entering a dangerous school with skinheads and gang-bangers, and would need protection. He brought a pocketknife with him the first day of classes and wielded it during the last period of the day when a student tried to knock another student, someone Eric considered a friend, off a swing.

He was sent home, but two months later was allowed to come back. Eric said school officials told him he should have been expelled, technically, and indeed, many students, such as Adam, are expelled even without wielding their weapon. But school officials made an exception because the incident occurred on Eric's first day and



he didn't know Michigan law.

For Eric, the transformation has been great. At his old school, he got along with no one, received failing grades and despised school. At the interview, his grades were Bs and Cs and although he had been suspended three times, Eric planned to graduate soon and attend college. The teachers were strict, proactive and confronted misbehavior head-on, Eric said, describing how the school has helped him. "They believe in you," he said. Had he not been allowed back in school, Eric said he'd be a wreck today and his mother agrees. "I'd have a drugged-up, drunk wreck," she said, adding later, "They saved him. They believed me and they believed in us."

Tyra has a similar success story. She, too, brought a weapon to school, a steak knife intended to protect her from neighbor kids threatening to kill her. She had carried the knife with her for several months, but after a fight in the park, a mother of one of the girls called the school to warn them that Tyra could possess a weapon. When confronted by the school principal, Tyra, in eighth grade at the time, owned up to the charge immediately and explained her fears. She was sent home that day, and then enrolled directly into a program for expelled students while she awaited a final decision on her status. Tyra's mother, Gina, said she never had to fight for her daughter. The school principal became an advocate, as did a Student Advocacy Center staff member. At a hearing, it was decided that Tyra would enroll in an alternative school with smaller class sizes and more structure.

After a tough first semester, something clicked. Tyra said an organizational behavior class helped her to get her work done and the teacher helped her to realize that if she didn't get through school with good grades, she'd be working fast food jobs for the rest of her life. Tyra had never really liked school and struggled with her classes, earning below-average grades. While she never caused major problems and was gen-

erally liked by school staff, she had continually skipped class. But at the interview, Tyra, a sophomore, was earning As and Bs and reported no discipline problems since the turnaround sparked by her organizational class. Had she been expelled, Gina said she fears her daughter would be out of control, possibly in a juvenile detention facility. Tyra's prediction is just as gloomy. "I don't think I would have gone back to school," she said. "I wouldn't have seen the point."

Tyra and Eric's cases offer a glimpse into what is possible when a school sticks by a student, but positive outcomes are by no means guaranteed. Tim, for instance, was almost expelled as a seventh-grader, but two years later, his parents were still worried he could be expelled any day. Like Jessie, expelled for an unsubstantiated claim, Tim was accused of something he insists he didn't do. But in this case, school officials were eventually convinced that Tim did not scratch a bomb threat message onto his desk. A pair of blunt scissors were found in Tim's backpack, but Tim's parents, Rick and Missy, said the tiny, neat handwriting and impeccable spelling could not belong to their son. After hours of questioning and debate, Rick finally said he was taking his son home and they never heard about the issue again.

But the "second chance" had not evolved into anything positive for Tim. At the time of the interview, the ninth-grader was failing all of his classes and continued to get into trouble for fighting. Missy said she doesn't let him ride the bus anymore to cut down on the number of fights, but both parents are worried he could get expelled.

Eric and Tyra could have been in the same boat had it not been for the special services they received, including small classes, a highly-structured and disciplined environment, and staff who both believed in them and held them to high standards. Taking the time to evaluate the circumstances around the misdeed, or alleged misdeed, and developing an appropriate response is perhaps the best way to ensure a more positive future for high-risk youth.

A Broken System

Zero tolerance policy failing students

In the end, the expelled students interviewed for this study were left with no guidance, no activity, no education. At least one got into trouble with the law; several dropped out. Even in the best-case scenarios, expelled students re-entered school several credits behind, sometimes with lowered life expectations, depression and a seething anger towards the educational system.

Perhaps most heartbreaking is the squandered potential. These outcomes weren't predetermined. These students weren't inherently bad seeds destined to drop out, fall behind or fail. They wanted to finish school – indeed many went to great lengths to do so. It was the policy choice of the district – to expel with no further services – that pushed these students to such troubling paths and destinations.

Consider Adam, who never liked school but wanted his high school diploma; he wanted to make it. When expelled for a weapon possession intended for protection against school bullies, Adam still tried, enrolling for a time in online classes. But the classes weren't engaging and Adam felt isolated, depressed and angry. His mother said the expulsion totally turned her son off of school. Adam, who returned to school in

the late fall of 11th grade after missing half of 10th grade, skips class frequently now and seriously ponders dropping out altogether.

Austin, Brad and Andre also said they had been committed to finishing school and walking in their graduation ceremony, but as school after school rejected them, as suggested solutions failed, their resolve weakened. Obtaining an education became so hard, such a

battle for parents and child alike, they dropped out, angry, frustrated and now, unsure what the future could possibly hold.

Yet we know what can happen when education isn't a fight but an expectation. Like Adam, now at risk of failing or dropping out, both Eric and Tyra brought weapons to school because they were concerned about bullies. Unlike Adam, however, Eric and Tyra were given second chances and brought into an environment that met their needs. Under the care of teachers and staff who cared for them and believed in them, these students eventually thrived. Had this not happened, Eric and Tyra could have easily ended up on the brink of failure like Adam. They could have given up, just as so many schools did in the cases described here.

Imagine the lives of Andre and others had someone stuck by and declared that exclusion and failure was no option. What if a school had admitted him? Or better yet, what if his school hadn't kicked him out in the first place but enrolled him in a smaller, more intensive setting? Would he be a father today unable to provide for his child? Would he have a criminal record? Would he have an education that extended beyond the 8th grade?

The costs involved in our state's discipline policy choices are both personal



and societal, exacting time, money, energy and potential. And the costs are much greater than the intended benefits – despite initial promise.

In the early 1990s, zero tolerance was shown to reduce fighting incidents at Henry Foss High School in Tacoma, Washington, where such incidents dropped from 195 the year before zero tolerance (1990-1991) to four the year after.⁵¹ But the policy in Tacoma, as in other schools with success stories, was communicated clearly, and removed students were placed in other high schools or alternative education programs. As zero tolerance became a solution in and of itself, it has not lived up to that early reputation.

In fact, no evidence shows conclusively that zero tolerance works. Researchers who have tried to isolate the impact of zero tolerance policies have found little evidence that student behavior is influenced.⁵² After four years of implementation, the National Center for Education Statistics found that schools that use zero tolerance policies are still less safe than those without such policies.⁵³

In this study, it should be noted that some students, such as Chloe, are now firmly committed to staying out of trouble – she never wants to suffer through the boring isolation of school exclusion again. But this certainly wasn't a uniform response. One must weigh the costs of zero tolerance when judging the benefit of some deterrence, particularly when other responses could elicit similar, if not better, outcomes.

The costs, as illuminated in this study, are both personal and societal. Expelled students are too often left in isolating, unproductive, frustrating conditions that often turn them off of school completely, while their parents invest major time and money to secure some sort of service for

their child with little to no guidance. In the best-case scenarios in this research, students re-entered school several credits behind. In the worst case, students dropped out. In the meantime, many lowered their life expectations and suffered severe depression.

On a broader level, out-of-school youth are more likely than in-school youth to engage in risky behavior that endanger others and drain public resources. These behaviors include fighting and carrying a weapon (not to mention smoking, drinking, using drugs, and engaging in sexual intercourse with four or more partners).⁵⁴ Research has also found a strong correlation between expulsion and dropping out,⁵⁵ which puts these students at future risk of unemployment, low-wage jobs, public assistance, health problems, drug use, criminal conduct, and incarceration.⁵⁶ This latter outcome is a particularly troubling public cost, but happens here in Michigan. In a non-random sample of 204 young women in three types of juvenile justice settings (home-based, community-based, and closed residential), 74 percent had been suspended and 20 percent expelled.⁵⁷

Andre, who never attended a day of high school, exemplifies many of these public costs: He has already spent time in a county jail for smoking marijuana and has fathered a child he cannot support. Andre and Austin both have dim job prospects and face an increased risk of relying on public assistance. Without a diploma, Brad likely faces a life of low-wage employment. "I'm at a real disadvantage," Brad says. But the Michigan Legislature and school officials can take steps to help prevent this disconnection and disappointment. Alternatives do exist that both maintain school safety and keep students in school.

Better Options?

One of the most fundamental steps schools can take in making schools safer is to create a **POSITIVE SCHOOL CLIMATE**. Incidents of targeted violence at school are rarely sudden, impulsive acts.⁵⁸ As students such as Adam and Chloe illustrate, many expelling incidents are tied to bullying or rooted in unaddressed emotional problems. Brad's mother, Lydia, stressed the importance of understanding what's going on in students' lives before excluding them. "Sometimes teenagers need extra help from adults," she said. Rigorous evidence-based research and government panels have consistently identified a number of effective components to this approach:⁵⁹

- ❖ Well-designed bullying prevention programs that address harassment at all levels.
- ❖ Conflict resolution curricula that includes peer mediation, school-wide behavior management and life skills.
- ❖ Teacher training in improved classroom management.
- ❖ Early identification of at-risk students and services for them such as mentoring and anger management. In Colorado, school districts are encouraged to use a portion of per pupil operating revenue to provide services to any student identified as being at risk of suspension or expulsion, including educational aid, counseling, drug and alcohol rehabilitation, and family preservation services.⁶⁰
- ❖ Individual behavior plans that help identify the cause of the behavioral problems and devise possible solutions to prevent future infractions.

Certainly, not all negative school behavior can be avoided – the key is finding the best way to respond. Michigan has gone far beyond federal statute with its policies, requiring and permitting expulsion for far too many kinds of infractions and instituting permanent expulsion that can theoretically last indefinitely if no school chooses to readmit the expelled student. In the end, the punishments don't fit the "crime" and common sense is replaced with a blind obsession to treat everyone equally harsh. Kids like Sean are removed from school for 180 days for "distributing" a pinch of marijuana. Students like Jessie are excluded based on a shaky story that he exposed himself. Across the country, states have implemented measures that encourage a more **NUANCED AND FAIR RESPONSE** to disciplinary infractions:

- ❖ States like Hawaii and Indiana mandate expulsion for firearm possession, but give school officials discretion if the child brings a dangerous weapon other than a firearm to school.
- ❖ In 35 states, discipline codes permit case-by-case modification in mandatory one-year expulsions, as is allowed in the federal Gun-Free School Act.⁶¹ In fact, in West Virginia, school officials are directed to consider "the extent of the pupil's malicious intent," "the outcome of the pupil's misconduct," "the pupil's past behavior history," and the "likelihood of the pupil's repeated misconduct."⁶²

To preserve the most serious sanctions for the most serious infractions, schools must have creative, more appropriate responses for lesser offenses. Among students in this study, Tyra was allowed to attend an alternative school after bringing a knife to school, and while this is one option, it is certainly not the only one. In fact, many states make school removal, even to an alternative program, a last resort. The key, experts say, is for schools to have a plan that includes a **RANGE OF EFFECTIVE RESPONSES**:⁶³

- ❖ Some states have instituted restitution policies to encourage students to reflect on the impact of their actions, whether that be cleaning up spray paint and beautifying the school grounds for an act of vandalism or apologizing to neighbors in earshot of a playground fight and cleaning up trash on that playground each day for a week.⁶⁴
- ❖ Ohio schools may allow students to perform community service in conjunction with or in place of a suspension or expulsion, except in incidents that fall under the federal Gun-Free Schools Act.⁶⁵
- ❖ In Florida, school boards are encouraged to use alternatives such as in-school suspension, which provides instruction and counseling, before assigning students to second-chance schools.⁶⁶
- ❖ In Colorado, school boards must establish an alternative to suspension that encourages parents or guardians to attend class with the student.⁶⁷ Such an approach would have to ensure that students are not punished for parental neglect.
- ❖ In Idaho, students who voluntarily admit they were under the influence of alcohol or controlled substances can be referred to substance abuse prevention programs or counseling.⁶⁸

Many of these alternative disciplinary strategies will keep students in their home school, but there may be times when a different setting is more appropriate. Michigan's approach, which places the entire burden of securing an alternative on the family, allows students to fall through the cracks, as seen in this research. But there are numerous ways the state can prevent this and work to **ENSURE A QUALITY EDUCATION FOR ALL** of its students:

- ❖ Sixteen states require a referral to an alternative educational program during the suspension or expulsion.⁶⁹ In Colorado, for instance, parents must be notified of educational alternatives.⁷⁰ If the student is not receiving educational services, the district is required to contact the expelled student's parent or guardian at least once every 60 days until the beginning of the next school year.⁷¹
- ❖ Recognizing that referrals don't ensure an education, some states have gone a step further. California, Kentucky, Louisiana and other states mandate that educational services be secured for the student by the expelling district.⁷²
- ❖ To improve the quality of alternative education, Tennessee established a system of competitive grants for pilot programs to measure alternative schools' effectiveness.⁷³ Mississippi's alternative education programs must have "clear and consistent goals for students parents," "curricula addressing cultural and learning style differences," a "motivated and culturally diverse staff," and "counseling for parents and students."⁷⁴

Policy Recommendations

With stories of Andre and others in mind, the following recommendations seek to boost our collective responsibility in educating all students, even those that misbehave:

1. PREVENT EXPULSIONS

All schools should be strongly encouraged to implement bullying prevention programs, conflict-resolution curricula, ongoing teacher training in classroom behavior management, and individual behavior plans for misbehaving students.

2. NARROW THE SCOPE

The Michigan Legislature should amend M.C.L. section 380.1311 to reflect the original language in the federal Gun-Free Schools Act. This would reserve the 180-day expulsions for serious incidents involving firearms, preserve local, case-by-case discretion and recognize that an “equally harsh” approach does not ensure fairness.

3. ENCOURAGE ALTERNATIVES

The Michigan Legislature should mandate that districts document efforts to exhaust other disciplinary options before they expel, unless a firearm is involved. The discipline code should also explicitly encourage creative alternatives such as in-school suspension with instruction and counseling, mediation, community service, anger management classes, counseling, and parental presence during the school day. Rather than expel for fighting, for instance, enroll the student in an anger management class. Require drug testing, counseling and community service for students facing expulsion for a drug-related offense. Discipline should provide an opportunity for learning.

4. ENSURE EDUCATION

The Michigan Legislature should mandate that school officials secure alternative programming for their expelled students and track their progress. At the same time, the state must work on increasing and improving the supply of alternative programming. With strict admission policies, overcrowded programs, transportation challenges and insufficient oversight, alternative programming is not a viable option for too many students. It should be noted that the obligation to ensure an education is ongoing. The discipline code should require that school districts re-admit students to general education schools after the prescribed time of exclusion and consider that readmission as swiftly as possible.

5. DIG DEEPER

Additional research is needed to understand the long-term effects of expulsion. A longitudinal study that tracks the journeys of expelled students would be particularly helpful, although even an annual report detailing basic trends would be an enormous step forward. Improvements to school reporting practices and a serious state commitment to data analysis and publication are key steps.

Conclusion

In the end, these expelled students' experiences and outcomes confirm the worst fears of concerned legislators crafting the discipline code in the 1990s. Students are falling through the cracks without guidance as a direct result of their expulsion. Austin, Brad and Andre had been committed to graduating before numerous schools denied them admission, before the public school system turned its back. Adam, too, had been committed to graduating but now is on the brink of dropping out, while Tyra, placed in an alternative setting for the same offense, is thriving.

These unnecessarily harsh policies of exclusion have taken their toll in so many ways. Parents have spent hours on the phone and in offices, dug deep to find money for private schools or at-home curriculum, searched high and low for a teacher to give an at-home exam, and have sat alone crying, dejected, unsure where to turn next. Meanwhile, their children have faced a litany of rejection or been asked to thrive in impractical situations where their new schools are too far away or the mode of instruction is disengaging. It's no wonder these students experienced deep isolation and depression during their months of exclusion.

But the costs of zero tolerance stretch far beyond the personal agony of students and their parents. Out-of-school students are more likely to engage in a whole host of risky behaviors that endanger themselves and exact public costs. The link between expulsion and dropout is particularly troubling, considering the increased

risk of incarceration, joblessness and use of public benefits among high school dropouts. We saw these troubling outcomes among many of the students interviewed for this study – students that quite possibly represent best-case scenarios. What happens to the expelled student who doesn't care, whose parent doesn't care?

As increasingly more Michigan students are expelled, the problem grows more acute. Meanwhile, the state's harsh approach does little to increase safety in schools or communities. "Zero tolerance does not solve problems," Sean's dad, Paul, said. "It creates a bigger problem."

This is a policy failure that will not fix itself. Michigan lawmakers and educators have answers at their fingertips – everything from creating a better school climate to restoring school officials' discretion to exhausting in-school alternatives.

Students should not have to fight to get into school.

We should be fighting for them.

ENDNOTES

¹ Michigan Center for Educational Performance and Information, “School Safety Practices Report, 2001-2002 School Year” (Lansing: CEPI, 2003) <www.michigan.gov/cepi/0,1607,7-113-990-58152—,00.html> 10.

² State of Michigan, 1994 Journal of the House, Vol. 2, No. 62, 21 Sept. 1994, 2466-2486.

³ Michigan Senate Fiscal Agency, “School Violence,” SFA Bill Analysis of SB 183, SB 206, HB 4240, HB 4241. (Lansing: Senate Fiscal Agency, 1999).

⁴ Michigan Compiled Laws 380.1311 (4). Note: In 2001-2002, 25 percent of expelled students received no referral for any service.

⁵ Rubin, Dan, “Statutory Protections in State School Codes,” unpublished research, Student Advocacy Center of Michigan, Ann Arbor, 2003.

⁶ Rubin.

⁷ Michigan Public Act 335 of 1993, Section 380.1311 of the Michigan Compiled Laws.

⁸ Michigan Senate Fiscal Agency, “Student Expulsion for Weapons,” SFA Bill Analysis of SB 966 and SB 1099. (Lansing: Michigan Senate Fiscal Agency, 1994). 1.

⁹ According to the Mich. Compiled Laws Sec. 380.1311 (2) (a)-(d), school boards were not required to expel a pupil for possessing a weapon if the pupil established in a clear and convincing manner at least one of the following:

- The object possessed was not possessed for use as a weapon.
- The object wasn’t knowingly possessed.
- The pupil didn’t know the object constituted a dangerous weapon.
- Or, the weapon was possessed by the pupil at the suggestion of school or police.

¹⁰ Michigan Senate Fiscal Agency, “Student Expulsion for Weapons.”

¹¹ Gun-Free Schools Act of 1994, 20 USC, Ch. 70. 12 Dec. 2003 <<http://usinfo.state.gov/usa/infousa/laws/majorlaw/gunfree/bu208921.htm>>.

¹² Rubin.

¹³ Michigan Public Act 250 of 1995, Section 380.1311 of the Michigan Compiled Laws.

¹⁴ Michigan Public Act 23 of 1999, Section 380.1311a of the Michigan Compiled Laws.

¹⁵ *Smith v. Mount Pleasant Public Schools*, Case No. 01-10312 (E.D. Mich. Sept. 30, 2003). The case started in 2000 when a junior at Mt. Pleasant High School was suspended for 10 days after writing a parody of the school’s tardy policy, using derogatory language to describe the principal. The ACLU of Michigan and Smith filed suit in September of 2001, alleging that the district violated Smith’s First Amendment rights. While the Court found the state and district policy vague, it also found that the discipline did not violate Smith’s First Amendment rights, so a request to change his school records was denied. In December of 2003, the plaintiff’s motion for reconsideration was denied.

¹⁶ The Civil Rights Project at Harvard University and the Advancement Project. “Opportunities Suspended: The devastat-

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¹⁷ Michigan Nonprofit Association. “Zero Tolerance Policies and Their Impact On Michigan Students.” Spotlight, Michigan Public Policy Initiative Series on Research. (Michigan Nonprofit Association, January 2003): 5.

¹⁸ Schools and School Districts, Op. Att’y Gen. Of Michigan No. 6271, 13, 17 (1985).

¹⁹ Mich. Comp. Laws 380.1561

²⁰ In the case of special education students, school officials must determine that the student’s disruptive behavior is not a manifestation of the student’s handicap before an expulsion is handed down.

²¹ Schools and School Districts, Op. Att’y Gen. Of Michigan No. 6271, 17 (1985).

²² Michigan Senate Bill 1099 of 1994.

²³ Michigan Senate Fiscal Agency, “Student Expulsion for Weapons,”⁶.

²⁴ Ibid.

²⁵ Ibid.

²⁶ Ibid.

²⁷ State of Michigan, 1994 Journal of the House, Vol. 2, No. 62, 21 Sept. 1994, 2466-2486.

²⁸ The Common Core of Data, a U.S. Department of Education’s database, defines an alternative program as a school that “addresses needs of students that typically cannot be met in a regular school, provides nontraditional education, or falls outside the categories of regular, special education or vocational education.” Most educators, researchers and policymakers agree that such programs are intended for students at risk of failing in their home school.

²⁹ State of Michigan, 1994 Journal of the House.

³⁰ Ibid.

³¹ Michigan Senate Fiscal Agency, “Student Expulsion for Weapons,”⁶.

³² Michigan Public Act 250 of 1995, Sec. 380.1311 (3) and (9) of the Michigan Compiled Laws.

³³ State of Michigan, Journal of the Senate, No. 42, 12 May 1999, 647.

³⁴ Mich. Compiled Laws 380.1311b.

³⁵ Michigan Department of Education, “Directory of Public School Academies,” (Lansing: MDE, 2003) <www.michigan.gov/mde/0,1607,7-140-5233_6003-23300—,00.html>.

³⁶ Michigan Center for Educational Performance and Information, 19.

³⁷ Referrals for 238 cases were specified as “other.”

³⁸ Michigan Center for Educational Performance and Information, “Expulsions, School Building Detail Table, 2001-2002.” Lansing: CEPI. <www.michigan.gov/cepi/0,1607,7-113-990-58152—,00.html>.

³⁹ Michigan Senate Fiscal Agency, “Expelled Students.”

⁴⁰ Michigan Center for Educational Performance and

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45 Michigan Nonprofit Association 9.

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47 Morrison, Gale M., Barbara D'Incau, Elizabeth Couto, Suzanne Loose 59.

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