

## Penalties for drug offenses weigh heavily on students

By Donna St. George, Published: April 30

As many high school seniors thrill over their college admission offers, Nick Hanna wonders about the effect of his mistakes in Fairfax County. Four Virginia colleges have turned him down, and two have placed him on wait lists.

What exactly will follow his June graduation, Nick doesn't know. "Everything has changed," he said.

It has been nearly a year since Nick, then 17, was disciplined after a search of his backpack at Langley High School produced a small device used to smoke marijuana. That alone would have meant a suspension, but when the device tested positive for residue, school officials imposed a second offense that was more serious: drug possession.

Marijuana use is common among high-schoolers across the country, and in Fairfax more than 38 percent of 12th-graders admit to having tried it, according to a county survey.

Fairfax and other districts have long looked for ways to educate students about the dangers of drugs and send a strong message that drugs won't be tolerated in school. Consequences can be harsh for those who get caught, including those on the brink of college.

Nick was not allowed back at Langley for the final school days of June. He completed his exams after hours, went to a disciplinary hearing in July and received a punitive transfer to another high school for senior year. And for his college applications, he could not get a recommendation from the Langley guidance counselor who knew him best, his family said.

Nick and his father agree that the teen made a mistake and should have faced consequences. But his case shows how disciplinary actions can play out in a highly common class of cases — those involving marijuana — and how the effects can be farther-reaching than may at first be apparent.

Discipline policies in Fairfax have been under fire since [the January suicide of Nick Stuban](#), 15, a football player at W.T. Woodson High School who struggled after he admitted buying a synthetic drug that was legal at the time. His suicide was the second in two years of a Fairfax teenager involved in the disciplinary system.

The deaths have touched off concern among parents and activists, and the school board is in the throes of [an](#)

[effort to revamp policies](#). Superintendent Jack D. Dale has offered several reform proposals, but two issues expected to fuel debate are how to handle first-time marijuana infractions and the practice of using forced school transfers in discipline cases.

Fairfax officials, who agreed to talk about aspects of the case after the family signed a privacy waiver, say that the school district is not aware of Nick Hanna or other students being adversely affected by school transfers as they apply to college. Transferred students are not allowed to return to their base schools but may e-mail or call teachers and counselors to ask for recommendations, spokesman Paul Regnier said.

Nick's difficulties come as marijuana possession appears to account for a growing share of serious discipline infractions in Fairfax. Last year, 162 cases went to the hearings office, or 25 percent of the total discipline caseload, Fairfax statistics show. Three years ago, the county had 117 such cases, representing 16 percent of the overall caseload.

National research shows teenagers increasingly see marijuana as less risky than in previous years. A trend of rising marijuana use has followed that shift in perception, says Lloyd Johnston, principal investigator of a long-established teen survey, "Monitoring the Future," at the University of Michigan.

Fairfax School Board member Elizabeth T. Bradsher (Springfield) said that any increase in use is a concern and that the school system wants to ensure safety. "If you bring drugs on campus, it's serious business," she said. "That's where other kids are. That's when they can have an effect on other kids who are just trying to go to school."

She said she worries that as marijuana legalization debates have become a constant in the news, "there is a group of kids who think using marijuana is okay — and it's not okay. It's against the law."

Fellow board member Stuart D. Gibson (Hunter Mill) said he thinks that more students brought marijuana to school in the 1990s, when they knew the penalty for getting caught was a five-day suspension, rather than an expulsion recommendation and a 10-day suspension, as it is today. "You don't want to have a culture in a school that says, 'We wink at drug use,'" he said.

Dewey Cornell, a University of Virginia education professor who studies school discipline, says research shows that severe sanctions do not reduce drug use by teenagers who get caught or by peers who observe such punishments.

"They don't send a helpful message to other kids that makes them behave better," Cornell said. "We think they do. But they don't."

### **Admissions impact**

School districts in the Washington area vary in how they handle marijuana possession. Many discipline processes start with expulsion as a possibility, but students in Arlington and Prince George's counties are eligible for five-day suspensions for a first-time offense. D.C. students get 11 days or more but spend the time in school facilities that let them continue class work. In suspensions, Montgomery County gives wide discretion to school principals.

In Fairfax, complaints have focused on the long periods students spend out of school as they await rulings in

their cases as well as the tone and fairness of hearings and the use of school transfers for punishment.

Dale's proposals include measures to record disciplinary hearings and shorten the time it takes to rule in students' cases.

Disclosing misconduct falls on the student applying to college, experts say. In Fairfax, student transcripts do not cite suspensions. Yet questions about discipline history are standard on college applications, including the much-used [Common Application](#).

College admissions counselors say students with disciplinary violations are considered on a case-by-case basis. Still, Marilee Jones, an admissions expert in New York, said infractions can be damaging if no one from a student's school advocates for the teen in question. "I do think it will work against the student unless the counselor comes out strong," she said.

"It's very easy to turn someone like that down," said Jones, "because there are so many other applications where that box is not checked."

Shirley Bloomquist, an independent counselor in Virginia, says much depends on students' larger record and how they explain in their applications what happened and the lessons they learned. "Life is about lessons learned," she said.

Some families say grades go down when students are forced to switch schools midyear — and little time is left to rebound.

One Reston mother says her daughter, suspended senior year, applied to 12 colleges, worried she would not get in. In recent weeks, she has been accepted into most, but not to the public college she most wanted and that her family could best afford.

It is impossible to tell whether her disciplinary record was an obstacle, but the family says her academics also suffered after the student's first-time marijuana offense.

The senior was out of classes for more than a month, then transferred. She could not continue in the art class she'd hoped would bolster her college portfolio. She also dropped IB English because the curriculum was different and struggled in Latin 2 because it was too advanced. The family spent heavily on tutors to get by.

"It was almost impossible to be successful," said her mother, who spoke on the condition that she not be named to avoid unwanted publicity for her daughter. "How does this so-called punishment serve the greater good?"

In another case, a high-achieving student being disciplined for a marijuana-possession infraction during his senior year worried so much about the impact on his college plans that his mother took him to a hospital's suicide unit, she said. His view — according to his mother, who also spoke on the condition that her name not be used — was: "He's spent 12 years for one goal, and it's all been taken away."

At 17, she said, "he's not the most mature kid, and I don't think he thought all of this would happen."

Some Fairfax leaders have said the transfers send a message to other students that drugs will not be tolerated, while giving students in trouble a fresh start at a new school.

“Sometimes it’s the kid who got caught who is really being saved by moving him or her to another school,” said Bradsher, the school board member.

Fairfax officials say they try to accommodate academic needs of penalized students. To ease academic disruptions, Fairfax permitted 16 seniors suspended in the later months of last school year to complete studies at home rather than be transferred.

“We do as much as we can,” Regnier said. “There may be examples where it didn’t work out, but we try.”

Bill Reichhardt, a Fairfax lawyer whose firm handles discipline cases, says that first-time marijuana offenders are treated much differently in the juvenile justice system, with its focus on diversion programs that do not leave first offenders with records. “The juvenile justice response is often more measured, more reasonable, more forgiving than the school response,” he said.

### **A counselor’s help**

For senior year, Nick started all over at George C. Marshall High School. He did not get the physics class he thought would strengthen his college application as a potential physics major. He lost most of his senior-year football season because of county practices that require a 30-school day waiting period for students who are transferred.

His new school bus arrived so early — 5:47 a.m. — that the family made other arrangements.

His father says the family did not take the infraction lightly. Nick was punished and went to counseling, which included weekly drug tests for four months.

But the new school was not a fresh start because “the kids all know why they are transferred,” said his father, John Hanna. The big difference is that parents know fewer families — and have less sense about which youths might be best to avoid. Hanna says an assistant principal at Marshall helped a lot as Nick made the transition.

Nick’s list of colleges he wanted to attend included the Virginia Military Institute, Radford, Longwood, Virginia Commonwealth and Old Dominion. Admissions advisers said the family’s choices appear realistic for Nick’s academic profile: low B’s and high C’s, with an ACT score of 23, higher than the national average of 21.

At college, Nick thought, he would join ROTC, and one day, the Marines.

Nick’s possibilities were hurt, his father believes, by what happened when they contacted Nick’s guidance counselor at Langley that summer.

At first, the counselor e-mailed that she would be glad to discuss college plans. She had been highly supportive of Nick, the Hannas said. They said she e-mailed Nick after his infraction to say how the important part of life is how you pick yourself up after you fall down.

She’d taken the extra step of sending a supportive note to Nick’s disciplinary hearing officers saying Nick was “kind to others and hopes to serve his country when he graduates,” according to school records provided by the family.

But on Aug. 27, the counselor e-mailed that she could not meet because the Langley administration requested that Nick see his new counselor. In a follow-up conversation by phone, John Hanna says he asked her to fill out Nick's counselor recommendation forms, and she said she could not.

“This is a big deal, especially when you take into account that you now have a student who by definition has a character issue,” Hanna said.

Each recommendation form asked how long the counselor had known the student. “You have an opportunity to have a counselor who has known Nick very well for three years provide a solid character reference, versus what you really get, which is a counselor who doesn't know him at all at his new school,” Hanna said.

Regnier said he did not know why Nick had trouble getting a counselor recommendation. The family says a teacher at Langley gave them a recommendation.

Nick, now 18, says he did better in classes this year — mostly A's and B's. He joined the wrestling team. But when he filled out applications at his father's home in Great Falls, he felt a hint of what lay ahead.

He had to disclose whether he'd been suspended, expelled or put on probation for any disciplinary violation. Some colleges mailed him extra paperwork to fill out or asked for additional recommendations.

The way Nick sees it, his suspension had huge impact.

“As soon as you check that box,” he said, “it kills you.”

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