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April 1, 2011

Proposed FCPS Discipline Changes Lauded; Serious Issues Remain

Fairfax, Virginia – FairfaxZeroToleranceReform.org applauds the proposals made March 30 by Fairfax County Public Schools (FCPS) Superintendent Jack Dale as a start to improving the system's disciplinary practices, but notes that serious issues remain unaddressed. At its April 4 review of discipline, the school board has an obligation to address the following concerns:

1. **Children deserve a right to counsel and an impartial hearing.** There is no point where rules of evidence apply and a child accused of a violation can be found innocent – FCPS reported 69,430 violations in 2009 and none was documented as “not guilty.” Over the last six years, of 5,025 cases sent to the Hearings Office, not one child was exonerated.
2. **Except in cases of immediate physical danger to staff or students, parents/guardians must be notified immediately before a child is questioned by an administrator or school resource officer** for conduct likely to result in a suspension or expulsion; and students must be prevented from signing any written statements except in the presence of a parent or guardian.
3. **There is no evidence that involuntary school transfers work,** and this deleterious practice must stop. Children currently under disciplinary action who would not have been transferred under these new policies must be immediately offered the opportunity to return to their original base school and any prohibitions on being of FCPS property be rescinded.
4. **Suspensions must be dramatically reduced** from the average of some 7,000 students a year. Studies show that suspensions do not make schools safer and do not “teach kids lessons.” In fact, copious research shows that suspension and expulsion are directly linked with school dropouts, and can make schools less safe. The cumulative costs to society of 1,000 students not graduating is \$209M.
5. **Data show that a wildly disproportionate number of minority and disabled children get suspended,** and that the hearings process almost never finds a link between children with disabilities and their behavior, which would require FCPS to provide educational and other services. This must be changed.
6. **The emotional and mental health of students must be centrally considered.** Too many educators ignore critical facts: 1) the brain's pre-frontal cortex, responsible for mature judgment, does not fully develop until the early 20's; and 2) parents, schools, and peers are fundamental educational, social, and emotional supports that prevent our youth from succumbing to depression, suicide, and academic failure. More than 25% of FCPS youth report clinical signs of depression, 14% report suicide ideation, and more than 75% report sleep deprivation. Schools have a moral responsibility to stop practices that contribute to this.

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Serious FCPS Discipline Reform Issues Remain (continued)

We urge the school board **to require that implementation of Dr. Dale's recommendations also include:**

1. That disciplinary hearings not only be audio-recorded, but be provided free of charge to parents and guardians immediately upon conclusion of the hearing.
2. That principals be given discretion to use options other than long-term suspension or expulsion for ALL infractions – not just for prescription drugs – and that practices be monitored to ensure any discipline is appropriate to the infraction and does not cause harm.
3. That much-needed staff training is conducted not just to make practices consistent, but also to make sure good judgment is used case-by-case when determining whether there is a violation at all, and how to address it if there is.
4. That data collection track academic success, recidivism, and on-time graduation, as proposed, but also that FCPS track in more detail the severity of infractions, demographics of children involved, and effectiveness of programs aimed at reducing suspensions.
5. That hearings timelines are not only shortened, but that the number of children involved in hearings is drastically reduced, that the hearings themselves are impartial and humane, and credit for time already lost from school be applied to any discipline imposed..
6. That substantive instructional support is provided for the entire duration a child is out of school for ANY disciplinary reason, and that appropriate support is provided in the transition back to school.

We support Dr. Dale's proposal to educate parents about the discipline process and obtain their opinions in an exit survey. We also applaud continued implementation of Positive Behavior Interventions and Support Programs. However, FCPS must also consider collaborating with the county to provide greater access to and more substantive wraparound preventive, academic, suspension support, rehabilitative, and restorative services to families engaged in the disciplinary process.

We strongly believe in practices that ensure safe and secure schools and that keep such things as drugs, violence, and weapons out of them. We do not oppose appropriate discipline. But zero tolerance measures like those practiced in FCPS do not get us there. Every proposal we support has been proven to enhance safety and security and to uphold children's rights at the same time.

FCPS staff must not use a tight budget as an excuse not to proceed on these. The cost is very high of providing services to suspended children, or of remediating them when they return. If involuntary school transfers stop, FCPS saves nearly \$1M/yr. If the hearings office staff is cut in half from its 14 staff, it saves \$800K/yr. The county saves \$209K per child that doesn't drop out.

It is incumbent upon the school board to tackle all remaining issues, then ensure that these policy changes are put into action immediately and monitored for effectiveness.

FairfaxZeroToleranceReform.org is the only group representing citizens – including families and teachers – concerned with zero tolerance policies in Fairfax.

FZTR formed in 2006 to reform Fairfax County Public School student disciplinary practices by working with affected families, FCPS, civil rights and child development specialists, and legal representatives. Its mission is to transform the process from a criminal and punitive approach to a restorative, educational, and therapeutic approach that ensures due process for every child.

FCPS is the 11th largest school district in the country with 175K students. Fairfax County covers 395 square miles and has a population of 1M. Of FCPS's \$2.2B budget, 73.8% comes from the county and represents 53% of the total county budget.