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SENATE JOINT RESOLUTION NO. 85
AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Rules
on February 7, 1996)

(Patron Prior to Substitute—Senator Maxwell)

Directing the Standing Subcommittee on School Dropout Prevention to study the effects of expulsions and suspensions on public school students.

WHEREAS, pursuant to Standard 7 of the Standards of Quality, each school board's policy manual must include standards for student conduct and attendance, as well as enforcement procedures "designed to provide that public education be conducted in an atmosphere free of disruption and threat to persons or property and supportive of individual rights"; and

WHEREAS, echoing this need for student conduct guidelines, the Standards of Accreditation direct instructional staff to "define acceptable student behavior and develop a system of discipline that minimizes disruption without demeaning the student responsible for the behavior, consistent with the policies of the school board"; and

WHEREAS, escalating school violence has prompted legislators, educators, and school administrators nationwide to examine security and prevention measures in recent years, and drug use and lack of discipline have been cited as the most significant problems facing public schools; and

WHEREAS, the Commonwealth has not been immune to these alarming trends, as Virginia's public schools have witnessed increasing numbers of acts of violence and crime; and

WHEREAS, while the Code of Virginia outlines clear procedural standards for suspensions and expulsions, consistent with the 1975 U. S. Supreme Court decision in *Goss v. Lopez*, local school boards have traditionally held broad discretionary authority in establishing grounds for these disciplinary actions; and

WHEREAS, legislation adopted as part of the 1993 Virginia School Crime and Violence Prevention Act should enhance consistency and uniformity in disciplinary standards, as the Board of Education was required to set guidelines for criteria governing suspensions and expulsions as well as standards for school board policies on student crime and violence; and

WHEREAS, despite these efforts to balance individual privacy rights with the school's interest in maintaining a safe learning environment, disciplinary actions, in the form of suspensions and expulsions, may be inconsistently imposed and may adversely affect particular student groups or populations, particularly those already deemed at-risk for poor academic performance, habitual absences, or drop-out; and

WHEREAS, encouraging all students—including those who have been suspended or expelled from school—to complete their education and to become productive citizens is critical to the growth and prosperity of the Commonwealth as a whole; and

WHEREAS, although suspensions and expulsions may be necessary and appropriate to ensure a safe and productive learning environment, careful examination of the effects of these disciplinary actions is necessary to determine whether particular student populations are adversely and disproportionately affected and whether some of these students might be better served by other disciplinary measures that do not demean, isolate, or deprive the better student responsible for the disruptive or violent behavior, and to identify alternative disciplinary actions or programs that might increase the likelihood that the expelled student will return to school; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Standing Subcommittee on School Dropout Prevention established pursuant to House Joint Resolution No. 241 (1996) be directed to study the effects of expulsions and suspensions on public school students.

The subcommittee shall consider current data regarding suspensions and expulsions in the Commonwealth, including demographic and longitudinal data, information indicating the subsequent educational or other experience of expelled or suspended students, and data that might help identify any disproportionate impact of these disciplinary actions; ongoing programs in the Commonwealth and other states that may provide educational, social, health, and other support services for expelled or suspended students; and such other issues as it deems appropriate.

The subcommittee is authorized to hold additional meetings to conduct this study, which costs shall not exceed \$6,000.

The Division of Legislative Services shall provide staff support for the study. All agencies of the Commonwealth shall provide assistance to the joint subcommittee, upon request.

The subcommittee shall complete its work in time to submit its findings and recommendations to the Governor and the 1997 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for processing legislative documents.

60 Implementation of this resolution is subject to subsequent approval and certification by the Joint
61 Rules Committee. The Committee may withhold expenditures or delay the period for the conduct of the
62 study.