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HOUSE JOINT RESOLUTION NO. 66

Offered January 11, 2012

Prefiled January 10, 2012

Directing the Joint Legislative Audit and Review Commission to study suspension and expulsion practices in public schools and to recommend a strategy to minimize such practices in public schools. Report.

Patrons—McClellan and Kory

Referred to Committee on Rules

WHEREAS, over 90,500 individual students were suspended or expelled from a Virginia public school in 2010 - 2011, many of them more than once; and

WHEREAS, most suspensions are for relatively minor misbehavior, such as disorderly conduct, minor insubordination, or misuse of electronics; and

WHEREAS, time spent out of school decreases the likelihood of graduating from high school and increases the likelihood of contact with the juvenile and criminal justice systems; and

WHEREAS, high suspension rates are associated with low student achievement, and failure to maintain a positive school climate for all students can lead to teacher dissatisfaction and turnover; and

WHEREAS, research suggests that using exclusion as a means of punishment is ineffective in helping students change problematic behavior or in making schools safer; and

WHEREAS, school exclusion may contribute to delinquency by providing suspended and expelled students unsupervised time, during which they may become targets for gang recruitment and other problems; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Joint Legislative Audit and Review Commission be directed to study suspension and expulsion practices in public schools and to recommend a strategy to minimize such practices.

In conducting its study, the Joint Legislative Audit and Review Commission shall review and consider: (i) research on school discipline practices and effective alternatives to suspension and expulsion; (ii) local school disciplinary policies and practices; (iii) laws concerning the discipline of students; and (iv) available data on the use of suspension, expulsion, alternative education, and juvenile court referral in the Commonwealth. The Joint Legislative Audit and Review Commission shall seek and include the perspective of classroom teachers, school administrators, parents, students, advocacy organizations, the Virginia School Boards Association, the Virginia Association of School Superintendents, and the Virginia Education Association, as well as other educational organizations and other persons with expertise in school discipline and behavioral health.

The Joint Legislative Audit and Review Commission shall further make recommendations concerning: (i) whether statutory changes are needed to limit disruption to a student's regular education and to clarify student rights; (ii) whether additional data should be collected and publicly reported; (iii) how to hold alternative educational programs accountable for student outcomes; (iv) how to reward schools that reduce suspension, expulsion, and juvenile court referral; and (v) what additional supports are needed to prevent and respond to challenging behavior.

Technical assistance shall be provided to the Joint Legislative Audit and Review Commission by the Department of Education. All agencies of the Commonwealth shall provide assistance to the Joint Legislative Audit and Review Commission for this study, upon request.

The Joint Legislative Audit and Review Commission shall complete its meetings by November 30, 2012, and the chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the 2013 Regular Session of the General Assembly. The executive summary shall state whether the Joint Legislative Audit and Review Commission intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a House or Senate document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

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