



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING

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**State Board of Education
Resolution to Address School Discipline Issues Impacting Student Outcomes**

Given the steadily increasing use of zero tolerance policies, the alarming rate of suspensions in school districts across Michigan, the lack of evidence these policies improve safety, and negative impact these disciplinary actions are having on student outcomes, the State Board of Education calls for schools across the state to adopt discipline policies without mandated suspension or expulsion for issues that do not involve weapons.

The Board, along with the Superintendent of Public Instruction, remains absolutely committed to policies that preserve the safest environment possible for students, staff, and volunteers in all of the state's schools. There is a mounting body of evidence, however, that suggests safety can be maintained, and educational outcomes can be improved, by reducing the number of student suspensions and expulsions.

The Gun Free Schools Act of 1994 mandates zero tolerance for firearms in schools and the referral to law enforcement of any student accused of a violation. Since the enactment of this law, Michigan, like many other states, has adopted additional legislation (MCL 380.1311, MCL 380.1311(a), and MCL 380.1310) that mandates suspension for offenses unrelated to firearms. This goes beyond the intent of the original law.

Researchers have found no evidence that zero tolerance policies make schools safer or improve student behavior. In fact, studies suggest that the overuse of suspensions and expulsions may actually increase the likelihood of later criminal misconduct. Moreover, students subject to suspension and expulsion are isolated from learning environments.

Many students who have been suspended or expelled have no alternative opportunities for learning or other productive activities. When students are repeatedly suspended, they are at substantially greater risk of leaving school altogether, and current rates of expulsion and suspension in Michigan public schools are unacceptably high. Further, studies show that certain groups of students, including African-American children, Latino children, and children with disabilities, are suspended and expelled in rates disproportionate to their population. Zero-tolerance policies are significant contributors to these disparities, primarily because of subjective enforcement.

The Board strongly urges Michigan school districts to take the following action:

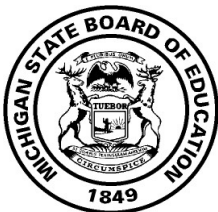
- Review existing zero-tolerance policies that are above and beyond those required in law, and limit the number of offenses mandating suspension and referral to law enforcement to those directly related to the safety of students and school personnel. Removing a child from an educational opportunity should be reserved for the most serious infractions, and not used as a means of discipline for minor occurrences.

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- Ensure educators in their schools are aware that Michigan law (MCL 380.1311(2)) provides four exceptions to zero tolerance, allowing them an opportunity to exercise judgment in individual cases.
 - The object or instrument possessed by the pupil was not possessed by the pupil for use as a weapon, or for direct or indirect delivery to another person for use as a weapon.
 - The weapon was not knowingly possessed by the pupil.
 - The pupil did not know or have reason to know that the object or instrument possessed by the pupil constituted a dangerous weapon.
 - The weapon was possessed by the pupil at the suggestion, request, or direction of, or with the express permission of, school or police authorities.
- Implement or expand the use of proven alternative behavior management strategies like restorative practices, positive behavior supports, and peer mediation, which allow educators to address disciplinary matters correctively, rather than punitively, reducing suspensions. School staff need effective pre-service and professional development opportunities to garner the skills and knowledge necessary to implement these alternative behavior management strategies.



Adopted June 12, 2012

John C. Austin, President

Michael P. Flanagan, Chairman and
Superintendent of Public Instruction