

ACLU of Maryland Education Advocate

Advocacy for Maryland's At-Risk Students

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Bullying and the Limits of Suspension

By: Jane Sundius and Bebe Verdery

When we hear a story of a 3rd grader who reported being bullied relentlessly by classmates, many of us understand and even support the principal's decision to suspend the accused bullies. But there is an extraordinary amount of evidence indicating that we should step back from this natural reaction and ask if removing these students-also 3rd graders-from school will solve the problem of bullying. It turns out that suspension isn't the effective, all-purpose discipline tool that we might think it to be, nor does it allow students to stay on track academically and be ready to re-engage with schoolwork, teachers, and their peers when they return.

At its recent meeting, the Maryland State Board of Education heard testimony from public school officials, education organizations and advocates about the use of long-term student suspensions by public schools across the state. The meeting didn't garner as much news coverage as the incident among 3rd graders at Gilmor Elementary.

That's too bad, because the State Board's ongoing investigation into long-term suspensions could provide Marylanders a much-needed opportunity to learn more about how and why our public schools struggle to address student misbehavior effectively.

The loud calls for Baltimore schools CEO Andres Alonso to suspend bullying students highlight the need for more information about what kids do and don't need when they misbehave.

The CliffsNotes version of this lesson is as follows:

- A. Students who bring real weapons to school or who commit serious crimes must be suspended, and perhaps expelled or arrested, to protect the other students and staff at the school.
- B. The overwhelming majority of suspensions are not for these dangerous offenses. For other types of misconduct, such as insubordination, truancy, or generally disruptive behavior, there isn't any evidence showing that suspension is effective or that it improves school safety and climate. Instead, the evidence shows that suspension fails to change student behavior, especially when used frequently, inequitably, and inconsistently, as it is in Maryland schools. It often does more harm than good, as it excludes precisely the children who need the most support and training.
- C. As many parents have learned, children who misbehave (and they do, lots - they are kids, after all), need several things that

suspension does not provide. First they need a logical consequence - and one that is swiftly administered. Graffiti artists get clean-up chores, truants get detention, and students who bully others get community service and lose privileges.

They also need opportunities to learn good behavior -students need to learn why bullying is wrong and how to interact with peers differently. Counseling is also recommended to deal with the forces in their lives that led to the bullying.

Another important step is to make amends. When students misbehave, they do harm to the entire school community. Whether it's a simple apology or a lengthy period of service, misbehaving students must help the school heal. And other students need to see these efforts at restitution.

Finally, students need to keep on track academically. The evidence is clear here as well: school suspension interrupts students' academic progress, and makes it more likely that they will fall further behind, disengage from school and drop-out. Students who drop out are far less likely to be productive members of their communities. If they bullied others at school, and were never taught better behavior, they are likely to bully those in the neighborhood as well.

There is a real disconnect in Maryland, one that is understandable, but that has to be remedied if we are to have the safe, supportive schools we need and want. In most cases of misconduct, students shouldn't be suspended. But they do need to be held accountable for their misbehavior, to make amends, to learn new ways of behaving, and, they need to be in school.

It's time to recognize that suspension is not an effective solution to discipline issues and that it is not addressing our very real problems of student misbehavior, bullying included. Baltimore schools CEO Andres Alonso is right when he says "that to punish children by excluding them and pushing them outside of school classrooms is something that does not work, will not work."

Jane Sundius is Education and Youth Development Director at the Open Society Institute-Baltimore.

Bebe Verdery is Education Reform Director at the ACLU-Maryland.

ACLU says "throw away kids" policy inconsistent with the Maryland Constitution

The ACLU-MD's Education Reform Project testified before the Maryland State Board of Education on April 27, 2010, during a panel presentation on Long Term Suspensions and Expulsions. Other invited panelists included: Maryland State Education Association (MSEA), Open Society Institute (OSI), MD Association of Student Councils, MD Association of Elementary and Secondary School Principals and others. In 2009, the State Board decided the controversial *Atanya v. Dorchester County* case which allowed a ninth-grade student to be suspended from school for an entire year without provisions for education during that time. After narrowly deciding that

case upholding the Dorchester school system's decision, the State Board asked MSDE to conduct a study on how long term suspensions and expulsions are implemented statewide and to review data on suspensions/expulsions. The ACLU's testimony recommended that students suspended and/or expelled be provided with access to alternative education. The alternative education provided to the student should be short term, with the ultimate goal to transition the student back to the regular classroom. Additionally, the ACLU highlighted the disparities that existed racially (African Americans are more likely to be suspended or expelled) and geographically (some Eastern Shore counties suspended 20% of their students in the 2008-09 school year.) MSDE will gather further data and present a final report to the State Board during the summer. ACLU will continue to press for changes in policy and regulations as the State Board examines its options.

[Click here for a link to the testimony the ACLU delivered at the Maryland State Board of Education.](#)

Education Reform Project

Bebe Verdery, Director
JaCina Stanton, Education Advocate
Frank Patinella, Education Advocate

American Civil Liberties Union | Education Reform Project | 3600 Clipper Mill Road, Ste 350
| Baltimore, MD | 21211 | 410.889.8555 (o) | 410.366.7838 | Education@aclu-md.org

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