

## DOCUMENT RESUME

ED 457 452

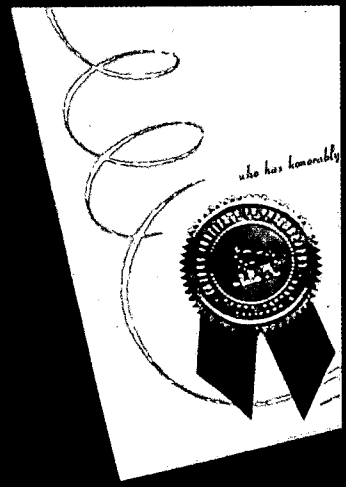
CG 031 221

AUTHOR Fernan, Steve; Parman, Mary Jo; White, Doug; Wilttrout, Dan  
TITLE Offering Educational Opportunities to Expelled Students in Wisconsin. Bulletin No. 02030.  
INSTITUTION Wisconsin State Dept. of Public Instruction, Madison. Div. for Learning Support.  
PUB DATE 2001-09-00  
NOTE 42p.; Prepared by Wisconsin State Department of Public Instruction, Division for Learning Support: Equity and Advocacy.  
AVAILABLE FROM Student Services/Prevention and Wellness Team, WI Dept. of Public Instruction, 125 S. Webster St., P.O. Box 7841, Madison, WI 53707-7841. Tel: 608-266-8960; Tel: 800-441-4563 (Toll Free). For full text: <http://www.dpi.state.wi.us/dpi/dlsea/sspw/pstexpul.html>.  
PUB TYPE Reports - Evaluative (142)  
EDRS PRICE MF01/PC02 Plus Postage.  
DESCRIPTORS Compensatory Education; \*Elementary Secondary Education; \*Expulsion; \*Federal Legislation; Gun Control; Guns; \*High Risk Students; Public Education; \*School Safety  
IDENTIFIERS Gun Free Schools Act 1994; \*Wisconsin

## ABSTRACT

The U.S. Congress bolstered the increase in expulsions by passing into law the federal Gun Free School Act of 1994. All states receiving federal funds were to pass laws requiring schools to expel students who brought firearms to school or to school activities. There is evidence that schools are safer, but expulsion rates continue to climb. With this publication, Wisconsin joins the national challenge to reverse the upward trend in school expulsions by encouraging all Wisconsin schools and communities to provide educational services for expelled students. The report identifies key issues in balancing school safety and educational opportunities, reports on a sample of national, state, and local strategies to address the challenge, and acknowledges selected Wisconsin school districts, cooperative educational service agencies, and community based organizations for doing more than current state law requires. Possible next steps are described. Vignettes of several districts' policies and practices for post-expulsion services are detailed. (Contains 32 endnotes, 23 Web resources, and 5 figures.) (JDM)

# Offering Educational Opportunities



## to Expelled Students in Wisconsin



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# Offering Educational Opportunities to Expelled Students in Wisconsin

Division for Learning Support: Equity and Advocacy



Elizabeth Burmaster, State Superintendent  
Wisconsin Department of Public Instruction  
Madison, Wisconsin

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<http://www.dpi.state.wi.us/dpi/dlsea/sspw/postexpul.html>

Bulletin # 02030

September 2001

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# Foreword

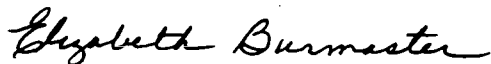
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We know and parents know that education is a precious right and responsibility. As educators, we strive to ensure all students learn their future place as a citizen, having been well prepared to be both smart and good. This paper presents some key issues for discussion and program development since the Department of Public Instruction (DPI) task force report on expulsion was released in 1996.

We are able to see progress. Many districts continue to educate expelled students on a case-by-case basis. They deserve recognition and our support. Their care and concern for expelled children and their education is as much a part of the Wisconsin story as our outstanding academic achievement record. However, there is more to do.

We must continue working with families and communities to make our streets safe for young people—our classrooms civil and free of threats, drugs, and violence. Beginning with the 2000-01 school year, the Wisconsin State Legislature directed the Department of Public Instruction to begin asking districts to tell us more about their suspension and expulsion practices. We are requesting this information through an expanded set of questions on the School Performance Report (SPR.) We must be vigilant and use well this new information to ensure all students are connected to their curriculum.

We believe our schools offer a quality pathway for all students to meet the high standards expected of high school graduates in Wisconsin. We at DPI share with parents and schools the commitment to make that belief a promise.



Elizabeth Burmaster  
State Superintendent

# Acknowledgements

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Thanks are due to the school districts and their board members, administrators, and teachers who work with the community, parents, and expelled students. Current Wisconsin law does not require public schools to enroll students without disabilities during an expulsion order. We appreciate the willingness of more than 30 schools to share information with us about their programs. Especially helpful were district vignettes presented in the paper, which were chosen as a diverse representation of school size and program design. Also, thanks are accorded to the Association of Wisconsin School Administrators (AWSA); Wisconsin Association of School Boards (WASB); and individual teachers, administrators, and school board members for their guidance regarding policy and practice in Wisconsin schools.

Michael J. Thompson, Director, Student Services/Prevention and Wellness, provided leadership for the project. Sharing in the writing, research, and editing of this document from the Student Services/Prevention and Wellness Team were Steve Fernan, prevention education/school violence consultant; Mary Jo Parman, education specialist; Doug White, assistant director; and Dan Wilttrout, compulsory attendance consultant. Richard Christofferson provided assistance with data analysis.

Thanks also to Barbara A. Bitters, Equity Team director; Steve Gilles, transition/training and development consultant; and Greg Doyle, Education Information Services director, for review and editing. Victoria Horn, graphic designer, designed the cover, and Tammy Wylesky, print manager, coordinated printing.

With questions about the document, contact Daniel T. Wilttrout at the DPI, (608) 267-9242, email: [daniel.wilttrout@dpi.state.wi.us](mailto:daniel.wilttrout@dpi.state.wi.us).

# Defining the Problem

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## Introduction

Free public education is an individual's right and the state's responsibility. The United Nations *Universal Declaration of Human Rights* is translated into more than 300 languages and dialects. Article 26 includes: "Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory."<sup>1</sup> In 1954, a Supreme Court landmark decision established the opportunity to attend schooling on equal terms as a basic right. Chief Justice Warren provided the rationale for the decision, "In these days, it is doubtful that any child may reasonably be expected to succeed in life if...denied the opportunity of an education."<sup>2</sup> Wisconsin's Constitution established free public education, as a bedrock right of residents between the ages of 4 and 20<sup>3</sup> and parents/guardians are to cause their children to attend school between the ages of 6 and 18.<sup>4</sup> Schools are supposed to be safe places to learn—not to deal drugs, brandish weapons, or threaten others. Expulsions have been part of the national remedy for those behaviors. As the number of expelled students without educational services has significantly increased, states and schools are rethinking how to balance rights and responsibilities for schools, parents, and students.

Nationally, the U.S. Congress bolstered the increase in expulsions by passing into law the federal Gun-Free Schools Act of 1994.<sup>5</sup> All states receiving federal funds were to pass laws requiring schools to expel students who brought firearms to school or school activities. All states complied, but they varied in how they handled the requirement. There is evidence that schools are safer.<sup>6</sup> However, expulsion rates have continued to climb. In 1998, more than 3.1 million children in America were suspended and another 87,000 were expelled.<sup>7</sup> The U.S. Department of Education, by decade's end, was seeking demonstration projects to reduce the number and duration of student suspensions and expulsions and to ensure educational progress of suspended and expelled students. As well, key national associations were taking positions against an absolute approach to "zero tolerance."<sup>8</sup>

Current events challenge school boards to find a balance between each student's right to a free public education and every student's right to a safe and drug free learning environment. Proponents of "zero tolerance" assert that students who bring guns or drugs or disruptions to school give up their right to a free public education. Some argue schools have gone too far.

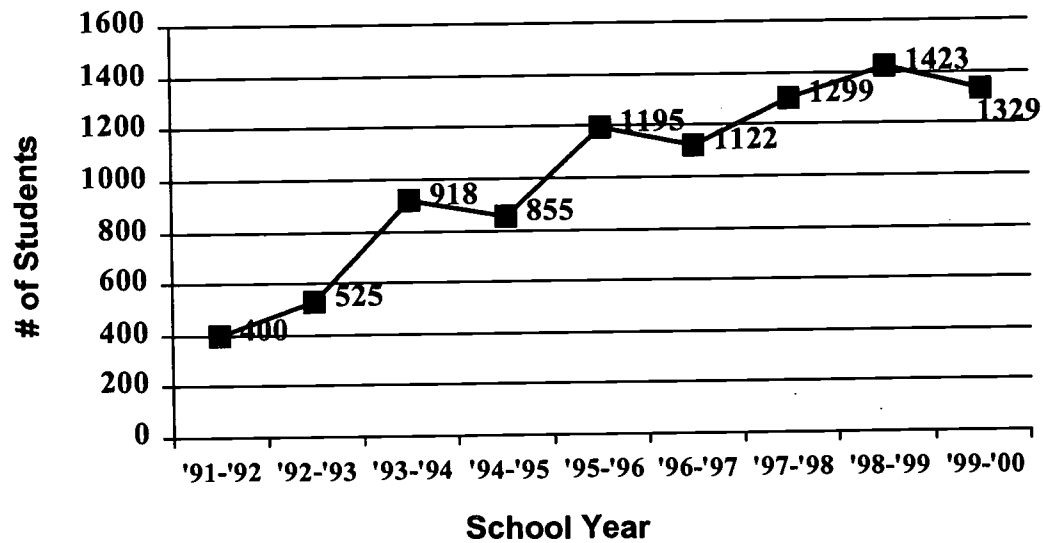
The purpose of this report is to join Wisconsin in the national challenge to reverse the upward trend in school expulsions and to encourage all Wisconsin schools and communities to provide educational services for expelled students. The report (1) identifies key issues in balancing school safety and educational opportunity; (2) reports on a sample of national, state and local strategies to address the challenge; (3) acknowledges selected Wisconsin school districts, cooperative educational service agencies (CESAs), and community-based organizations for doing more than current state law requires to ensure educational progress of expelled students; and (4) provides possible next steps. Endnotes and web resources are appended.

In Wisconsin, the number of expelled students more than tripled from 1990 to 1998 (see Figure 1).<sup>9</sup> Most states do not require public schools to provide educational services to expelled students. Wisconsin public schools are not required to enroll a student during an expulsion order from another Wisconsin public school, except for students with disabilities.<sup>10</sup> A school district cannot refuse to provide a free, appropriate public education to a child with a disability expelled from another school district.<sup>11</sup> The challenge touches a wide range of students, but the burden falls hardest on poor families and expelled students who are disproportionately from urban and minority families.<sup>12</sup>



Figure 1

## Wisconsin Public School Expulsion Trend



Source: WDPI School Performance Report

### Geography, Race, and Poverty

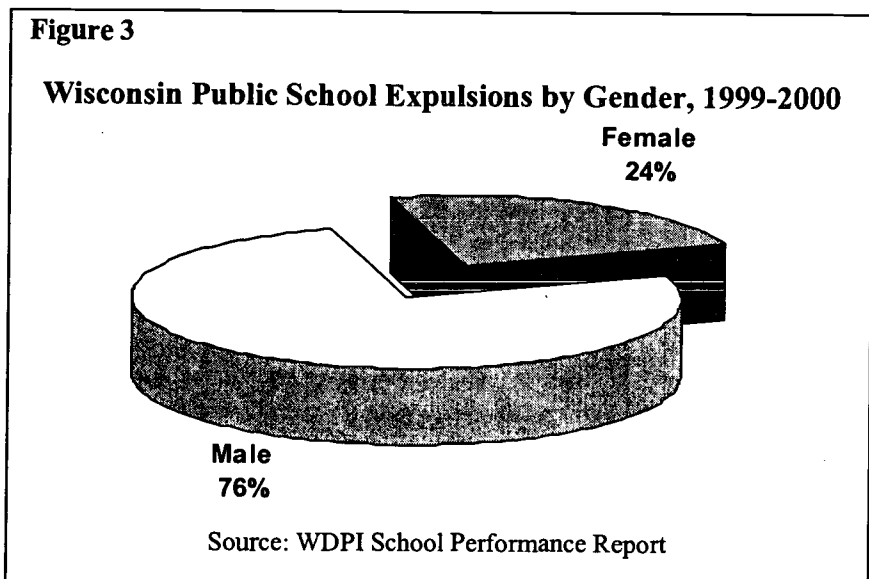
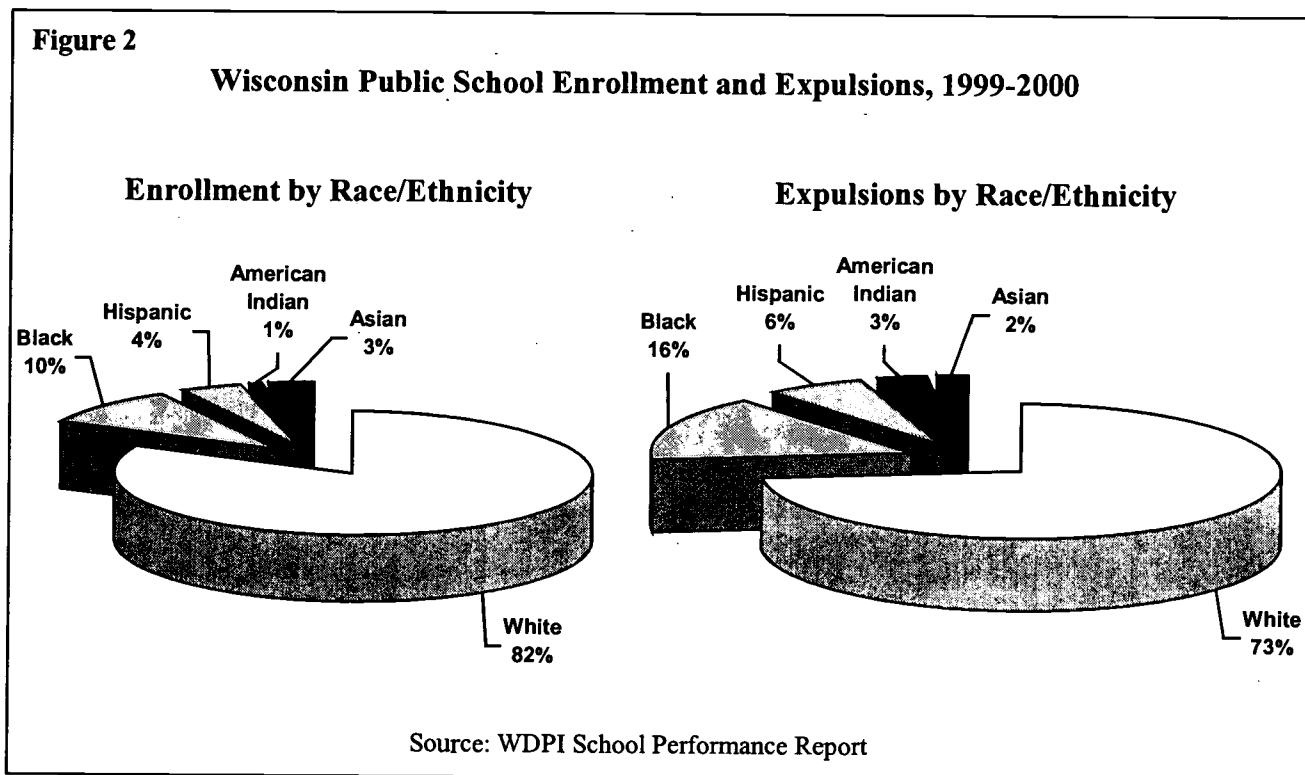
Location and race matter in data reported for risks related to expulsions. Balfanz and Legters (2001) reviewed information from the Common Core of Data (CCD), National Center for Educational Statistics' primary database on elementary and secondary public education in the United States. Their analysis of urban school dropout information found

... about half of the high schools in the nation's 35 largest cities have severe dropout rates. It further shows that high schools with weak promoting power and by implication high dropout rates are found in almost all of the largest cities but they are particularly concentrated in Midwestern and Northern industrial cities and Texas. In these districts more than half of the high school students attend schools in which the senior class has 50% or fewer members than the entering class three or four years earlier. Finally, it indicates that high schools with high dropout rates in urban America are disproportionately attended by minorities. Two-thirds of the 200 or so large high schools that are attended almost entirely by minority students in the nation's 35 largest cities have weak or very weak promoting power.<sup>13</sup>

Like dropouts, expelled students are separated from school. Students who are disciplined by separation from the curriculum are at serious risk for not completing school or not succeeding in their courses. Skeba, with others (2000), attempted to learn about the underlying sources of racial and gender disproportionality in school punishment. They found African American students were referred to the office for less serious and more subjective reasons. Skeba concluded:

Coupled with extensive and highly consistent prior data, these results argue that disproportionate representation of African Americans in office referrals, suspension, and expulsion is evidence of a pervasive and systematic bias that may well be inherent in the use of exclusionary discipline.<sup>14</sup>

In Wisconsin, DPI data reports indicate minorities have been disproportionately represented in expulsions from school (see Figure 2).<sup>15</sup> Another key factor to consider when reviewing expulsion policy and practice are the disproportionate number of males expelled compared to females (see Figure 3). This disparity has been reported in research literature for a quarter century, including recommendations to address the problem.<sup>16</sup> It cannot be ignored as a variable in managing efforts for school improvement and student discipline.



## State Superintendent's Expulsion Task Force Recommendations

In 1996, the State Superintendent's Expulsion Task Force recommended post-expulsion services be made available to all students who had been excluded from their normal educational program placement, including providing an individual plan for each expelled student. Parents and appropriate agencies were to be involved to provide a range of service options. Among the options were:

- regional off-site alternative schools (possibly through CESAs)
- electronic tutorial courses
- school-to-work/vocational options – community and/or school based
- business partnerships/apprenticeships
- multi-agency/school-based learning centers
- homebound instruction (requires legislation)
- referral and access to social services such as anger management and alcohol or other drug abuse counseling

The Task Force also recommended setting boundaries on the length of expulsions. Districts were encouraged to specify conditions during expulsion for early reinstatement. It was felt that students should be given an opportunity to return to a public school setting at some point in order to secure a diploma and enhance life and social skills.<sup>17</sup>

Since the Task Force completed its work, the Wisconsin Legislature has provided funds for alternative education demonstration models under Wisconsin Act 9. At least two CESAs are developing regional services for truant/at risk and expelled students as well.

# National Response

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Schools across the nation are rethinking their expulsion policies and practices and their efforts to respond to a national issue at the local level. Promoting this review are concerns presented above, such as the high number of students being expelled and the pressure these actions place on students, families, school boards, and communities. There are promising practices for reducing the risk of expulsions and ensuring educational progress of expelled students. Following are examples from Minnesota, Colorado, and Nebraska.

## U.S. Department of Education National Demonstration Project: St. Cloud MN

One of the U. S. Department of Education's 14 alternatives-to-suspensions-and-expulsions demonstration projects for 2000-01 is in St. Cloud, Minnesota. St. Cloud is a large school district of more than 10,000 students. Joining nine communities in a consortium, the program acronym S.T.A.R. stands for Successfully Teaching At-Risk Students. Among the strategies identified are anger-management classes and training in restorative justice circles. For this work, they list as partners with the schools: hospitals, community centers, family services, psychotherapeutic resources, family counseling, training organizations, and faith-based social services providers. While the project serves at-risk and suspended students, strategies for expelled students specifically include:

- an internet-based curriculum for work on-site and at home;
- structured academic instruction;
- individual tutoring two hours a day;
- small group counseling part of each day;
- supervised service-learning for credit, with a licensed teacher;
- work-based learning for credit, with a licensed teacher;
- parent outreach; and
- monitored restitution, community service, and re-entry.<sup>18</sup>

In the first year of operation, national models are putting much effort into changing the "practice without promise" of expelling students without services.

## State Established Post-Expulsion Programs in Colorado and Nebraska

In the late 1990s, the Colorado legislature established the Expelled Students Program. Piloted in more than 20 school districts, the goals of the program were to reduce expulsions and re-engage expelled or dropout youth in education. First-year results showed:

- a 45% reduction in the number of students expelled compared with the previous year, and
- a 44% lower rate of expulsions for pilot districts compared to the state rate for the past three years.

Similar to an in-school suspension program, student needs were assessed and met through a variety of components, including academic support, social-skills training, family intervention, drug and alcohol counseling, mentoring, community service, and life-skills training.<sup>19</sup>

Nebraska is another state that put into law a requirement for school districts to offer continuing educational services for expelled students.

Nebraska met the expulsion requirement for firearms under the federal Gun-Free Schools Act and added a requirement that schools provide expelled students the opportunity to continue their education. Effective in 1997, Nebraska's Title 92, Chapter 17, established statutory authority, definitions, and requirements for alternative schools, classes, or educational programs or procedures for expelled students to continue their education. If schools do not offer a program, they still have to develop a plan for the student. Students and parents can reject the school's offer, but all expelled students must have the opportunity to continue their education toward high school graduation during an expulsion.

Under this authority, Nebraska districts must have a written policy or plan describing how credit is awarded to students in the post-expulsion options. They must make known the options to students. Classes may be conducted at times other than the regular school day. Alternative-school teachers must hold a state teaching or administrative license. Community-based or other off-site programs must be planned in cooperation with and monitored or supervised by a school district staff member with a teaching or administrative license. Nebraska schools can establish rules for students to follow during the expulsion options. If they do not follow these rules, schools can hold a due process hearing and may, based on findings at the hearing, terminate the program.<sup>20</sup>

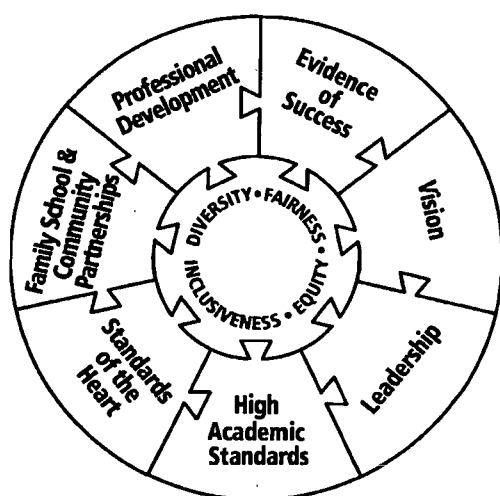
# Wisconsin's Response

## Wisconsin Guidelines for School Improvement

In the broadest sense, Wisconsin has developed guiding frameworks for educating well and safely all students. Two graphics that provide new visions to address multiple risk factors, including expulsions, are depicted in Figures 3 and 4. Whereas Wisconsin's primary focus is on prevention, these images show the relationship between Characteristics of Effective Schools, Standards of the Heart, and Comprehensive School Health Programs.

Figure 3

### Characteristics of Successful Schools



For more information:

<http://www.dpi.state.wi.us/dpi/dlsea/sit/cssovrvw1.html>

Figure 4

### Wisconsin's Framework for Comprehensive School Health Programs



For more information:

<http://www.dpi.state.wi.us/dpi/dlsea/sspw/chspprog1.html>

## Wisconsin Act 9: Alternative Education Program Funding

The Wisconsin legislature passed into law a state discretionary grant program to support alternative education programs beginning with the 2000-01 school year. The program targets students who are having difficulty succeeding in the regular school setting because of factors that include academic failure; truancy, expulsion, or suspension; disruptive behavior; criminal involvement; violent behavior; or alcohol and other drug abuse involvement. The DPI administers the 60 grant awards, which were made in FY01 to 42 individual school districts and 18 consortia of districts or CESAs.<sup>21</sup>

## Wisconsin Public Charter Schools Discretionary Grant Program

Wisconsin's charter school discretionary grant program encourages innovation in school organization and instruction. Charter schools are free to be creative in setting up their governance and administrative structures. Funds available for charters include \$10,000 prior to the opening of the charter school and up to \$150,000 a year for two years once the charter school is open and serving students.

There are currently 92 charter schools operating in the state of Wisconsin. (*Wisconsin Charter Schools 2000*, WDPI). Though not the charge of charter schools per se, they may serve as last chance or post-expulsion placement sites for students. Among examples discussed in this paper are McKinley Alternative Charter School in Eau Claire and Central Alternative School in Appleton.

Leaders from the local education agency (LEA) or private individuals wishing to establish a public charter school must meet the following state requirements: (1) participate in the Wisconsin Student Assessment System; (2) participate in the annual school performance report produced by DPI; and (3) count students for membership in the local school district. Teachers must be licensed by the DPI.<sup>22</sup>

## **Statewide Conference Poll on Expulsion Services and Issues**

The challenge remains for all expelled students to continue their education. Wisconsin continues to collect information and provide guidance to schools for services to expelled students. Following are examples from: (1) a statewide conference poll of directors of special education and pupil services on expulsions, (2) Wisconsin Association of School Boards policy examples, and (3) the new expulsion/suspension data required from Wisconsin school districts.

During a fall 2000 conference, directors of special education and pupil services reported the services their schools provide to expelled students. Of 285 conferees, 206 indicated their district provides one of the following:

- academic services all or part of the time – 89 (43%)
- early reinstatement provision – 44 (21%)
- individual student plan – 40 (19%)
- referral to community services – 33 (16%)

Conferees at the statewide conference were asked a series of questions about issues and services for expelled students. Conference poll results included:

- Home involvement in school is the top issue for preventing habitual truancy, suspensions, and expulsions.
- The most important strategy for intervening in truancy, suspensions, and expulsions is a strong school commitment to meeting diverse student needs.
- Ensuring educational progress for expelled students requires an individual student plan as part of the expulsion order.
- Lack of funding is the greatest barrier to offering or improving services to expelled students.

Key issues revealed by the poll were consistent across the state (for example, expulsion trends, prevention, intervention, following services, and barriers). However, individual polls showed different levels of need. For example, small districts signaled a greater need for access to resources.<sup>23</sup>

## **Wisconsin Association of School Boards Reflects Policies from the Field**

There is a long-standing practice of professional associations providing guidance to schools regarding post-expulsion services. For example, the Wisconsin Association of School Boards (WASB) provides policy examples from districts on a wide range of issues. The *WASB Policy Perspectives 2000*<sup>24</sup> provides examples from districts for: (1) special school programs that offer a “last chance” for students who have been expelled; (2) early reinstatement conditions; (3) community support as well as academic support services during expulsions; and (4) case management for readmission when the expulsion ends, if

appropriate. The WASB does not endorse or recommend such policies. They are merely examples from the field, and as such derive their own imprimatur and indicate the range of policies Wisconsin school districts have adopted to address these issues.

## **State Legislature Requires New Suspension/Expulsion Data from School Districts**

Beginning with the 2000-01 school year, to comply with 1999 Wisconsin Act 9, school districts must report additional information on expulsions. As part of the School Performance Report, this additional information includes the educational programs provided to pupils without disabilities during expulsions, whether pupils return to school after their expulsions, and the length of the expulsion. In addition, users will be asked to enter the number of pupils subject to multiple short-term suspensions exceeding 10 days in total.<sup>25</sup>

## **Policy and Innovation in Wisconsin**

### *Rethinking Expulsion Policy: Janesville Public Schools*

Though not currently providing educational services to expelled students as a district policy, the Janesville School District affords one example of the process and decision schools are undergoing as expulsions increase. Their efforts to reduce expulsions provide guidance in the important school district work of balancing school safety and offering educational opportunities to all students.

The School District of Janesville is the ninth largest of the 426 school districts in Wisconsin. It consists of 72 square miles, including the City of Janesville and portions of four townships. The district enrolls more than 10,514 students Pre-Kindergarten through 12th grade.

During the 2000-01 school year, the Janesville Board of Education members revised a provision in their discipline policy and procedures that previously called for expulsion of students found in first-time possession of alcohol or marijuana on school grounds. Board members caution that this shift in policy is not a retrenchment from its “zero tolerance” stance on drugs, weapons, and violence in schools. Rather, it is an opportunity to provide assistance to students who may have substance abuse problems while still addressing the behavior as unacceptable.

Over the course of the previous few years, board members were entering expulsion orders against approximately 40+ students per year who were brought before them by the administration. Many of these students were found to have been in possession of small amounts of marijuana or alcohol. Since another board policy prohibited the provision of services to students who had been expelled, many young people were forfeiting their opportunities for a promising future by being separated from the learning environment.

The policy change allows a board approved independent hearing examiner to conduct a due process hearing to establish the facts of the rule violation in question. The hearing examiner is directed by the board to offer an alternative to expulsion if the facts reveal that the violation is limited to first-time marijuana or alcohol possession. The expulsion proceedings are suspended if the student agrees to accept terms of a behavioral contract which include the following: regular attendance, timely completion of homework, and surrender of open campus privileges. The primary emphasis is on completion of an alcohol, tobacco, and other drug abuse (ATODA) educational program, follow-up on any ATODA



assessment recommendations, and "clean" random drug screens. If the student refuses to accept these conditions or does not satisfactorily complete them, expulsion proceedings before the full board resume.

The Janesville Board of Education became aware that the neighboring district of Beloit had long followed a policy of providing alternatives to expulsion for first-time offenses of the prohibition on marijuana and alcohol in school. Through the course of their own frustration in expelling so many students for these behaviors and in becoming aware of policies that offer alternative actions, the board modified its normal proceedings in these matters. The policy change has been in effect since April 2001.

The board was unanimous in adopting this change in policy. Again, the reader is cautioned not to assume that there is abandonment of a "zero tolerance" position against drugs, weapons, and violence. Rather, the change in policy maintains the unacceptability of marijuana and alcohol in school, while moving from a policy that is primarily punitive to one that has a strong educational component and shows compassion for the child who may be in need of support. The purpose of this policy change, therefore, is to help students become successful while maintaining a safe, disciplined, drug-free environment conducive to learning.

Because this new policy has been in effect for such a short period of time, it is difficult to measure its success. Approximately 10 students have come before the hearing examiner with an opportunity to avoid expulsion. Only one of those students refused to accept the terms of the contract and was subsequently expelled. The other students accepted the terms of the behavioral contract as offered and are still engaged in learning through their connection to their schools.

Again, this policy is new and will be reviewed for its impact during the summer. The Institution of Higher Education (IHE) must be "re-hired" each school year. Its future success might well depend on the consistent application and enforcement of the behavioral contract. Family support and individual motivation of students are key. However, inconsistent application or enforcement of the expectations will be equally significant factors in making this policy change positive or negative.

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### *Growing Promise in Technology: CESA 9 Virtual Alternative High School*

The Virtual Alternative High School at CESA 9 is representative of a national trend to provide curriculum to students over the Internet. Though not currently serving expelled students, the design offers promise for future links to home school-approved curriculum delivered to a range of students, including those who have been expelled.

CESA 9 consists of 22 school districts in northcentral Wisconsin; it serves 2,800 teachers and 38,000 students in 100 public school buildings. Two Wisconsin technical colleges and one UW System campus are located within the CESA 9 boundaries. The mission of CESA 9 is to help school districts identify the

educational needs of children and to provide services to meet those needs in a cooperative manner that elicits community and school district support.

The program's purpose is to offer a virtual curriculum as an alternative for students to complete high school. A new project, the Virtual Alternative High School is located in CESA 9 in Tomahawk, Wisconsin. All the students who participate are at-risk. However, this project is intended to serve expelled students, through the use of the Internet, in addition to other at-risk students. At this time, no expelled students are enrolled, though staff expect expelled students to be selected for enrollment in the coming year.

Schools identify students for the program. Fifteen students were involved in each semester of the pilot year. The plan was to add 20 more students through the summer, with continued increases anticipated.

Funding is provided by a DPI Alternative Education grant and course contracts with participating schools. Course costs are paid by the home school and range from \$250.00 to \$315.00 per semester course. Costs depend on overall program revenues, with costs decreasing as numbers increase. Arranging for teachers is another cost factor that will vary depending on whether the program or the school provides the teacher. Finally, access to the curriculum may vary in cost, if not already provided in the program, but demanded by customers.

Local school districts select participating students based on the likelihood for success using this technological learning process and their risk of not graduating because of credit deficiencies. Students can request entry, but the district has to approve the courses for graduation. Students graduate from their home school. Parent involvement ensures the program is agreed to and followed.

The program primarily consists of high school students who are credit deficient and willing/disposed to benefit from the program. They might be receiving homebound instruction, refuse to attend school, or be over the age of compulsory attendance but don't have a diploma. Most are severely credit deficient. There is interest in expanding services to serve middle school students next year.

The design includes delivery of curriculum by the Internet, instructors serving more than one site, teachers at the home school acting as education guides, and parents as partners in the process. The course content is defined so that participating school districts can review courses to ensure a fit with their credit-earning policies. Students use the Internet to access course software and interact through email with a course teacher and other students. The home school, in which the student continues to be enrolled, awards a diploma when earned.

Once the quality is ensured, there is no limit to the number of students, provided enough sites have teachers for instruction and home school supervision. Course student-teacher ratios range from 6:1 to 25:1. Teaching online is a unique function for teachers. They may be online or working on the course from 10:00 p.m. to 1:00 a.m. Teachers spend whatever hours a day are necessary working and responding by email. When they work depends on the best arrangement to get the work done and communicate with students when online.

Student entry is by contract with the home school for course credit. The services include interaction by Internet-taught courses, under the supervision of a local education guide who monitors student progress. Because students can move at their own pace, parents agree and understand that if the student fails to make progress, the program will call them. Most courses equate with a Carnegie unit. The program can arrange for some work or exams to be proctored if the school is concerned about a student's progress. Make use of "hyperlinking" so students can work at the curriculum in the way they find most interesting,

whatever the sequence. For example, some students will work on the final project first, then finish the remaining work.

According to director Mary Lou Ley, the program is too new for assessment, but most students who have enrolled are continuing in school.

Program improvement requires finding and maintaining access to the Internet, which can be challenging because access is determined by each local phone company. In some instances, the project loans computers to families and attempts to get free access to the Internet; in others, parents have to pay.

For any program to succeed, quality must come first. Keep the program small in the beginning. To keep students motivated, resist the pressure to apply traditional rules and expectations to new methods of instruction and processes for learning. When students were asked why they would do their work in the program and not at their home school, the response was, "This is no hassle. I can just do my work. I come here, turn it on, log in, read my assignment, and nobody bothers me. I can move as fast or slow as I want."

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# Selected Vignettes of Post-Expulsion Services in Wisconsin

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During the 2000-01 school year, information for the following vignettes was collected by phone conversations, during consultations, school district reports, telephone interviews, and on-site visits. From those sources, 30 districts were identified with enrollments ranging from large to small, expulsions from high to low, and distributed geographically. A telephone poll protocol was developed from research and contacts with the field. DPI Student Services/Prevention and Wellness Team staff made calls to districts in March, April, and May 2001 to talk further about post-expulsion services. The following vignettes of those district policies and practices were developed from the telephone calls and other documents provided by districts.

## Appleton Options for Withdrawn and Expelled Students

The Appleton Area School District serves approximately 15,000 Pre-K through Grade 12 students in a city of 70,000. Three assistant superintendents administer post-expulsion services, each handling about nine schools.

This is the first year of a new program, which resulted from an increase in the number of expelled students and a desire on the part of the board to offer options on campus but away from the school building from which the student was expelled. Currently, the program serves four expelled students. We anticipate that the program will serve about 10 students annually.

For students without disabilities, the program is provided after school for eight hours a week (two hours a night, Monday through Thursday). A teacher hired by the district supervises the students. The academic program is provided at the district alternative school by a computer-based education and communications network offering self-paced, interactive curriculum for secondary and adult students. The district contracts with NovaNET for this curriculum.<sup>26</sup> This is the same program used by the alternative school and three high schools for students at risk. All expelled students are being served; however, depending on the reason for expulsion, some students may only enter the academic portion of the program after they have completed an assessment and services program for such problems as alcohol and drug use. These services take place outside the school.

Students are selected for the program during a pre-expulsion hearing. Some students are referred to the board for an expulsion hearing. Those who are expelled are then referred to this program. Funding for the expelled student program is provided in the normal district budgeting process. The typical student in the post-expulsion program is a high school student expelled for serious drug- and sometimes gang-related violence.

The purpose of the program is to ensure expelled students continue their education. The design of the program provides individualized, self-paced instruction for credit in district-approved courses, using computer software. A teacher supervises the students after school at an alternative school facility. Entry to program by students is through administrative referral. Community agencies provide other support services, as needed. A separate alternative school receives youth with disabilities as an option for continuing their education during an expulsion.

In its first year, it is too soon to provide a formal program assessment, however most students in the program have stayed in school. Even though it is a new program, areas for improvement include expanding the time available to work with students. Flexibility is necessary so students who need significant counseling can start even as they continue their studies.

All four program students are attending regularly. According to Mr. Heunink, the majority are doing very well in the courses. Parents have been very receptive and appreciative of the opportunity for their kids to continue with their education. Timing can be challenging. When a student makes a poor decision at the end of the semester and gets expelled, a semester's credit is lost. This program affords them a chance to stay in school and graduate.

Partnerships with the community are essential. A sustained effort to build these partnerships is key. Another key is teachers who care about and work well with expelled students.

Typically the district will not expel students on a first-offense drug possession; rather the parents are invited in and encouraged to voluntarily withdraw the student. This process affords students the opportunity to receive assessments and counseling, make corrections, and return to school after meeting conditions, thus avoiding a formal expulsion order. A typical withdrawal contract is for a semester. District administration staff monitor student progress during withdrawal contracts.<sup>27</sup> Parents, school, and student agree by contract what services and performance will allow the student to return to school.

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# CESA 1 Alternative School

## CESA Administered Multiple-Site Post-Expulsion Services

Wisconsin Statutes identify a cooperative educational service agency (CESA) as a link between school districts and the state.<sup>28</sup> CESA 1 serves 44 school districts in five counties, including 250,000 children in Southeastern Wisconsin.

The CESA 1 Alternative School Program provides services to all students under an expulsion order. They are referred to the program by districts in their region that have contracted for slots or seats for the program. Eight site-based programs are located across the CESA region. The CESA administers the budget, personnel, and consulting services. Direct instruction and support services are provided at the sites by CESA employees and community volunteers. Students are reported as enrolled in their home school for purposes of state aids, credits, and graduation.

The program has been in existence since 1993 and has evolved to respond to the needs of participating districts. Beginning in 1993, schools needed a place for students at risk of not graduating from high school to abide by laws extending compulsory attendance from 16 to 18 years of age. More sites were added as the districts expelled more students. The newest program, a charter middle school, came about because school boards have difficulty expelling younger students, even when their behavior warranted it. Individual sites try to respond to the diversity, with some sites focusing on special areas, such as emotionally disturbed (ED) student placement. Compared to five years ago, there has been a significant increase in the numbers of expelled students. Annual referrals to the program have increased from one or two students to about 20 students.

Funding for the program primarily comes from school districts that contract for services based on an annual slot or seat cost. Seat price for each of the programs ranges from \$3,800 to \$7,500. The range reflects alternative costs per-pupil for services and staff requirements for instruction. For example, a program that can serve 60 students costs less than one for ED kids, where fewer students are in a program that requires teachers with special skills and licensure. Students participate in the AODA state mini-grant program.

Local districts determine the criteria by which students can be referred or endorsed for selection to participate in the program. In the case of special education students, the home school individualized education plan (IEP) governs services. The profile of expelled students ranges from low performing (less than 5th grade) to very high performing. Expelled students are referred after a range of infractions (drugs, weapons, or threats of violence). Because all referred students are accepted, the profile can change from year to year. About 20 students (5%) in the overall program are under expulsion orders.

The purpose of the alternative program is to ensure students continue their education. It affords an opportunity for expelled students to earn a diploma by taking courses in an alternative setting. In the case of the new charter middle school, the purpose is to give students a chance to prove to the district that they can follow school rules so they can return to school when the order ends. The program has a multi-site design, with the CESA administering the program of instruction and support, with contracts to meet participating district needs for alternative placement of students at risk and expelled.

Entry to the program involves receiving a notice form the home school that a student is being referred. CESA staff invite the student and family to the CESA for a meeting to discuss the program and contract. The school, parents, and student agree to and sign the contract, which establishes basic rules about attending classes daily, respecting others, and not interfering with others' learning. Services include a complete academic program that mirrors the home district requirements for graduation or advancement,

including IEPs for youth with disabilities. The programs employ behavior modification strategies, depending on individual student's needs. Dealing with behavior issues can take as much as half of the day. Examples include anger management, empowerment skills, and appropriate school behavior. Additional components include students serving as tutors with elementary school students, being mentored by adult volunteers from the CESA and local communities, serving lunches at the Milwaukee rescue mission on Mondays, and working in the supervised work-experience program for credit. CESA staff communicate as needed and on a regular basis with home districts, including weekly student attendance, behavior, and academic progress reports by fax and quarterly program reports.

For program assessment, CESA 1 staff collect data on student attendance, credits earned, suspension, and student satisfaction. Expelled student data are not separated. According to Ms. Kwiatkowski and Ms. Thuli, for all students in the program, including expelled students, results include:

- Attendance rates are at 89%.
- The students, on average, earn about 4 credits each semester.
- 90% of students do not experience more than one suspension.
- Student satisfaction with the program is at 99%.
- Graduation and retention rates for the program overall are 80-90%.<sup>29</sup>

There is always a need to improve curriculum and to make it more comprehensive and more flexible in order to meet a wide range of student needs. Another area needing attention is post-high school planning.

Finally, there is a need to further strengthen students' coping and life skills, life style education, tobacco cessation, and so forth. It is a constant struggle to serve well all students who are referred. We try to treat the students as adults, giving them the support and challenging curriculum for a fresh start.

One key factor for a successful program is quality staff. Having staff that want to work with this population of students and want to do this for a living is critical. Districts have done a wonderful job of identifying students who fit the program. Students who are remorseful for their actions, have the ability to succeed in one of the alternatives, and are ready for a second chance do best with the program. It is important to involve parents beyond simply agreeing to contracts. We tend to place more emphasis on health and nutrition areas for middle school and emotionally disturbed students.

Overall the program offers alternatives to a wide range of at-risk students, including students who probably would have been expelled, were it not for this option. The middle school students go back to the home school. Most high school students have exhausted their chances at the home school and will finish their course work in the alternative program and receive their diploma from the home school.

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# Eau Claire Area School District

## McKinley Charter School, Eau Claire

The Eau Claire Area School District is the eighth largest school district in Wisconsin. It covers approximately 200 square miles and includes most of the City of Eau Claire and portions of ten townships. The district enrolls over 11,000 students Pre-K through Grade 12.

Approximately five years ago, as the Eau Claire School District opened the McKinley Charter School, expulsions from the school district averaged 26 students per year. Many of these expulsions were related to anger management issues, gang involvement, or students' immersion into the culture of drugs and violence.

The McKinley Charter School is one of the options on a continuum of services designed to help students achieve success during their K-12 public education experience. In addition to McKinley, the district operates multiple programs for at-risk students and an alternative school with CESA 10 and the Chippewa Valley Technical College.

The McKinley Charter School provides outreach services to incarcerated students, educational services for homeless students, and basic competency education and skills for students who are severely credit deficient.

The McKinley Charter School served over 1,000 students in 2000-01. Among them were students who have been allowed to return to school earlier than their original expulsion orders allowed.

As mentioned above, the McKinley Charter School was developed to provide additional options to students who had failed in a traditional school setting. With up to 1,000 students again expected to receive educational services in 2000-01, a wide range of issues have been identified and a range of services will be provided to meet their needs.

Parents are involved in establishing the educational planning and services of students who are referred to McKinley from elsewhere in the district. Students who have been removed from locked psychiatric units have achieved their high school diploma after enrolling. These two examples (*parent involvement in program planning* and a *comprehensive discipline model to foster self-control*) point out the central philosophy of the school: to individualize the services provided to best meet the needs of each student.

Funding for the programs comes from a variety of sources. The students receiving outreach services while incarcerated generate state tuition reimbursement of costs; jails and secure detention facilities are considered "children's homes" according to a departmental interpretation of the statutes and case law. State tuition reimbursement provides funds from a "sum certain" rather than a "sum sufficient" appropriation; therefore, not all costs are covered for these services.

A strong gauge of program success has been the reduction in original expulsion orders entered because of the preventative nature of the program services. McKinley Charter School Principal Holly Hart indicates the district expects to expel 12 students during the 2000-01 school year.

Additionally, students are not just being engaged, they are completing their educational programs and are earning diplomas. Students who had previously been classified as dropouts have been returned to the rolls and have generated state aids by increasing the student count.

Critical to McKinley Charter School's success is an open and nurturing environment. As much as the culture is critical to the success of McKinley, the collaboration from partners in the community is just as important. Principal Hart suggested that one additional service the state could provide would be to offer a structured, supervised living environment for some students in the program. Treatment foster homes licensed and funded by the state could greatly increase students' chances for school and life success.

The school can take care of students during school hours, but sustained community commitment is needed. For example, many students in the program require mental health services, foster care, and drug and other alcohol abuse treatment. Waiting until the child turns 17 and letting the state assume these costs is problematic. County social services provided a staff person to work with the program for a few years, but other priorities reduced this commitment. Students with severe needs continue to come to the program, and services for them are lacking.

In summary, the option for early reinstatement following expulsion reconnects these students to the curriculum well before they otherwise would have been had they served the full term of expulsion.

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## Holmen's Multi-Services Plan for Expelled Students

The Holmen School district is made up of six village, town, and city municipalities covering 88.5 square miles. The district enrolls 3,040 students in Pre-K through Grade 12.

In the Holmen School District, post-expulsion services are provided through a combination of school and community personnel. The program serves all expelled students, including non-special education students. Each program of services is tailored to meet the individual needs of the student, with the ultimate goal of helping each student make adequate yearly progress to advance in school.

The goal of providing post-expulsion services is to assist students in advancing in school skills while under an expulsion order. School personnel provide and implement curriculum, meet with the student and parents, and update student progress. They coordinate services with counselors, administrators, and community agency representatives, including police liaisons, tutors, treatment program professionals, and other parties/agencies involved in the expulsion of the student. If the student is employed, a teacher from the school district may act as a job coach, keeping in contact with the job site. If a parent chooses to home school their child, the school offers curriculum material. The school's policies and guidelines, if followed, allow the student to receive credit.

Other services provided via community agencies include counseling, police liaison transportation (for violent students), after-school and class tutoring (some of which is provided by college students), treatment programs, and high school equivalency diploma (HSED) preparation at the local technical college. Enrollment in the Reads Clinic, a private group at UW-La Crosse that works on reading skill levels is also an option. The alternative school in the district has an in-school anger-management program. If students complete the requirements of the expulsion order, early readmission is possible. Funding is provided by the school district.

The Holmen School District provides appropriate education for all students. Student achievement arises from continuing to seek out extended services in the community. A highly important element for successful post-expulsion services is to schedule time after the expulsion to discuss programming with parents.

Kathy Mulliner, pupil services coordinator at the Holmen School District, identified three items that would help to improve post-expulsion services:

- funding for security concerns in the school environment,
- more specific guidelines and expectations from the Department of Public Instruction, and
- clarification of expulsion hearing dates as they relate to the school year.

The School District of Holmen has developed and implemented several safe-school policies, an alternative school, discipline and attendance procedures, police liaison services, and other services that have the effect of decreasing the need for "last chance" strategies. Ongoing and intense involvement of school and community agency personnel with students who violate school rules and with their parents is key to clearly interpreting behavioral standards. Students are expected to abide by these standards, thus preventing loss of school time due to expulsion.

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# Ladysmith-Hawkins Area School District

## **Ladysmith-Hawkins HSED, PASS, Alternative School Options for Expelled Students**

The Ladysmith-Hawkins School District ranks 180th in enrollment size among Wisconsin's 426 school districts. The district enrolls 1,183 students Pre-K through Grade 12.

The Ladysmith-Hawkins Board of Education is committed to an education component after an expulsion order. Expelled students are offered a combination of services from the district and the local technical college. A wide range of services are provided, depending on the specifics of the expulsion order. In the past two years, 10 students have been expelled from the Ladysmith-Hawkins School District, whose profiles range greatly—from honor students to those at high risk of failure.

The purpose of the program is to include some type of educational component in order for expelled students to earn credits or a high school equivalency diploma (HSED). The district feels it is important for students to experience a consequence for their actions, recognize the importance of education, and work to obtain credits.

Expelled students have several options in the Ladysmith-Hawkins School District. One option is the HSED track through the local learning center, provided by the technical college. This option is provided to those students who are at risk of expulsion, dropping out, or failure as well as to those who have been expelled. Another option is the after-school program, which meets two nights per week. The Portable Assisted Sequence Study (PASS) program for students who have failed in the classroom and need to make up credit is also an option for expelled students. New to the district this year is the alternative school. No students have been placed there yet, but it is an available option.

Funding is currently provided by the school district's general fund. The program was originally funded by a grant written by the district administrator, who saw a need for a way to retain students at risk of dropping out.

The program is successful because expelled students are able to obtain credit and stay on track for graduation. In addition, services are provided to those at risk of expulsion, dropping out, or failure. According to the program's coordinator, Kurt Lindau, an additional night per week of the evening program would be beneficial (three nights rather than two).

The after-school program, alternative school, HSED track, and PASS program are all available to students at risk for expulsion, dropping out, or failure as well as those students who have been expelled.

A key factor for a successful program is to make it advantageous to more than just expelled students—students at risk of expulsion, dropping out, or failure can also benefit from services to ensure the educational progress of students after an expulsion order.

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# Menominee Indian School District

## **Menominee Indian School, Community, and Tribal Support for Expelled Students**

The State of Wisconsin established the Menominee Indian School District in 1976. The boundaries encompass the Menominee Indian Reservation, making it the only public school district in the state to be located entirely on Indian lands. The district enrolls 1,060 students Pre-K through Grade 12.

The emphasis of the programs provided by the Menominee Indian School District (MISD) is to provide continuing service to students identified as children with disabilities who otherwise would have dropped out or been expelled without services. District policy and tribal law requires following services for all expelled students.

In recent years the number of students identified with disabilities has continued to rise. At the same time, behavioral problems increased, and few of these students graduated from high school. To address these problems, the district has undertaken a number of interventions.

For students facing expulsion due to weapons and drug infractions, a manifestation hearing is held. After determining whether the handicap manifested itself in the behavior in question, the school district decided on a course of action. For students requiring a change in placement, tutorial services were provided by Sister Charlotte at St. Anthony's. Additionally tribal and/or county social services provided by a social worker to address other social/emotional issues of both the student and the family.

Tutorial services are also offered on a home-bound basis and at the library during after school hours for students otherwise separated from the curriculum. These students are also provided services through Tribal Adult Education under a Memorandum of Understanding. Students may also attend one of the North Central Technical College campuses through a contracted arrangement with the district.

Finally, alternative services for students who are credit deficient but not otherwise excluded from the curriculum are provided at the district's alternative school. Approximately 7-8 students in each of two shifts take advantage of this option.

As mentioned above, the purpose of all of the interventions is to assist students who are handicapped and/or who would otherwise be excluded from the curriculum by virtue of being expelled or dropping out to receive a high school diploma or an equivalent credential.

The design is multi-faceted; a number of options can be pursued depending upon level of credit deficiency, nature of the behavior, and level of motivation of each individual student. Placement in a home-bound course of study, in the tribal school, or in the alternative school, or contracted services with the technical college are all options on a continuum of service. Additionally social services are provided to students through either the tribal council or through the county.

According to MISD Special Education Director Dan Hinkfuss, until recently few of the students with handicaps who experienced behavioral problems or credit deficiencies could be remediated. They regularly left the K-12 system without a diploma. With the addition of these services, the district expects to graduate 7-9 of these students this year.

In addition to providing the options along a continuum of service to match the needs of individual students, the district has found that success has come from a philosophy of not giving up on any student.

One of the strategies employed in providing the described services is in managing the classroom or the teacher/student relationship. The district employs the "Boys Town" disciplinary program. Staff are trained in these methods of progressive discipline in order to consistently reinforce rules. Staff are either sent to Omaha to receive this training or trainers are contracted to teach this model to staff on-site.

The district works with local law enforcement to conduct locker searches, employing drug-sniffing dogs in order to prevent the use or possession of both drugs and weapons before more serious behaviors are displayed. The district also is active in local collaborative efforts to prevent alcohol, tobacco, and other drug use among its students.

On the other end of the continuum of services are not only the educational options described above, but also the provision of social services by local agencies. This combination has resulted in success for a number of students who otherwise would have left MISD without a diploma or the life skills necessary to be successful.

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## Milwaukee Public Schools, School and Community Services for Expelled Students

Milwaukee Public Schools (MPS) serves about 11% of school age children and youth in Wisconsin. MPS lists seven grounds for expulsion, including “for possession only” of illegal drugs and alcohol, knives and other weapons, or for noncategorized incidents. These reasons restate Wis. Stats. §120.13 (1)(c) 1. and 2. The MPS policy is to recommend educational services for expelled students following their written policy (for example, repeated violations of school rules). No educational services are recommended for students whose violation is within the same category but is more serious or severe (for example, distribution of drugs rather than possession or when a student poses a danger to students, staff, and/or the partnership school community, as determined by the administration). When no educational services are offered, the student receives no support services, and the board provides no early reinstatement conditions. The independent hearing panel and the board have the authority to decide on a case-by-case basis to provide (or not provide) services to any expelled student.

MPS student expulsion statistics for the 1999-2000 school year indicate that of 180 cases, 79 (44%) were assigned to one of the MPS Alternative/Partnership Schools (Career Youth Development School of Excellence, Aurora Weier Educational Center, Southeastern Success Academy, St. Charles Youth and Family, Lad Lake Synergy North/South, or Kilmer South Alternative High).<sup>30</sup> Other placement examples include three “options” schools for over-aged middle school students, each serving about 200 students.<sup>31</sup>

The district’s program has changed over time in response to school and community needs. Twenty years ago, the board was hearing all expulsion cases. Only a few students were expelled, and providing them academic and support services was the exception. The program evolved with pressure on the board to make schools safe and drug free and yet provide educational services to expelled students. In the past if a student possessed less than one gram of marijuana, the case was handled during a central services conference and most likely resulted in a school reassignment. The current policy is to recommend expulsion regardless of the amount. Change in Wisconsin law allowed for a hearing panel or hearing individual to decide expulsions on behalf of the board. MPS established hearing panels for expulsions as the number of expelled students reached almost 30 a year. About ten years ago, pressure from the community to get kids off the streets encouraged expanding the program from a half-day to a full day. To handle the workload, the district created an administrative position to review referrals, recommend advancing cases to the hearing panel for possible expulsion, and provide placement for all expelled student, except those who commit the most serious offenses.

Funding for the MPS alternative schools is provided by the regular school district program and budgeting process. For community-based entities, funding is provided by other sources and through MPS contract funds for seats in their programs.

The purpose of the program is to provide educational services and support services to students during the expulsion period and to ensure they will complete their high school education or course requirements. The program design includes an administrative screening to determine if sufficient evidence is present to warrant entering a student in the expulsion process or for administrative reassignment. If a student is expelled, MPS can take three actions: (1) place a student in an MPS alternative school, such as Kilmer South; (2) place a student in a community-based partnership school; or (3) expel the student without services. MPS contracts with partnership schools for student seats in their programs. Partnership schools agree to serve expelled students and provide other support services as appropriate. Partnership schools have at least one MPS teacher present.

The first two options afford students the opportunity to earn units or credits toward high school graduation or grade completion. Both programs provide support for the needs of students, (for example, anger management, making responsible choices, alcohol and other drug information/counseling). Of expelled students, 75-85% are in the first two categories. The third action is to expel the student without services due to the seriousness of the offense. While members of the school board, community agencies, and city hall have encouraged MPS to provide services for all expelled students, to date no community system has been developed that provides a consistent program for the students who are expelled without services.

Entry to the program is determined by central office administrative review. The district tries to provide or contract for options in a variety of locations near students' homes to reduce travel time for students in the alternative programs. Services include academic instruction to earn units or credits toward high school graduation or grade completion and support services related to the reason(s) for the expulsion.

According to MPS Student Services Director Aquine Jackson, overall program assessment indicates a very low recidivism rate for expelled students. Parents are especially grateful for the opportunity to allow their children to complete their high school education or course requirements. The partnership schools have to meet the same type of attendance reporting as regular schools. According to MPS staff, end-of-year reports for alternative/partnership schools indicate attendance rates at alternative settings in MPS are comparable to attendance rates in traditional schools.

The program improved significantly in the eyes of the community when it became a full-day program and could keep expelled students off the streets. There are always questions about how well the program is working. Examples of areas in need of improvement include: 1) teaching appropriate choices; 2) providing the social services students need; and 3) getting the support staff (that is, social workers or school psychologists) needed by students in the program. We have had to ask for more resources to contract for more seats, so funding is always an issue.

Several factors lead to a successful program. Of particular importance are: maintaining small class sizes (student-teacher ratios of 15:1), providing a full-day program, ensuring students can receive units or credits leading to high school graduation or grade completion, and providing intervention/prevention programs to address issues that led to placement in the program.

This program offers a last chance for some 500 students each year who are referred for possible expulsion. For more than half of the students, the decision is administrative reassignment to another school rather than expulsion. The other students are referred to the expulsion hearing panel. Of those students, most will be placed in MPS alternative schools or community-based partnership schools to ensure their educational progress and to receive support services. MPS alternative programs are available as an option for students who are at-risk or expelled. For example, the Milwaukee *Catalyst* report on services to suspended and expelled students by the Phoenix Program noted, "The Phoenix Program provides school placement options for students who probably would have been expelled in the past."<sup>32</sup> MPS believes that offering educational services to most expelled students addresses the educational needs of the student as well as the concerns of the community.

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## A Community-Based Storefront Alternative School in Wausau

Currently located above retail shops in downtown Wausau, the Storefront Alternative Learning Center has existed since 1972. Legally a private school issuing its own diploma, it has evolved to respond to the needs of students who are bigger risk-takers and have more challenging life circumstances. Most students attend from their sophomore through their senior year. They formally withdraw from their home schools and enroll in the Storefront. Three full-time staff and a part-time secretary work with about 30 students. Of those, one or two are expelled students.

Funding for the program is provided by the North Central Community Action Agency in Wausau and the United Way. Occasionally, grants are written for special equipment or other needs and funds captured through local churches and community-based foundations. Finally, the Storefront contracts with Wausau School District for six slots at \$2,100 each and with other districts such as Wittenberg-Birnamwood School District to pay tuition for a single student who needs an off-campus smaller learning environment.

Local districts determine the criteria by which contracted students are referred to the program. At-risk youth, special education (LD, ED) students, and those under expulsion orders are accepted. Referrals also come from social services, Juvenile Court, and by student self referrals. The profile of contracted students depends on the decisions of sending agencies. All are at-risk. Many students are used to pushing to get what they want. Program staff effectively reduce tensions with students by proactively responding to student confrontations and directing the energy into students meeting their own goals.

The overall purpose of the alternative program is to ensure students continue their education. Most who attend will earn the Storefront's private school diploma. Some return to their home school, depending on the contract with the school and the parent/student's decision. The Storefront design offers a full academic program, a community service requirement, and close interaction with adults and students at the school. It has a student-teacher ratio of 10:1. Entry to the program follows an interview with the student and parents and agreement about expectations for the student's behavior and schooling. The program provides links to community services necessary for student success.

Program assessment is based on anecdotal accounts by veteran staff and data reports of student performance, enrollment, and graduation. According to Mary Jacks, students clearly bond with teachers at the Storefront, returning later to report how they are doing after leaving or graduating. There is a need to improve salaries of the teachers for the program, because the school cannot attract new qualified teachers. This has not been an issue in the past, but the current staff has been with the program from the beginning. The question is how to maintain the program when they eventually retire.

One original founding teacher and two teachers employed the next year still run the program. The key is a staff that "just plain love these kids" and will do what they need to do to help them. Working with these students is intense—you have to give it 100%. If too many students are involved, that's hard to do. Building close family-like ties requires keeping the numbers small.

Overall, the program offers alternatives to a wide range of at-risk students, including students who probably would have been expelled, were it not for this option.

## Contact Information

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# Summary and Suggested Next Steps

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This paper provides a sample of key issues in research, policy, and practice for offering educational opportunities to expelled students. It sets the stage for further analysis of expulsion data and discussion for ensuring all students have an opportunity to progress in their education during each step of the expulsion process or while under an expulsion order. This section provides summary information and suggestions for next steps.

## Summary

Free public education is an individual's right and the state's responsibility. In 1998, more than 3.1 million children in America were suspended and another 87,000 were expelled. The challenge touches a wide range of students, but the burden falls hardest on poor students, who are disproportionately from urban and minority families. Current events challenge school boards to find a balance between each student's right to free public education and every student's right to a safe and drug free learning environment. In Wisconsin, the number of expelled students more than tripled from 1990 to 1998. Increasing numbers of expelled students and concerns for students expelled for even small infractions under "zero tolerance" have prompted districts, states, and the U.S. Department of Education to reconsider the policy and practice of expulsions.

Like most states, Wisconsin does not require public schools to provide educational services to expelled students, except for those with a disability. However, many schools provide academic services to students who are expelled.

The sample of programs described in this paper offers a variety of approaches to the challenge of balancing safe schools and educating all students. They differ in how they are funded and the ways in which they support students and keep them connected to the curriculum. They differ in where the service is offered. Some are alternative schools on campus, others are off campus, and still others share a regional campus. Some accept students in community storefront private schools or public charter schools. Some make use of the Internet and computers to deliver instruction. These programs demonstrate that districts large and small, in programs on and off school campuses can successfully offer educational opportunities to students expelled from public schools in Wisconsin.

Promising practices exist for ensuring educational progress of expelled students, among them are national demonstration projects funded by the federal Safe and Drug Free Schools and Communities Act, state laws requiring continuing academic services for expelled students (Colorado and Nebraska), and state demonstration projects for alternative programs (Wisconsin). Rapidly emerging public and private entities offer curriculum and instruction by Internet. Evidence from the selected sites reported in this paper suggest lessons learned from starting, maintaining, and growing a program to serve expelled students. In practical terms, these factors reinforce, or augment, research and policy recommendations.

In general, programs offering educational opportunities to expelled students are likely to be enhanced by legislation and when specified as an option in school board policy. Additional key factors include:

- Administrators actively involved in selecting and monitoring student referrals, progress, and results.
- Sufficient resources must be provided within the normal district or private school budgeting process, augmented by outside grants and contracts.
- The community and school must support needed academic and support services.

- The program's design must offer opportunities for students to finish credits, courses, and requirements for high school graduation.
- The expectations for attendance and achievement in alternative settings must be comparable to district standards.
- Faculty selected must work well with the diversity of referred students.
- Gains must be monitored by parents, programs, and the district.
- Students must be able to seek (and find) help either on campus, at alternative schools, in the community, or in private schools.

Each school district defines its policies within their legal powers. Details of how, when, and where expelled students will continue their education depends on the resources and attitudes of the community and local elected school boards.

## **Suggested Next Steps**

School districts in the State of Wisconsin are required to report new information beginning in the 2000-01 school year. The data will establish a statewide baseline for what all schools are doing to ensure educational progress of all expelled students, including those without disabilities. School districts will report whether pupils return to school after their expulsions and the length of the expulsion. Expanding into the area of separation from the curriculum (but not expelled), DPI will require districts to enter the number of pupils subject to multiple, short-term suspensions totaling more than ten days. This data needs to be reviewed for patterns that identify areas of concern as well as those showing promise. Special attention needs to be paid to disproportionate suspension and expulsion trends based on key factors such as residence, race, ethnicity, poverty, and gender.

What is needed is a communication network for schools not providing services to join together for in-depth conversations with those that do. Capacity-building activities designed for sharing successful strategies need to be offered to schools. Expectations and monitoring need to establish a goal for all students to be educated, even when expelled, in order to afford them the opportunity of further education, training, citizenship, and careers.

# Endnotes

- <sup>1</sup> *Universal Declaration of Human Rights* (Geneva: Office of the United Nations High Commissioner for Human Rights, United Nations Department of Public Information, 1998). <http://www.unhcr.ch/udhr/index.htm>
- <sup>2</sup> *Brown v. Board of Education* 1954: 347 U.S. 483, 74 S. Ct. 686
- <sup>3</sup> Wisconsin Constitution, under Article 10, Section 3, establishes a child's right to an education. The requirement of the local school district to provide free public elementary and secondary education to resident children is stated in §121.77(1), Stats., as follows: "Every elementary school and high school shall be free to all pupils who reside in the district." Both the *Thayer* decision and §121.77(1), Stats., apply to children who are residents of Wisconsin and the district.
- <sup>4</sup> Wis. Stats. §118.15. Compulsory attendance.
- <sup>5</sup> Federal Gun-Free Schools Act of 1994 (20 U.S.C. Chapter 70)
- <sup>6</sup> T. N. Thornton et. al. *Best Practices of Youth Violence Prevention: A Sourcebook for Community Action*. Atlanta: Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, 2000.
- <sup>7</sup> P. Hair et. al. *Opportunities suspended: The devastating consequences of zero tolerance and school discipline*. Washington, DC: The Advancement Project, and Cambridge MA: Harvard University, The Civil Rights Project, 2000. [http://www.law.harvard.edu/civilrights/conferences/zero/zt\\_report2.html](http://www.law.harvard.edu/civilrights/conferences/zero/zt_report2.html)
- <sup>8</sup> American Bar Association, annual meeting, February 19, 2001  
[http://www.jlc.org/home/updates/updates\\_links/ABARESOLUTION.htm](http://www.jlc.org/home/updates/updates_links/ABARESOLUTION.htm)
- <sup>9</sup> Wisconsin Department of Public Instruction School Performance Report. Madison: DPI, 1999.
- <sup>10</sup> Wis. Stats. §120.13. School board powers.
- <sup>11</sup> [www.dpi.state.wi.us/dpi/dlsea/een/bul00-02.html#Q25](http://www.dpi.state.wi.us/dpi/dlsea/een/bul00-02.html#Q25).
- <sup>12</sup> National Coalition of Advocates for Students (November 1998), Zero tolerance raises equity concerns across the nation, <http://www.ncas1.org/mfeneews5.htm>
- <sup>13</sup> Balfanz, Robert, and Nettie Legters. "How Many Central City High Schools Have a Severe Dropout Problem, Where Are They Located and Who Attends Them? Initial Estimates" Paper presented at the Civil Rights Project and Achieve Inc. Conference on Dropouts in America, Harvard University, 2001.  
<http://www.law.harvard.edu/civilrights/publications/dropout/balfanz.html>
- <sup>14</sup> R. Skiba et. al. *Color of Discipline: Sources of Racial and Gender Disproportionality in School Punishment* Policy Research Report #SRS1, University of Nebraska -Lincoln, The Indiana Education Policy Center, June 2000. <http://www.indiana.edu/~iepc/>
- <sup>15</sup> *Wisconsin Department of Public Instruction At a Glance*. April 1999, volume 1, numbers 1 and 2.
- <sup>16</sup> Brenda L. Townsend. "The Disproportionate Discipline of African American Learners: Reducing School Suspensions and Expulsions" in *Exceptional Children* 66, (2000), pp.381-91.  
<http://www.ideapractices.org/ideadepot/disproportionate.htm>
- <sup>17</sup> Wisconsin Department of Public Instruction (August 1996) Wisconsin State Superintendent's Expulsion Task Force: Final Report and Recommendations. Madison: DPI, p.11.
- <sup>18</sup> St. Cloud School District. *Effective Alternative Strategies* (brochure). National Demonstration Project to Reduce Suspensions, Expulsions, and Ensure Educational Progress of Suspended and Expelled Students. St. Cloud, MN: SCSD, 2001.
- <sup>19</sup> Colorado Foundation for Families and Children. 1999 <http://www.coloradofoundation.org/programs.asp>) Also, Baker, Myriam. "Evaluation of Colorado's In-School Suspension and Expelled Students Programs." home page project notes, 1999. <http://www.coloradofoundation.org/programs.asp>
- <sup>20</sup> <http://www.nde.state.ne.us/LEGAL/RULE17.html>
- <sup>21</sup> For more information about DPI-funded Alternative Education grants, see:  
<http://www.dpi.state.wi.us/dpi/dlsis/edop/alted.html>)
- <sup>22</sup> Wisconsin Charter School Law, Wis. Stat. §118.40 and <http://www.dpi.state.wi.us/dpi/dlsea/edop/charter.html>.
- <sup>23</sup> Machine Dreams, Inc. Poll data for the WDPI Conference for Pupil Services and Special Education Directors. Madison WI. Fall 2000.
- <sup>24</sup> Wisconsin Association of School Boards, "Expulsions Issues, Excerpts from WASB Policy Perspectives. December 20, 2000.
- <sup>25</sup> Wisconsin Department of Public Instruction. Directions for the 2000-2001 school year for additional data required from Wisconsin school districts in their annual School Performance Report. 2001.

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<sup>26</sup> NovaNET is a comprehensive computer-based education and communications network that offers thousands of hours of self-paced, interactive curriculum for secondary and adult students <http://www.novanet.com/>

<sup>27</sup> Appleton Area School District. *Expulsion and Withdrawal Data Sheet 1998-2000*. Appleton, WI: AASD, 2000.

<sup>28</sup> Wis. Stats. § 116.01. Purpose of Wisconsin cooperative educational service agencies.

<sup>29</sup> Alternative Program Data 1993-2000 [www.cesa1.k12.wi.us/StudentServices/altedatrisk.html](http://www.cesa1.k12.wi.us/StudentServices/altedatrisk.html)

<sup>30</sup> Milwaukee Public Schools. Document on alternative schools, placement of expelled students, no date, p.3

<sup>31</sup> Milwaukee: Milwaukee Catalyst. *Beyond suspensions: Safe & Orderly Schools That Educate All Students*. 2001, p. 21.

<sup>32</sup> Milwaukee Catalyst, op.cit.



# Web Resources

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<http://www.dpi.state.wi.us/dpi/dlsea/een/index.html>. Click on "Disciplinary Action Advisor." The Department of Public Instruction (DPI) has developed a unique internet-based system to guide schools through the discipline requirements of special education students and students not in special education.

[http://www.ed.gov/offices/OESE/SDFS/altst\\_2000.html#snap](http://www.ed.gov/offices/OESE/SDFS/altst_2000.html#snap) Federal demonstration projects to reduce suspensions and expulsions and ensure educational progress of expelled students.

<http://www.dpi.state.wi.us/dpi/dlsis/edop/alted.html> DPI Alternative Education grants.

<http://www.dpi.state.wi.us/dpi/dlsea/sit/csrintro.html> Federal/DPI Comprehensive School Reform Demonstration projects.

<http://www.ed.gov/PressReleases/10-2000/100400a.html> Federal projects for smaller learning communities to reduce risk of dropping out.

<http://www.safetyzone.org> National resource center for safe schools.

[http://www.air.org/cecp/resources/safe&drug\\_free/main.htm](http://www.air.org/cecp/resources/safe&drug_free/main.htm) Resource technical assistance center for safe and drug free schools and special education issues related to student behavioral problems.

[http://www.Colorado.EDU/cspv/blueprints/model/ten\\_bully.htm](http://www.Colorado.EDU/cspv/blueprints/model/ten_bully.htm) Colorado site for information and strategies related to bullying.

<http://www.law.harvard.edu/civilrights/publications/dropout.html> Current research on dropout prevention.

<http://www.jointogether.org> Youth funding.

<http://www.samhsa.gov/csap/index.htm> Curriculum.

<http://www.drugabuseprevention.com/ds/> Curriculum.

<http://www.Colorado.EDU/cspv/> Violence prevention.

<http://interact.uoregon.edu/ivdb/ivdb.html> Violence prevention.

<http://www.ncjrc.org/> Violence prevention.

<http://WWW.KEEPSCHOOLSSAFE.ORG/> Violence prevention.

<http://www.cdc.gov/tobacco/pubs1.htm#secrets> Free tobacco cessation information and resources.

<http://www.drugstats.org/eduweb.pdf> Conference report linking drug abuse prevention and achievement.

[www.rspublishing.com/TexasRsearch.html](http://www.rspublishing.com/TexasRsearch.html) Successful Texas School-wide programs: Research study summary.

[www.ed.gov/pubs/turning](http://www.ed.gov/pubs/turning) Turning Around Low-performing Schools: A Guide for State and Local Leaders USDOE.

[www.aft.org/edissues/rsa/guide/index.html](http://www.aft.org/edissues/rsa/guide/index.html) Raising Student Achievement: A Resource Guide for Redesigning Low-Performing Schools American Federation of Teachers.

<http://www.preventionnet.com> Research-based information about drug and violence prevention.

<http://www.dpi.state.wi.us/dpi/dlsea/sspw/classman.html> This DPI guide to classroom management and student discipline provides a framework for creating schools that are safe, orderly, and engaging places for all children to learn. It is filled with effective programs, strategies, and activities being used by Wisconsin educators.



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