



STATE OF MICHIGAN  
DEPARTMENT OF EDUCATION  
LANSING



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SUPERINTENDENT OF  
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July 24, 2006

**MEMORANDUM**

**TO:** State Board of Education  
**FROM:** Michael P. Flanagan, Chairman   
**SUBJECT:** Report on Keeping Kids in School

On June 13, 2006, the State Board of Education reviewed several options state policy makers should consider that have the potential for making significant structural changes in the educational community, resulting in reduced drop out rates, truancy, and increased graduation rates. In addition, the State Board encouraged the Legislature to pass legislation that would require local school boards to adopt and implement an anti-bullying policy and to call upon the State Board to develop and approve a model anti-bullying policy. These efforts, along with implementing positive behavioral support and a Model Anti-Bullying Policy, foster positive, pro-social interactions between students and adults. These combined efforts provide a strong method for improving school climate, improving student behavior, creating positive relationships between students and adults, decreasing student disciplinary referrals, and preventing bullying, harassment, and intimidation.

Students thrive in schools that equally provide challenge and support. When schools achieve a balance of these two goals, schools find an increase in appropriate student behavior when they have emphasized respect, positive behavior supports, and proactive approaches to prevent disruptive and dangerous behaviors. Students who experience a school community in which each member models respect and responsibility have the best chance to internalize these values

The following outlines recommendations and actions that the State Board of Education and Michigan Legislature should consider in order to increase the likelihood that more students will bond to their school community and may be less likely to be suspended or expelled.

**It is recommended that the State Board of Education approve the Report on Keeping Kids in Schools as described in the Superintendent's memorandum dated July 24, 2006.**

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## Keeping Kids in School

The State Board of Education is very concerned about K-12 students who are not in school. Students who drop out of school, who are truant, or who miss extended periods of class time are not going to succeed in the 21<sup>st</sup> Century. The State of Michigan cannot simply ignore this problem. A child who falls in one of these categories is, in all likelihood, not going to succeed.

This report is an effort to review long-range policies, made at various levels of government that will encourage our students to get the education they need. There is a need to create positive relationships between students and adults and between students and students. There is a need to improve school climate and student behavior. While bullying cannot be tolerated, simply throwing a young bully into the streets is not an answer; such an approach creates a crisis waiting to happen.

There are students that get into trouble. Schools, working with parents, need to find ways to work with these young people to help them become good students who can meet the high school graduation requirements. There are also many students who simply learn in an alternative environment. Part of the rationale of the newly adopted High School Graduation Requirements is to help allow for this kind of flexible approach. School districts need to build the kind of flexibility in their education programs to ensure that all students can meet our education challenges. These challenges will not be met if students are not in school.

The following pages outline recommendations and actions that the State Board of Education, the Department of Education, and the Legislature should consider in order to increase the likelihood that more students will bond to their school and remain in a position to graduate from high school. These combined efforts provide a strong method for improving school climate, improving student behavior, creating positive relationships between students and adults, decreasing student disciplinary referrals, and preventing bullying, harassment, and intimidation.

### AREAS OF EFFORT

#### 1. SCHOOL CLIMATE – A school must be safe and students need to feel secure to learn.

##### ***State Board Action – Policy:***

- (a) Review Policies on Bullying (July 2001).
- (b) Adopt a model policy prohibiting harassment and bullying at school.
- (c) Continue to support the Policies for Creating Effective Learning Environments (December 2000). The policy recommends that school personnel model appropriate behavior.
- (d) Continue to support the Policy on Quality Character Education (June 2004). The policy recommends that schools support ethical action and social skills development. The school is encouraged to engage families as partners to promote a caring school community.

- (e) Continue to support the Policies on Safe Schools (May 2000). The policy recommends proactive approaches to safe school environments, access to programs and options to youth at risk for academic failure, and post-traumatic supports for students and staff.
- (f) Continue to support the universal education vision and principles.

***Department of Education Action:***

- (g) Develop a guidance/resource document that encourages a positive school climate and more proactive approaches to student discipline. (The guidance resource document is intended to be a companion to the Model Code of Student Conduct listed in 2(a).)
- (h) Provide website access to resources and information on a positive school climate and proactive approaches to student discipline.
- (i) Consider and support future recommendations on high school reform to promote the importance of rigor, relevance, and relationships.

***Legislative Action:***

- (j) Amend the Revised School Code to require districts to adopt a policy prohibiting harassment and bullying at school (House Bills 4026, 4581, 5616 and Senate Bills 44, 369, 1012 and 1156).
- (k) Amend the State School Aid Act to fund pilot or model programs such as positive behavior supports, methods such as transformative conferencing (offenders and victims and supporters explore consequences), and re-entry initiatives to help suspended or expelled students become engaged in school and achieve academic success.
- (l) Amend the State School Aid Act to allow training such as positive behavior support and transformative conferencing to count toward hours of professional development time that may be counted as pupil instructional time (MCL 388.1701).

**2. SUSPENSIONS AND EXPULSIONS – Existing state laws exceed federal requirements and have yielded unintended negative consequences.**

***State Board Action - Policy:***

- (a) Revise the Model Code of Student Conduct to include procedures on due process and reinstatement that are not currently included. Parents should know their rights and educational options for their children. The U.S. Supreme Court ruled that districts must provide due process for short and long-term suspensions and expulsions (*Goss v Lopez*, 1975). (The guidance resource document listed in 1(g) is intended to be a companion to this Model Code of Student Conduct.)
- (b) Encourage districts to provide parents of students with information on available alternative education programs and provide referral assistance to other educational options such as virtual learning and Michigan Works (for students 14 and above).

**Department of Education Action:**

- (c) Provide "parent friendly" website access to school expulsion data and school safety data.

**Legislative Action:**

- (d) Amend the Revised School Code to eliminate permanent expulsion requirements in existing state laws that exceed federal legislation. (This change would not eliminate local district authority to suspend or expel students.)
- (e) Amend the Revised School Code to require a petition of reinstatement process to be available for non-mandatory expulsions.
- (f) Amend the Revised School Code to allow districts the flexibility, under certain circumstances, to include non-expelled students in alternative programs with expelled students.
- (g) Amend the Revised School Code to require districts to provide parents of students with information on available alternative education programs and provide referral assistance to other educational options such as virtual learning and Michigan Works (for students 14 and above).

**3. ATTENDANCE – Students must be in school to learn.**

**State Board Action - Policy:**

- (a) Continue to consider the vision and principles of Universal Education in relationship to increased school attendance.
- (b) Continue to consider the recommendations of high school reform in relationship to increased school attendance.

**Department of Education Action:**

- (c) Amend the administrative rules governing pupil accounting to require local districts to report the number of unexcused absences by a student quarterly (in a form and manner prescribed by the Center for Educational Performance and Information).

**Legislative Action:**

- (c) Amend the Revised School Code to increase the compulsory school attendance age from 16 to 18 (House Bill 4049 and Senate Bill 4).
- (d) Amend the Revised School Code to require a local truancy policy and allow the Secretary of State to suspend a driver's permit or license of a student who is truant (House Bills 4338-4340).

**4. ALTERNATIVE EDUCATION – Educational/nontraditional options can keep kids in school.**

**State Board Action - Policy:**

- (a) Encourage local and intermediate school districts to provide alternative education opportunities for all students that may need something other than a traditional school environment.

**Department of Education Action:**

- (b) Amend the administrative rules governing pupil accounting to expand home-based education alternative options for expelled students, including virtual classes.
- (c) Amend the administrative rules governing pupil accounting to expand options to allow credit recovery, such as adult education credit, credit through tutoring, testing out after student has taken part or all of a class, and other strategies as identified through high school reform.
- (d) Support the High School Reform recommendations of the Student Support and Intervention action team tasked to increase student engagement and learning.

**Legislative Action:**

- (e) Amend the pupil definition in the State School Aid Act to allow a suspended or expelled student to be counted in membership in another district without requiring a release from the resident district. (Current law allows a suspended or expelled student to be counted in membership **only in an alternative education program** operated by a district other than his or her resident district.)
- (f) Seek funding that would allow the Department to track the effectiveness of strict discipline programs in regards to enrollment of expelled students and returning expelled students to their home district after the suspension or expulsion.