

School suspensions get notice

By VICKI CHENG, Staff Writer

DURHAM -- The number of Durham Public Schools students recommended for long-term suspension has jumped this year, say lawyers who represent the students, in part because of the school system's crackdown on suspected gang activity.

Officials with Durham Public Schools have not released figures on recommended long-term suspensions, despite repeated requests from The News & Observer.

Mark Trustin, a lawyer who has represented Durham students for years, said that a Durham school official told him last semester that the number of students recommended for suspensions of longer than 10 days had reached 195.

"I know it has to be in the 200-plus range by now, easily," Trustin said Wednesday.

Trustin said that those numbers are high, but typically, not all of the recommendations result in suspension. He said about 40 students were given long-term suspensions in 2002-03.

Natalie McKinney, director of N.C. Central University's Juvenile Law Clinic, said requests for the clinic's services have more than doubled so far this year, with one semester to go. In 2002-2003 the clinic represented about 11 students. Last semester it represented 25, although not all of them in long-term suspension hearings.

McKinney said there was "definitely a direct correlation" between the increase and a gang-related fight that broke out at Jordan High School in September, involving about 200 onlookers. She said she thinks the schools are overreacting in cracking down on students suspected of being in gangs.

In October, Durham schools Superintendent Ann Denlinger sent a letter to middle and high school parents and guardians urging "absolutely no tolerance for any gang-related activities, signs or symbols on any Durham Public Schools campus."

McKinney said, "My problem is, what happens to the kids that you incorrectly deem as gang members? Because of the nature of what I do, I require proof beyond a reasonable doubt and not because somebody did some weird hand gesture."

Levi Dawson, a Durham school system employee who hears appeals in suspension cases, said last week that the Jordan High incident, in which about 20 students on one day were recommended for suspension, "sort of skews" the numbers. But when asked how many recommended long-term suspensions there have been so far this year, he replied that "those numbers would have to come through Public Affairs."

Michael Yarbrough, a school district spokesman, said last week the numbers would be available Monday. On Monday, he said the figures were still being collected and would be available Wednesday.

But on Wednesday, he said that the numbers were still being verified by staff members, and he didn't know when they would be released. Neither Denlinger nor Bert L'Homme, associate superintendent of instructional services, returned phone calls this week.

Trustin and David Remington, a recent N.C. Central University law school graduate who also represented several students through NCCU's law clinic, said that on several occasions, school officials have not returned phone calls from parents requesting a hearing about their child's suspension. In the meantime, the children remain suspended, without being able to exercise their rights to a hearing.

Sheryl Smith, whose son, Todd Douglas, was involuntarily transferred to Lakeview School, an alternative school, from Southern High School last semester, said she had to picket outside the school's main administration building before anyone responded to her requests for a hearing.

She's said she's angry that Todd was removed from Southern after an altercation with another student, in which no blows were exchanged, according to a report from a school resource officer. School officials told her that Todd was a member of the Crips gang, but Smith said that they never produced any proof of that and that her child spends all his free time at home under her supervision.

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