



## News

### DPS suspension policy changes

Published Wednesday, November 11, 2009 7:00 am

by [Sommer Brokaw](#)>

DURHAM - Karen Alexander, whose child is one of many black males overrepresented in short- and long-term suspension cases, is crying out for policy change.

"You're fighting an unfair battle," Alexander said. "You're innocent until proven guilty in a court of law, but in Durham Public Schools you're guilty, guilty, guilty; and you must prove that you're innocent."

DPS recently revised its suspension/expulsion policy, but Alexander doubts it will do much to help her son. "I don't know if my son will be able to reap any benefits of the new system, not that much was changed," she said.

Jackie Wagstaff, a controversial former school board member, said the policy won't do much to help black students in general. "I think it will be business as usual," she said. "The majority of suspensions are minority kids. Parents have this feeling of hopelessness. No vocal grassroots advocates let parents know you have the right to fight it, because if you did know, you would have more parents than you would like to see."

Debbie Pitman, assistant superintendent of support services, said changes were made primarily to long-term suspensions as a result of House Bill 218, ratified this summer. "There were things that we did to align our policy with that bill," she said.

According to HB 218, local boards should give "written notice" by the end of the day or at the latest by the end of the following work day if a student is suspended or expelled for more than 10 days.

The recent changes DPS made clarified that every time there's a short- or long-term suspension, written notice needs to be given to parents. Board member Heidi Carter said it was the standard before but now written notice has been codified into the policy.

There's also a change to the policy in case of an emergency suspension. If administrators can't reach the parents, they can allow the student to stay in school under the principal's supervision or the principal can arrange for a safe place elsewhere. Other changes made to long-term suspension notices include explanation of the charges, description of the parent's right to appeal and to an attorney, and notification of their right to review their child's educational records prior to a hearing.

"I think they're [new rules] good," Carter said. "They clarify the policy and procedures that are expected. They help reinforce the fairness for the student, what's fair for the students and what can keep our kids safe.

Attorney Mark Trustin, who represents students who've been suspended, said the recent changes were requested in a letter on behalf of the city/county violence prevention committee more than two years ago, but at the time there was no response.

"A couple of us that are lawyers appeared before the board of education during regular monthly meetings with televised coverage by reporters," Trustin said. "Each of us spoke about how unfair, in some cases unconstitutional, some of these policies regarding suspended youth are and that they needed to be changed and that they should be changed. I think that the fact that it got public airing is the reason it finally changed."

But Trustin said there are still conflict of interest issues such as the teachers from the same school that a suspended student is from judge that student in their appeal.

"It's not to say that this problem of suspension, dropping out, truancy is the problem of and must be solved by the public school system," he said. "Parents must be much more involved, much more active in their student's education."