

School is a place for learning *for everyone*

Issue Overview

New Hampshire understands that children are our future. We know that providing a solid educational foundation for our youth now will lead to thoughtful, contributing members of society later. Our school discipline laws aim to protect students, staff, and administrators as well as promote a positive learning environment. However, data suggests that students are being dismissed from school for offenses that are not violent, nor drug/alcohol related.

According to RSA 193:13, students can be suspended or expelled from school for “neglect or refusal to conform to the reasonable rules of the school”. During the 2006-2007 school year, more than half the total number of suspensions in multiple school districts across the state were for infractions that were reported not to have involved violence, drugs, alcohol, or tobacco. Thus youths are being placed in an untenable position: at the same moment that they are being asked to learn from their mistakes, they are being kept out of the primary place of learning—school.

Denying a child access to school can produce life-long consequences. “History supports that students who are repeatedly suspended are more apt to continue down a delinquent pathway (Christle, Nelson & Jolivette, 2004, p.510), and that “criminalizing trivial offenses pushes children out of the school system and into the juvenile justice system” (Browne, 2003, p.9).”

All youth deserve a safe place to learn. Further study is necessary to examine whether New Hampshire public schools are utilizing RSA 193:13 (Suspension and Expulsion of Pupils) appropriately or whether alteration is needed. We must promote more “individualized discipline strategies for students, where the consequences are directed towards the seriousness of the incident and considerations are made for the youth’s individual needs.”

Additionally, we must examine whether existing opportunities to complete and receive credit for work missed while out of school are adequate, or whether students are unable to get back on track once they return to school. School safety will be better protected if students who do not pose a security concern remain in school where they can learn from their teachers, administrators, and peers.



Proposed Solution

NH CAN, New Hampshire Legal Assistance and its Youth Law Project, and Child and Family Services support HB 332, which proposes the creation of an interim legislative study commission in the upcoming legislative session to investigate the current use of RSA 193:13 (Suspension and Expulsion of Pupils) as well as disciplinary alternatives and opportunities to make up missed school work. Additional data and analysis will inform us of any need to rethink RSA 193:13.

The New Hampshire Child Advocacy Network (NH CAN) is a statewide, nonpartisan network of child-serving organizations working to improve the well-being of New Hampshire's children by driving government policy, changing budget priorities and inspiring community action. Each year, a consensus of nearly 100 NH CAN partner organizations and advisors develop a collective set of Priorities for New Hampshire's Children, a plan of action for the legislature, state leaders, state agencies and communities that is shared across the Granite State.

2009 Priorities for New Hampshire's Children

2009 priorities

Call to Action

Join NH CAN of the Children's Alliance with its principal CAN partners, New Hampshire Legal Assistance and its Youth Law Project; Child and Family Services; and other allied interests by encouraging HB 332 with offers of testimony and letters of support.

Find out More

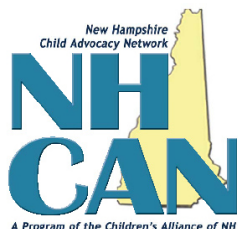
The Youth Law Project (YLP) at New Hampshire Legal Assistance works with children and teenagers who are facing delinquency or CHINS petitions, as well as those who are at-risk of having such petitions filed against them. The YLP seeks to get these young people the educational, health, mental health, and other services necessary to stay in their homes and communities and out of the juvenile justice system. The type of work the YLP does includes representation at

school disciplinary hearings and special education meetings and proceedings. The YLP does not provide representation in delinquency or CHINS cases, but works closely with the public defenders and court-appointed counsel who do to determine how best to meet the youth's needs. http://www.nhla.org/special_projects.php#youth. To find out more contact Leah Plunkett at lplunkett@nhla.org.

Child and Family Services is an independent nonprofit agency dedicated to advancing the well-being of children by providing an array of social services to strengthen family life and by promoting community commitment to the needs of children. <http://www.cfsnh.org>. To find out more contact Jack Lightfoot at lightfootj@cfsnh.org.

References

- 1 Data from the New Hampshire Department of Education, available at www.ed.state.nh.us/education/ in the School District Profile section, analyzed by New Hampshire Legal Assistance.
- 2 Every Children's Bureau, Inc., "Suspension and Expulsion of Youth", available at <http://www.childrensbureau.org>.
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**Children's Alliance of
New Hampshire**

Raising Our Voice for Children

NH CAN is a project of the Children's Alliance of New Hampshire

For more information on the 2009 Priorities for New Hampshire Children, please visit www.ChildrenNH.org
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