



## Public Advocate for the City of New York

---

### **New York City Department of Education's Zero-Tolerance Policy for Chronically Disruptive Students**

In December 2004, Mayor Bloomberg and Chancellor Klein announced a new school safety plan to reduce school violence and create safe learning environments for New York City schools. As part of this new safety initiative, the Department of Education:

- Identified sixteen schools with the highest incident rates as "Impact Schools";
- Increased the number of school safety agents and doubled the number of police officers at each Impact School ;
- Modified suspension procedures by holding all suspension hearings within five days, imposing consistent minimum responses to even minor violations of the discipline code, and establishing immediate suspensions and placements of students who possess weapons or cause serious bodily injury in Second Opportunity Schools;
- Worked closely with the criminal justice system by providing information to probation officers and the courts about students charged with crimes; and
- Evaluated school safety procedures and policies at all Impact Schools.

At a City Council oversight hearing on school safety in January 2004, Chancellor Klein testified that the DOE would focus particular attention on those students who are repeatedly disrupting and causing trouble.

- Specifically, if a student with two or more Principal's or Superintendent's suspensions within a 24-month period commits an infraction, that student will be immediately removed from school and placed at an alternative site while he/she awaits a hearing. The DOE also promised to seek mandatory transfers for these students so that they cannot return to their original schools.
- In its presentation to the Panel on Education Policy on school safety initiatives, the DOE outlined their plan to evaluate and place chronically disruptive students with two or more Principal's or Superintendent's suspensions over a 24 month period in New Beginning or other alternative programs.

From January 3 to January 10, 2005 , staff from the Public Advocate's office interviewed 12 administrators to see how they were faring under the Department of Education's new suspension policies and procedures.

## **Findings**

### ***The Department of Education fails to provide mandatory transfers for students with multiple disciplinary infractions as promised***

- One year after the establishment of the Department of Education's new suspension policies, the Public Advocate's Office has found that the DOE's zero tolerance policy for repeat offenders remains scattered at best.
- Of the twelve high school administrators we were able to interview, eleven attested to the fact that regional offices fail to provide mandatory transfers for students with multiple disciplinary infractions as promised.
- The administrators represent the following schools: Adlai Stevenson, Dewitt Clinton, Harry Truman, Evander Childs, Christopher Columbus and Taft in the Bronx ; Norman Thomas and Brandeis in Manhattan ; John Adams, and Franklin K. Lane in Brooklyn; and Cordozo in Queens.
- Curtis High school in Staten Island is the only school that did not have to request transfers for students with multiple infractions.
- Some were under the impression that the student had to commit the same offense for the mandatory transfer to occur. Others pointed out that there is no hard and fast rule that students be automatically transferred and that transfers were decided on a case-by-case basis depending on the infraction.

### ***The Department of Education fails to place students with chronic disciplinary problems in New Beginning Centers***

- Through our interviews with high school administrators, the Public Advocate's Office found that despite the DOE's original intention to place chronically disruptive students with two or more Principal's or Superintendent's suspensions over a 24-month period in New Beginning centers, every high school administrator we spoke to indicated that this is just not happening. According to our interviewees, these programs only accept students with attendance problems, not disciplinary problems.
- The reason for DOE's failure to implement its own mandatory rule is that there is simply nowhere to place students with disciplinary problems.

## *Profiles of Schools*

### *Franklin K. Lane High School , Brooklyn*

- This school was designated an Impact school in January of 2004. Most recently, Lane was taken off the list due to a drop in safety incidents. Since September 2004, 70 students have been suspended (35 principal suspensions, 40 superintendent suspensions). ***According to an administrator at Lane, an estimated 30 to 40 students with multiple suspensions are back at Lane*** . In fact, Lane has two students with multiple superintendent suspensions for assault and armed burglary who are coming back to school in March. When the school was still an Impact School , administrators would receive a list indicating the number of suspensions a particular student received in a calendar year. If students had already been suspended twice within a two-year period, the school would request a transfer for the student. As an Impact School , Lane was successful in moving kids around. Now that Lane is no longer an Impact School , it remains to be seen how their requests will be handled.

### *Adlai Stevenson High School , Bronx*

- According to an administrator at Adlai Stevenson High School in the Bronx , roughly 300 students have been suspended within the past year. Although Adlai Stevenson was designated an Impact School in January 2004, ***100 of the students have been suspended twice within a two-year period and all are back at Adlai Stevenson save for one.***

Data from other schools includes:

**Taft-** An estimated total of 300 suspensions. An estimated 100 have multiple infractions. All of these students are back at Taft.

**Cardozo-** An estimated total of 55 suspensions. An estimated 20 have multiple infractions. All of these students are back at Cardozo.

**Curtis** - Total number of 203 suspensions. 10 have multiple infractions and 8 have been transferred out of Curtis.

## **Recommendations**

Faced with a growing crisis in school safety, the Department of Education put together a hastily prepared school safety initiative that took a band aid approach rather than fixing

the underlying problems. To ensure a safe school environment, the Public Advocate recommends the following changes to the Department's suspension policies:

- The Department of Education must follow through on its own promises to take a zero tolerance approach to school safety. It must establish and implement realistic suspension policies and procedures that effectively serve both the school safety environment and meet the needs of suspended students. They must develop and institute policies that are clear cut and adhered to at all levels.
- The Department of Education must ensure the maximal utilization of all alternative sites at its disposal for students with disciplinary problems, whether they are New Beginning schools or Second Opportunity Schools.

New York City Department of Education Chancellor's Testimony on Safety 1/28/04 . Available at <http://www.nycenet.edu/Administration/mediarelations/SpeechesTestimonials/Chancellors+Testimony+on+Safety+1.28.04.htm>

New York City Department of Education presentation to the Panel On Education Policy: School Safety Initiatives, January 12, 2004 . [http://www.nycenet.edu/NR/rdonlyres/596977E9-A31F-4ED4-9980-F22FD16DDDE0/1110/SafetypresForEdPanel\\_FINAL11204.ppt](http://www.nycenet.edu/NR/rdonlyres/596977E9-A31F-4ED4-9980-F22FD16DDDE0/1110/SafetypresForEdPanel_FINAL11204.ppt)

These were the only schools that could provide definitive data.

[http://www.nycenet.edu/NR/rdonlyres/6199408E-2EF1-404D-9102-3D046C0C299E/1052/Safetyrelease15030104\\_ImpactSchools\\_.pdf](http://www.nycenet.edu/NR/rdonlyres/6199408E-2EF1-404D-9102-3D046C0C299E/1052/Safetyrelease15030104_ImpactSchools_.pdf)

[http://www.nycenet.edu/NR/rdonlyres/6199408E-2EF1-404D-9102-3D046C0C299E/1052/Safetyrelease15030104\\_ImpactSchools\\_.pdf](http://www.nycenet.edu/NR/rdonlyres/6199408E-2EF1-404D-9102-3D046C0C299E/1052/Safetyrelease15030104_ImpactSchools_.pdf)