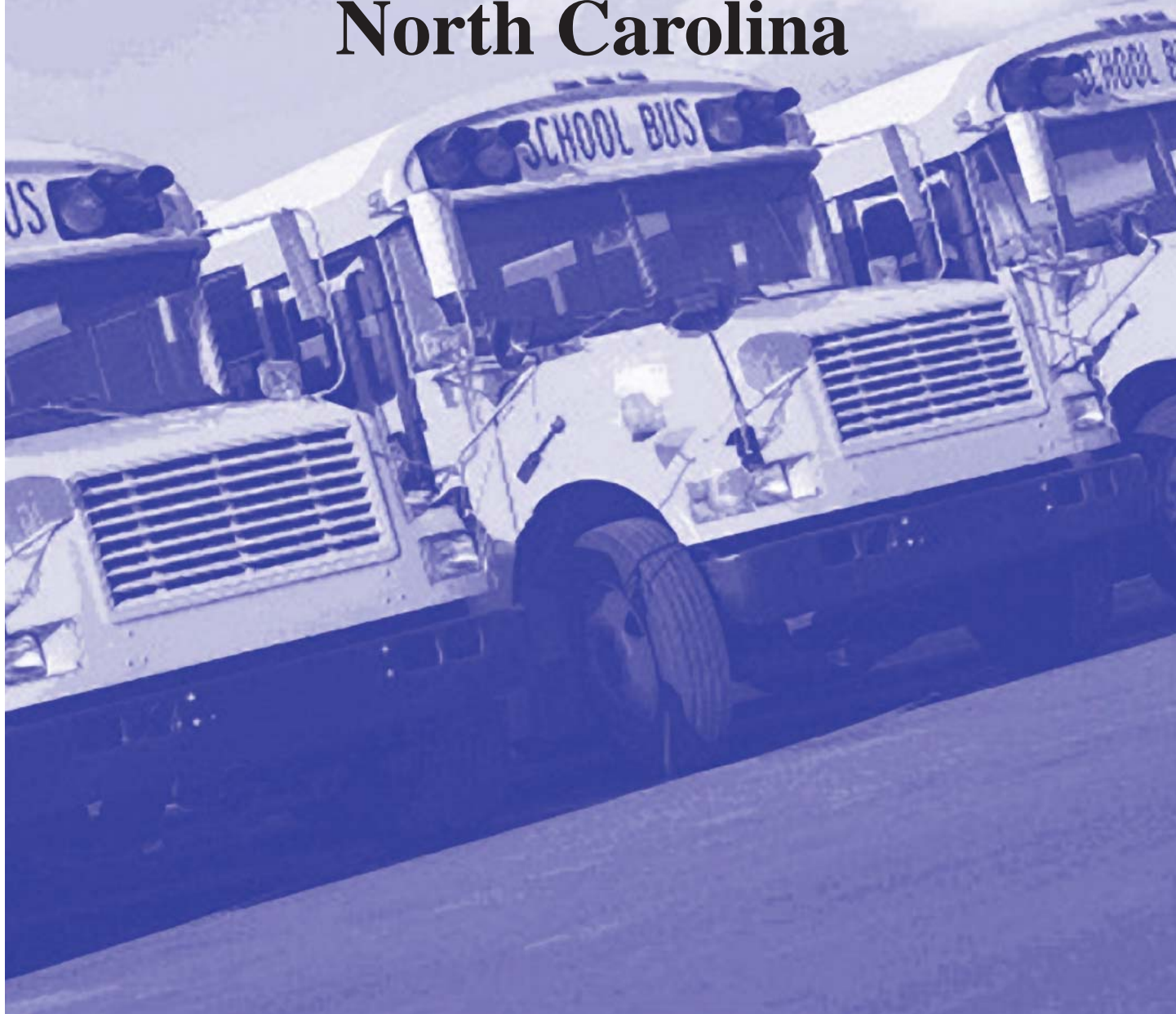


One Out of Ten: The Growing Suspension Crisis in North Carolina



NORTH
CAROLINA
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ADVOCACY
Institute

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EXECUTIVE SUMMARY

North Carolina made a promise to provide all our children with a sound, basic education. Yet, this promise is being broken for the more than 150,000 students who are suspended each year. Last year, suspended students missed close to one million days of classroom instruction. This trend is getting worse, with the number of yearly suspensions growing 12 times faster than the general student population.

In all, more than 1-out-of-every-10 students in North Carolina are suspended from school. Suspensions occur in every single grade (including kindergarten), but are most prevalent during ninth grade. The number of suspensions has doubled between fifth grade and sixth grade each of the past four years.

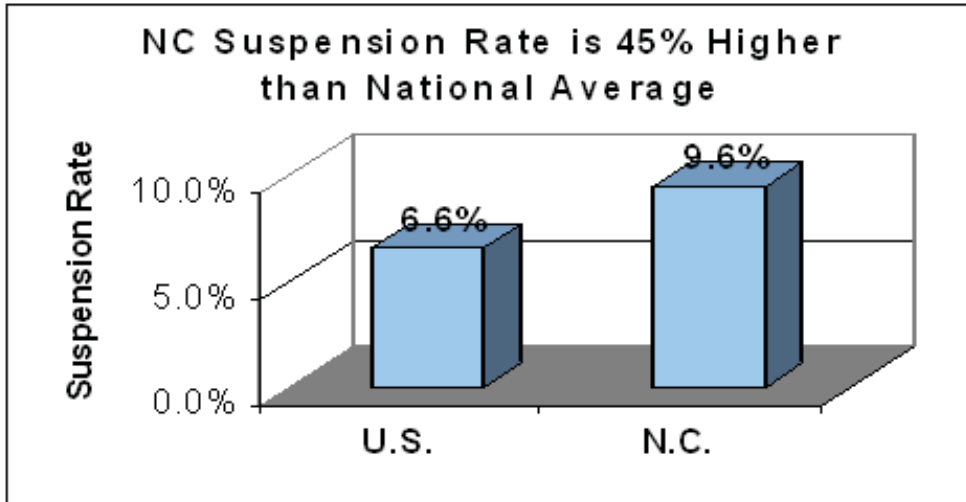
Suspensions are a disturbing occurrence for a variety of reasons. First, students who are most likely to be suspended are often those most in need of an extra boost from schools and communities—and the most vulnerable when kicked out of the classroom and sent out onto the streets. Suspended students may be less likely to have strong school attachment, academic success and involvement of parents and other adults. Meanwhile, they may be more likely to suffer poor health, especially mental health. Second, suspensions are associated with many negative outcomes, such as students dropping out of school and/or committing delinquent or criminal acts.

Fortunately, the infrastructure is in place to reduce the number of students who are suspended in the first place (such as Communities In Schools) and to provide sound educational opportunities for those who are still suspended (such as Alternative Learning Programs), without disrupting the classroom experience of other students. Research has shown several steps crucial to prevent suspension:

- ***Involve Caring Adults; Involve the Family:*** Research has shown that the involvement of caring adults in the life of a child can reduce suspensions (and promote other positive outcomes). North Carolina has community-based support programs, such as Communities In Schools, in place. Nationally, Communities In Schools has a 98% success rate in deterring suspensions. However, over one-third of North Carolina counties lack Communities In Schools, or even concrete plans for such programs. Community supports should be expanded to serve more at-risk students as well as their siblings.
- ***Perform Risk Assessments for Suspended Fifth and Sixth Graders:*** The number of suspensions typically doubles between fifth and sixth grades, with almost three-quarters of all suspensions occurring between sixth and 10th grade. Efforts must be made to stop the problem before it further escalates. Studies have shown that students who are suspended often face other difficulties in their lives. Risk assessments conducted before short-term suspensions and concurrent with long-term suspensions in the “cusp” years of fifth and sixth grade could help identify and resolve other issues, such as ensuring that students have access to needed social services.
- ***Expand and Promote Existing Alternative Learning Programs:*** Many alternative learning programs exist across North Carolina. The state should build on these programs to provide tutoring, work experience and other educational opportunities to suspended students by providing safe places, structured activities and caring adults instead of idle time.

INTRODUCTION

North Carolina's Constitution promises all our children a sound, basic education. Yet, this promise is being broken for the more than 150,000 students who are suspended each year. Last year, suspended students missed close to one million days of classroom instruction.



Source: N.C. ES 2003

Based on national data, North Carolina's suspension rate is 45% higher than the United States average (2003).¹

Removing a dangerous or disruptive student may be important to maintaining a school environment where other students can learn. Indeed, the courts have recognized the ability of schools

to suspend or expel students who violate a school's code of conduct (*Jackson*, 84 NC App 167, 352 SE2d 449 (1987)); *State v. Davis*, --NC App--, 485 2E 2d 329 (1997)). At the same time, however, the courts have repeatedly ruled that the state has a legal obligation to provide all students, even disruptive ones, with a sound, basic education (*Hoke County Board of Education v. State*, 358 NC 605, 399 SE2d365 (2004)).

However, more and more children are being denied this right as more students are suspended from the classroom, sometimes for relatively minor infractions. Suspensions too often lead to other problems, such as dropping out of school or committing delinquent or criminal acts.

Why All North Carolina Children Have the Right to a Sound, Basic Education

In 1994, several low-wealth and urban school districts sued the state of North Carolina arguing that local school districts do not receive fair and sufficient funding as required by the N.C. Constitution. The lawsuit, known as the *Leandro* case (named after one of the plaintiffs), has resulted in two landmark N.C. Supreme Court rulings: one in 1997 and another in 2004. These separate rulings have made clear that every child in North Carolina has the constitutional right to an "equal opportunity to receive a sound basic education."

The Court has further ruled that the state of North Carolina—not each local school district—has the ultimate responsibility to provide students with the constitutionally-required opportunities. This means that the state must ensure that districts have adequate tools to address the needs of students who are suspended or at-risk of being suspended.

SUSPENSIONS ARE A GROWING PROBLEM IN NORTH CAROLINA

Suspensions are a significant and growing problem in North Carolina. In 2004, more than 1-out-of-every-10 public school students were suspended.

Suspensions and Expulsions Growing Twelve Times Faster Than the General Student Population

Looking at the most recent academic year available (2004), over 150,000 North Carolina students were suspended. The number of short-term suspensions grew a dramatic 43% between academic years 2001 and 2004 and long-term suspensions grew an even more startling 48%.²

Number of Suspensions and Expulsions, 2000-2004					
	'00-'01	'01-'02	'02-'03	'03-'04	% Change '00-'01 to '03-'04
Total Number of Long-Term Suspensions	2,710	3,456	3,974	4,024	48%
Students Receiving Long-Term Suspensions	2,646	3,318	3,850	1,536	-42%
Students Receiving Multiple Long-Term Suspensions	62	123	118	109	76%
Total Number of Short-Term Suspensions	217,683	261,844	282,240	311,482	43%
Students Receiving Short-Term Suspensions	114,621	133,879	139,818	150,916	32%
Students Receiving Multiple Short-Term Suspensions-When Added Together Total More Than 10 Days	13,417	17,717	20,057	23,460	75%
Total Number of Expulsions	149	230	353	205	38%
Students Enrolled in Alternative Learning Programs	16,048	13,384	13,971	18,033	12%
Total Students Receiving Long-Term Suspensions or Enrolled in Alternative Programs	18,694	16,702	17,821	19,569	5%
Total Students Enrolled in Public Schools (All Grades)	1,305,131	1,305,131	1,324,741	1,347,622	3%

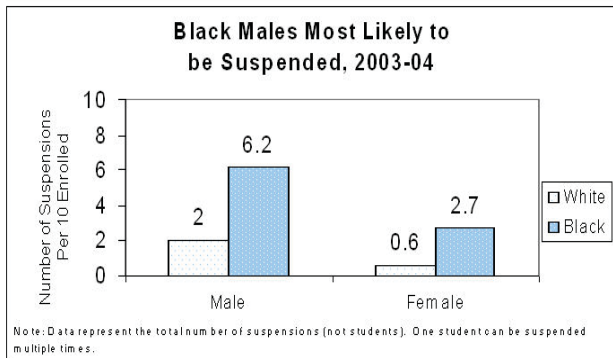
Source: N.C. Department of Public Instruction, *Annual Study of Suspensions and Expulsions: 2003-2004*, March 2005. Figures 1, 8, 9, 15, 19, 38. Available online at www.ncpublicschools.org.

Current Suspension Policies: Short-Term Suspensions, Long-Term Suspension and Expulsions

North Carolina statutes authorize principals of our public schools to suspend children who violate prescribed codes of conduct for up to 10 days. These are short-term suspensions which require no intervention from the superintendent. School principals, with the approval of the superintendent, have the authority to suspend a student for more than 10 days (long-term suspensions) up to a suspension for the remainder of the school year. For certain serious offenses, such as a student bringing a weapon onto a school campus, principals may recommend a student be suspended for the remainder of the school year or for 365 days. Superintendents have the final authority to sanction a long-term suspension or expulsion; however, the child's parent has the right to appeal both the decision of the principal and the superintendent. In addition, children with special needs have a right to a "free appropriated education" which is guaranteed by federal law.³

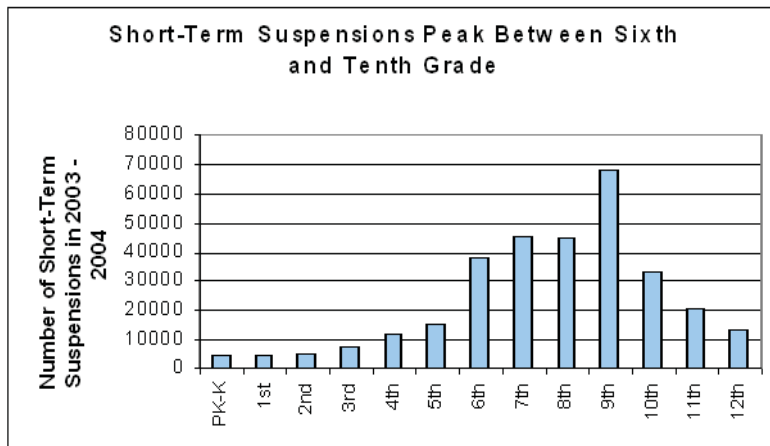
Who Is Most Likely to Be Suspended?

Black Males: There are more than six suspensions for every 10 enrolled black male students in school in any given year. Black males are the most likely of any single group to be suspended. They are three times more likely to be suspended than white males. Black males are also disproportionately represented in juvenile justice and prison systems and among drop-outs.⁴ By strengthening the attachment of black males to schools and other needed social services, improved outcomes and success may be possible.



Source: DPI 2005

Ninth graders: Most suspended students are in grades six through 12, and largely ninth grade. Ninth graders accounted for 22% of all suspensions (but less than 10% of the student population).⁵ One-third of all drop-outs also occur in ninth grade.⁶



Source: DPI 2005

However, it is important to recognize that suspensions can, and do, happen in any grade. In academic year 2004, not only were there 68,150 ninth grade suspensions, there were 4,600 first grade suspensions as well.⁷

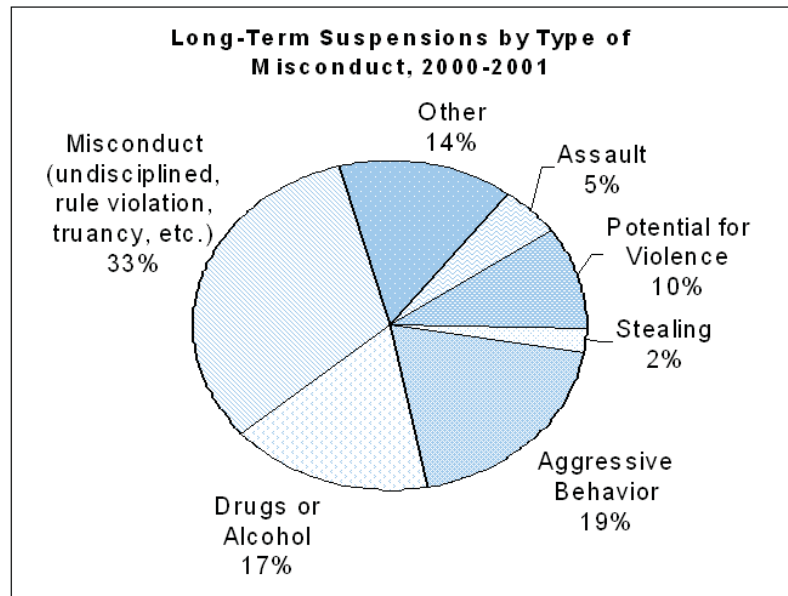
Additionally, the transition from fifth grade to sixth grade appears to be a time of particular vulnerability for some students. In each of the past four years, the number of suspensions more than doubled between fifth grade and sixth

grade.⁸ This is roughly the same time, around age 12, that children "age out" of state child care subsidies and fewer after-school options exist for many families.⁹

Special education students: While special education students make up 14% of the overall student body, they account for 24% of all suspensions. In total for 2004, students receiving special education services were suspended more than 74,000 times.¹⁰

WHY DO STUDENTS GET SUSPENDED?

Students are suspended for a variety of reasons. While the court ruled in *State v. Davis* (--NC App--; 485 2E 2d 329 (1997)) that the “primary goal of suspension and expulsion is the protection of the student body,” the reality is that many suspensions are for non-dangerous offenses. Data from 2001 found that one-third of *long-term* suspensions were for acts such as undisciplined behavior, rule violation and truancy. Short-term suspensions can be doled out for such infractions as possession of tobacco or alcohol on school property, chronic tardiness, leaving school grounds without permission and remaining on school grounds after school is over.¹¹



Source: DPI 2001

In contrast, other suspensions or expulsions are for highly dangerous or disruptive acts, such as bringing a weapon to school; using, selling, distributing or possessing drugs; assaulting another student physically or sexually; stealing, etc. (here, suspensions would likely be long-term).¹²

SUSPENSIONS—CHICKEN OR EGG?

Suspensions are clearly a negative outcome for students. Suspensions are also correlated with other undesirable indicators, such as poor academic performance, being less connected to and engaged in school, suffering poor health (especially mental health), dropping out and getting involved in the juvenile justice or corrections system. While it may be unclear which leads to the other, it is certain that our children, our schools and our workforce would benefit from reducing any and all of these negative results.

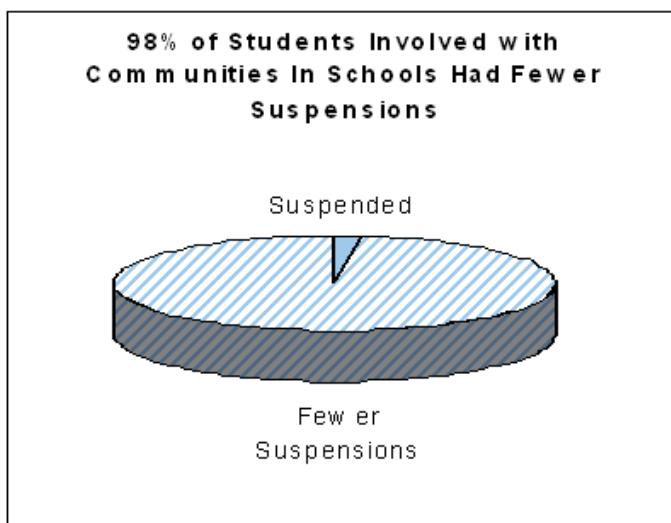
School Attachment and Academic Success: Positive school engagement—students feeling attached to their schools and supported by their teachers—is related to reduced negative outcomes, such as disruptive behavior, substance and tobacco use, emotional distress, fighting, truancy and drop-outs.¹³ Obviously, when a student is suspended and told not to come to school for a number of days, s/he is less attached to school than her/his peers. While s/he may well have been less attached to begin with—leading to the very behavior that resulted in suspension—enhancing school connectedness focused on children at-risk for suspensions could lead to improved outcomes for students.

Involvement of Parents and Other Adults: Research repeatedly confirms that the involvement of caring adults in the lives of children has a host of positive results, including promoting academic success and averting suspensions. Research from the University of Kentucky has found certain strategies are consistently used in middle schools with low suspension rates. These include more

family involvement and more positive adult interactions with students.¹⁴ This is also consistent with evaluations of Communities In Schools, which found that 98% of the 70,000 students nationally tracked for suspensions had fewer suspensions.¹⁵ One of the “Five Basics” promoted by Communities In Schools in a one-on-one relationship with a caring adult.

Poorer Health, Especially Mental Health: In 2003, the Committee on School Health for the American Academy of Pediatrics called for better alternatives to out-of-school suspensions and expulsions due to the negative health outcomes suffered by suspended children. They note that children who commit acts that may lead to suspension are often depressed, mentally ill or victims of abuse. Then the suspension itself may lead to isolation, suicidal ideation and substance abuse (specifically, alcohol, marijuana and cocaine).¹⁶ At the same time, longitudinal research from the University of Minnesota finds that school connectedness (especially strong teacher relationships) reduced risky health behavior in teens.¹⁷

Drop-Outs: National studies reveal that students who are suspended from school are three times more likely to drop out of school than other students.¹⁸ Teens who drop out of school will find it difficult to achieve financial success in the 21st century economy. A high school graduate earns about 38% more, and a college graduate earns 1.4 times more than a drop-out.¹⁹ Communities In Schools of North Carolina has estimated that one year’s “class” of drop-outs will cost the state over \$1.3 billion in prison, parole and welfare costs alone.²⁰ Clearly, the suspension problem must be addressed if North Carolina is to grow the type of educated workforce that is needed to support and attract businesses.



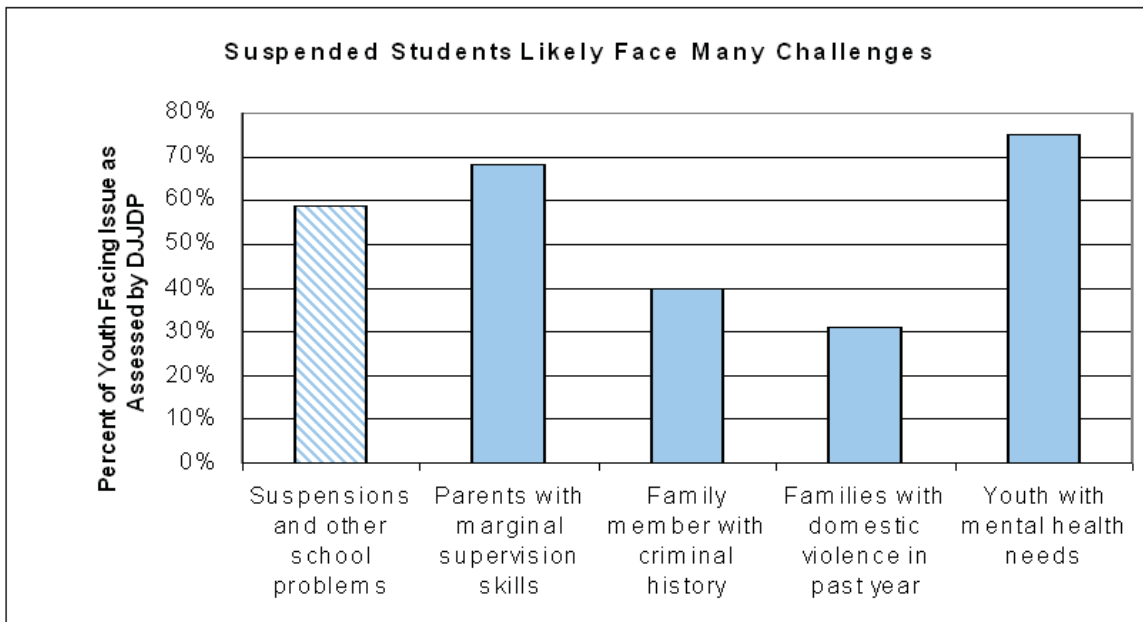
Source: Communities In Schools, 2003-2004 Network Report

Delinquency and Crime: Suspensions are often linked to juvenile delinquency and crime. It may be that the suspension becomes the tipping point for a student who has a history of being disruptive, or who gets kicked out of school and essentially is left to the streets. Anecdotally, professionals within the juvenile system often remark that most children who become involved with juvenile justice were on a suspension at the time of the criminal act. The American Academy of Pediatrics has noted that without access to adults at school or in the home, “students with out-of-school suspensions and expulsions are far more likely to commit crime.”²¹

According to the N.C. Department of Juvenile Justice and Delinquency Prevention’s (DJJDP) risk assessment data, 59% of children who end up in the juvenile justice system had been suspended, truant or dropped out.²² (The risk assessment helps DJJDP determine what supports are needed by the teen to ensure education, job skills, safety and other elements likely to lead to a successful transition back into the community.) The secretary of the DJJDP, George Sweat, has remarked that “suspensions are our feeder.”²³ Researchers in South Carolina, Georgia and Kentucky have dubbed suspension, academic failure and dropping-out the “school to prison pipeline.”²⁴

WHAT CAN WE DO ABOUT IT?

Suspensions are a complex problem and there is no single “magic pill” that will cure the ailment. Rather, different tactics are needed for different times and different students. Prevention of suspensions should be the first choice. When that is not possible, suspended students must be assured their constitutional right to a sound, basic education.



Source: N.C. DJJDP, 2004 Annual Report

Given the strong prevalence of suspended youth among court-involved juveniles, it is reasonable to extrapolate that many suspended youth would face the same challenges as youth involved with DJJDP, such as parents with marginal or inadequate supervision skills (68%); parents, guardians, custodians or siblings with a criminal history; domestic violence in the household in the past 12 months (31%); or mental health needs (75%).²⁵ Clearly, children facing such obstacles need help, not suspensions.

Involve Caring Adults; Involve the Family: Generally speaking, the risk factors that will lead to one student’s suspension would most likely also be risk-factors for his or her siblings as well. Involvement of caring adults from the community is a proven successful strategy for children avoiding suspensions and experiencing school success. North Carolina should build on the success of programs such as Communities In Schools, which operates in 36 counties and is working to create programs in an additional 26 counties, to promote opportunities for at-risk students to have more caring adults involved in their lives. This could help avoid suspension in the first place and promote school success.

Perform Risk Assessments for Suspended Fifth and Sixth Graders: The number of suspensions typically doubles between fifth and sixth grades, with almost three-quarters of all suspensions occurring between sixth and 10th grade. Efforts must be made to stop the problem before it escalates further. Studies have shown that students who are suspended often face other difficulties in their lives. Risk assessments conducted before short-term suspensions and concurrent with long-term suspensions in the “cusp” years of fifth and sixth grade could help identify and resolve other issues, such as ensuring that students have access to needed social services.

Providing Alternative Learning Program for Suspended Students: Some students are so disruptive that they need to be removed from the classroom. In 2001, the General Assembly passed Senate Bill 71 which provided funds for five pilot projects throughout the state to local school systems to develop alternatives to short term suspensions. The bill also prompted a joint effort of DPI and DDJDP to study the extent of alternatives to short term suspensions in the state. Several of these pilot programs have been started in some school districts and are showing successful outcomes. The Burke County program in particular—Burke Alternatives to Suspension (BATS)—has been nationally recognized as an effective way to discourage students from dropping-out. BATS allows students the option of traditional suspension or splitting their time volunteering for a non-profit and completing school assignments. (For further descriptions of a sample of local models, see Appendix I or see the policy section of North Carolina Child Advocacy Institute website at www.ncchild.org.) Most of the programs focus on one of three ways of dealing with youth who are suspended: engaging them in community service, providing educational opportunities during suspension or counseling suspended youth to improve problem solving and decision making skills.

Given that these programs can be an effective way to reduce drop-outs, improve school performance and enhance community attachment, information sharing is critical to improve statewide program enhancement and expansion. DPI is working to identify the proper mechanisms to improve information-sharing about alternative programs among school districts. Such efforts are an important step to ensure that districts have the necessary tools to educate suspended and expelled students.

Background on Alternative Learning Programs and Communities In Schools

Suspended and expelled students in North Carolina are sometimes placed in **Alternative Learning Programs (ALPs)** on a case-by-case basis, based on processes and procedures developed by each of the 117 Local Education Agencies (LEAs) and the nearly 100 charter schools. Students are often placed in ALPs for disciplinary reasons, sometimes after being expelled or suspended. However, not all ALPs serve suspended and/or expelled students. Every district has complied with legislation requiring an ALP or a specific waiver granted by the State Board of Education. (Source: N.C. DPI, 2003-2004 Suspension and Expulsion Report)

For decades, **Communities In Schools (CIS)** has been helping children stay in school and prepare for life. CIS identifies specific community needs and then collaborates both with key players from schools, other government agencies, businesses, community organizations, as well as parents and other child advocates. Participating schools have experienced an increase in their school completion rates, a decrease in violence and disruptions, and an increase in attendance and academic achievement. (Source: Communities in Schools. Available online at www.cisnc.org/)

CONCLUSION

Suspensions of North Carolina students are a growing and disturbing problem, affecting 1-out-of-every-10 students. Fortunately, North Carolina has the infrastructure in place to reverse this troubling trend. By building on existing models, such as Community In Schools and risk assessments, North Carolina can provide students with the tools they need to succeed, rather than to act out and to drop out. When suspensions are unavoidable, students must continue to receive their constitutionally-guaranteed right to a sound, basic education. Effective Alternative Learning Programs can help fill that gap.

ENDNOTES

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- ²⁴C.A. Christle, K. Jolivette, C.M. Nelson, "Breaking the School to Prison Pipeline: Identifying School Risk and Protective Factors for Youth Delinquency," *Exceptionality*, 2005, vol. 13, No. 2, Pages 69-88.
- ²⁵DJJD 2004 Annual Report. Available online at www.ncdjjdp.org/statistics/. Suspension data are from a risk assessment conducted of 8,803 court-involved youth. Other data are from a needs assessment of 8,836 youth.

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APPENDIX I

A SAMPLE OF ALTERNATIVES TO SUSPENSION PROGRAMS IN NORTH CAROLINA SPONSORED BY PUBLIC SCHOOLS AND COMMUNITY INITIATIVES

Program	Description
Community Service Programs – N.C. Dept. Public Instruction	<p>This initiative is aimed at innovative and successful strategies targeting students without supervision and structured activities during long-term suspension and expulsion from school. The Community Services Grant program funds meaningful volunteer activities that enable youth to give something back to the community while learning to appreciate helping others and deterring them from delinquent activities. Placement sites for the community service component provides structure, safe environments and non-academic learning experiences. Pilot Counties include Beaufort, Catawba, Carteret, Cumberland, Guilford, McDowell, Rutherford, Wake and Winston-Salem/Forsyth County Schools.</p>
Students Serving Our Community/ Students Online for Success, Wake County	<p>This program is one of the 10 N.C. DPI Community Service Programs. Wake County was able to secure funding from Wake County Schools to add an academic component to their program. The program offers primarily high school students who have been long-term suspended the opportunity to perform volunteer work while continuing their education. During their five-day week, students spend two of those days volunteering with a non-profit organization. For the remaining three days, the students are able to continue the courses that they were enrolled in while they were in the public school system though a computer-based Curriculum Resource called Nova Net. The curriculum is based on the Standard Course of Study for North Carolina and contains all of the courses offered through Wake County Public Schools. It is self-directed and self-paced, giving the students the opportunity to move on to the next course level after showing mastery of the current course, if they choose to do so. However, since this is a pilot program and it is certified, the principal has the discretion of whether to accept the course credits when the student returns to school.</p>
BATS – Burke Alternatives to Suspension	<p>BATS, in Burke County, has been recognized nationally as a program to discourage students from dropping out. Burke Alternatives to Suspension helps keep suspended students off the streets and in the classroom. If a student is suspended in Burke County, school officials bring both the parents and the student together and offer them two options. The first is the traditional suspension and the second is BATS. Students in BATS have the opportunity to choose among 14 nonprofit agencies to perform volunteer work during their suspended school days. They also devote a portion of their day to completing school assignments.</p>
Glenn Center, Cabarrus County	<p>Students in grades six through 12 suspended (out-of-school) for three or more days from schools in Cabarrus County are given the opportunity to serve their suspensions at the Glenn Center. In this program, students provide their own transportation and report to the Glenn Center for normal school hours. During these hours, students spend time completing homework assigned by their classroom teachers. The Glenn Center, operated as a division of Cabarrus County Schools, allows students the opportunity to receive one-on-one academic attention from certified teachers located on-site. Students participating in this program also receive full credit for completed assignments as well as for attendance.</p>
Project Stride, Wilson County	<p>Project Stride, which began as a collaborative effort between Wilson County Schools and a community counseling agency and has since been developed into a school system program, is an example of an alternative to a short-term (out-of-school) suspension program with a counseling focus. Project Stride is located on the campus of a local counseling agency and serves students in grades six through nine. Students are given the opportunity to complete assigned homework each day and are awarded credit for both homework and attendance. The focus, however, of Project Stride is on behavior modification. Each day efforts are made to develop problem solving, decision-making and other life skills.</p>

Program	Description
Stay Up While You Are Out of Eastern North Carolina, Pitt County	<p>Stay Up While You Are Out of Eastern North Carolina is an example of a program offering students alternatives to short-term (out-of-school) suspensions but operated solely by a community organization. This program, operated by a local faith-based organization, allows students in kindergarten through 12th grades to earn partial academic credit for work completed during program participation. Attendance credit is awarded only if the student is at risk of failure due to numerous absences. The program operates with an academic focus, offering one-on-one attention for students. This specific program operates with an informal agreement with Pitt County schools. While students may be awarded academic or attendance credit, the school system is not responsible for students participating in the program.</p>
Alternative to Out-of-School Suspension Program at the Warlick Alternative School, Gaston County	<p>The Alternative to Out-of-School Suspension Program at the Warlick Alternative School in Gaston County is a school-based, in-school suspension model funded solely by Gaston County Schools. While the program operates as a self-contained classroom, it is housed in the Warlick Alternative School, the school system's alternative learning program. The program has two school system staff members, one full-time teacher and one full-time teacher assistant, responsible for monitoring student academic progress while participating in the program. Students in grades six through 12 are awarded academic credit for attendance and completion of assignments if they choose to participate in the program as opposed to being suspended (out of- school).</p>
Behavior Intervention Center (BIC) – Burns Middle School, Cleveland County	<p>The Burns Middle School's Chill Out/Time-Out Program sends disruptive students to chill out/time-out classrooms, instructed by licensed teachers or other school staff, for the duration of the class period in which they were disruptive. The Center is used when students have gone to numerous time-outs and their behavior has failed to change. A licensed school counselor oversees BIC in a small isolated classroom located inside the school. The students remain in BIC for the duration of the school day. The focus of instruction while in BIC is changing behavior patterns of students while continuing their school work.</p>
Project Re-Direct – Emma B. Trask Middle School, New Hanover County	<p>This program addresses the needs of short-term suspended students. The program meets for half a day in an isolated on-campus classroom under the instruction of a licensed teacher. While in Project Re-Direct, students focus on both academics and behavior. Because the program is so small, the teacher is able to give individualized instruction to the students. The students discuss the behaviors that caused him/her to be in the program and alternative actions they could have taken.</p>
Genesis – Perquimans High School, Perquimans County	<p>This program addresses the needs of students who have been short-term and long-term suspended. Genesis is housed in a mobile unit and is coordinated by a school staff member. While in Genesis, students receive one-on-one instruction from the coordinator or with the assistance of a computer education program, Nova Net, which helps students improve their academic skills. The Genesis coordinator and the student meet one-on-one to discuss how the student's behavior can be modified so suspensions may be avoided. The students also take career aptitude tests, research various career fields and complete a project in the career field they select.</p>
Community – Short-term Opportunity Program (C-STOP) – Isothermal Planning and Development Commission	<p>C-STOP provides a non-punitive response to students identified as behaviorally "at risk" through out-of-school suspension. This program serves court referred or supervised juveniles and short and long-term suspended students if no other educational placement is available. Staff assists each student in completing a risk assessment, and implementing an Individual Services Plan (ISP). Each student nominates a staff mentor at their "home school" who will support pursuit of their ISP goals. C-STOP embraces the "opportunity" to assist each student through successful return to their "home school" or by identification of an appropriate alternative learning program. C-Stop sites have been initiated in the following school systems: Cleveland, Henderson, Iredell-Statesville, McDowell, Polk, Rutherford and Transylvania.</p>

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