

A MULTI-LAYERED APPROACH TO STRENGTHENING MICHIGAN’S SCHOOL SYSTEM AND REDUCING EXPULSION RATES

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I. INTRODUCTION

Historically, the issue of establishing a strong public education system has involved the work of many different parties. From the onset, the government played a role in its creation of judicial districts. The idea of self-taxation was imposed to support those districts, and the creation of legislation sought to help enforce the rules and regulations in each district. In 1809, Michigan started its journey to build a lasting and successful educational system. Ultimately, school districts were created, and under the supervision of the state, taxes to support the schools were allocated.

However, throughout the years and amidst all of the moving parts, discrepancies still emerged through the high rates of expulsion in some areas of the state. The factors contributing to Michigan's expulsion rates are even more plentiful and complex than the number of parties that were involved in originally creating the school system years ago. While the legal community can play an important role in strengthening these discrepancies, one must look beyond the powers of only this group. Likewise, one must also look beyond the powers of the government as a whole in order to solve the issues that are believed to cause the issues in schools. This document takes a deeper dive into how the legal community's role in public education reform and reduction of expulsion rates is tied to collaborative work with other important and influential groups and individuals.

When the efforts and tools of the legal community are combined with those of the Legislature and court system of Michigan's State government, the State Board of Education and relevant parties in each individual school district, this is when expulsion can be combated most effectively. Furthermore, the influences of the child's home life, their socioeconomic status, the amount of resources available to the teachers and administration in each school and the efforts

put forth by parents and legal guardians in order to keep children, especially those at-risk, engaged in their education, all play a significant role in the success of schools. Innovative education-based statutes, enforcement of relevant case law, analysis of effective expulsion methods and support of statewide initiatives can all help address the issues Michigan faces. Essentially, in order to strengthen the schools in the state, this multi-layered approach should be utilized, for “the problem is multi-faceted, comprised of deficiencies in the manner and type of academic instruction received, but also impacted by a variety of social and economic forces unique to the circumstances of each student. Consequently, there is no one-size-fits-all solution.”¹ The current tools at the legal field’s disposal must collaborate with additional resources to tackle the issue of school expulsion rates and offer all children, the promise of a bright future.

a. A Brief History of the Michigan School System

As Michigan’s current Constitution so appropriately states, knowledge is “necessary to good government and the happiness of mankind; schools and the means of education shall forever be encouraged.”² The history of Michigan’s public schools dates back to the Northwest Ordinance of 1787.³ The new territory was first divided into townships, and these townships were subsequently subdivided into sections. Once these sections were created, they were sold at public auction, the funds of which were meant to be set aside for the funding of a public education system. When John Pierce came to Michigan after his time on the East Coast, he brought what he had learned about the school system, supplemented by his education from

¹ 307 Mich.App. 685, 703

² Constitution

³ mackinac website

Brown and Princeton.⁴ In 1835, he was appointed Michigan’s first Superintendent of Public Instruction.⁵ In 1869, he drafted a version of an educational system, which was financed and operated by the government, despite many citizens’ apprehension towards the self-taxation that was an inherent feature of his new idea.

In 1963 under the new State Constitution, Michigan created its State Board of Education.⁶ This new board was given the duties of “[l]eadership and general supervision over all public education⁷” and to “serve as the general planning and coordinating body for all public education.”⁸ Thus, it was at this point in Michigan’s educational history that the role of multiple parties was realized, and that in order to operate a successful public school system, the work of many hands had to partake in its functioning. Over the next few decades, the State Board of Education has focused on various initiatives that sought to improve Michigan’s educational landscape. In doing so, the complexity of solving the issues was also realized.

In *Governor v. State Treasurer*, where the issue of school financing was addressed, Justices Kavanagh and Levin fervently pointed out that,

[I]t must be apparent by now that we are of the opinion that the state’s obligation to provide a system of public schools is not the same as the claimed obligation to provide equality of educational opportunity. Because of definitional difficulties and differences in educational philosophy and student ability, motivation, background, etc., no system of public schools can provide equality of educational opportunity in all its diverse dimensions. All that can properly be expected of the state is that it maintain and support a system of public schools that furnishes adequate educational services to all children.⁹

⁴ Id.

⁵ <http://www.michigan.gov/mde/0,4615,7-140-5373---,00.html>

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[http://www.legislature.mi.gov/\(S\(lh5n1r1ej551ipkp0sfkar4x\)\)/mileg.aspx?page=getobject&objectname=mcl-article-viii-3](http://www.legislature.mi.gov/(S(lh5n1r1ej551ipkp0sfkar4x))/mileg.aspx?page=getobject&objectname=mcl-article-viii-3)

⁷ Id.

⁸ Id.

⁹ *Governor v. State Treasurer*, 390 Mich. 389, 406; 212 N.W.2d 711 (1973) (*Governor II*), Justices T.G. KAVANAGH and LEVIN concurring.

While this statement does hold merit, with the help of multiple parties, more than simply “adequate educational services”¹⁰ can be provided to the children in Michigan, as can be seen through the recent efforts put forth to improve those services.

b. An Overview of the Current State of Education and Students At-Risk, and the State Actions for Improvement of Both

In order to address the expulsion rates in the State, one must look at the overall picture of the current status of Michigan’s public education system. Recent efforts of this can be seen in the 2017 Kids Count in Michigan Data Book¹¹. The data revealed the impacts that economic security, health and safety, family and community, and overall education have on children in the state. This information allows for identification of policy strategies that can help improve outcomes for children most at-risk. In focusing specifically on the data related to education, it was revealed that Michigan public schools have many weaknesses that must be addressed. Additionally, the education system is also “impacted by many other factors, such as poverty, health and family and community well-being,”¹² areas of policy that have been neglected in the past. However, after looking at this evolution of education in Michigan, the state has shifted its focus towards efforts on correcting those weaknesses, including addressing the rates of expulsion, which various strategic plans seek to reduce.

Michigan currently has a number of active incentives that seek to improve the state of public schools. One of the predominant initiatives currently in place is “Top 10 in 10 Years¹³,” which strives to move Michigan’s educational system to be within the top ten in the country within the

¹⁰ Id.

¹¹ <https://www.mlpp.org> 2017 Kids Count in Michigan Data Book

¹² Kids Count in Michigan Data Book 2017, p. 20

¹³ https://www.michigan.gov/documents/mde/MDE_Goals_and_Strategies_2-8-16_514042_7.pdf

next ten years. The initiative, fashioned by the Michigan Department of Education and State Board of Education, lays out a series of principles and seven specific strategic goals. A sampling of those goals most relevant to the discussion at hand can also be impacted by assistance from the legal resources available. The first goal of the initiative is to provide every child access to an “aligned, high-quality . . . [school] system . . . through a multi-stakeholder collaboration with business and industry, labor, and higher education to maximize lifetime learning and success.”¹⁴ The legal community can play a role in accomplishing this strategic goal by being one of those collaborating stakeholders, offering input and expertise from a pool of individuals who have been through extensive schooling and continuing education. Similarly, the second goal of the initiative is to focus on implementing high quality instruction by use of a “highly coherent, child-centered instructional model where students meet their self-determined academic and personal goals to their highest potential.”¹⁵ The legal resources available to help achieve this goal include attorneys’ active participation in discussions surrounding the new model. Finally, and the strategic goal that could have the most impact on reducing expulsion rates, is to develop an “innovative and cohesive state education agency that supports an aligned, coherent education system at all levels.”¹⁶ The key aspect of this goal is the innovative approach, where the State Board of Education as well as other important stakeholders, which should include those within the legal community, can take closer looks at alternative school structures, tax breakdowns, districting, improving the pool of teachers and administration and determining ways to keep at-risk children engaged and happy in schools.

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.*

Despite these efforts, there are still some districts in particular that are in need of assistance more than others. For example, taking a look at the Detroit Public School system, fifty years ago, there were around 300,000 students compared to the now 47,000 students, closing 200 schools over the last 15 years.¹⁷ There has been competition placed upon them from private, charter and parochial schools as well as public schools in the nearby suburbs. Additionally, budget cuts, shifts in population and declining enrollment have all played a part in exemplifying the issue. After a period of over 100 years of growth, Detroit had begun to shrink in the 1960s, leading to negative impacts on the city, which included reduced educational funding, untrustworthy officials in office and failing schools. This example provides insight into the importance of expanding the efforts to combat poorly performing public schools, which the court system and State government can play an active and helpful role in addressing.

II. THE ROLE OF THE STATE GOVERNMENT IN REDUCING EXPULSION RATES

When assessing not only the role of the Judicial branch of Michigan's State government, but the government as a whole in regards to educational reform and ways to reduce expulsion rates, one must be cautious not to overstep boundaries of power. In determining how both the courts and the Legislature can assist Michigan in improving its state of public education, separation of powers must still be considered. It is important to respect the boundaries that have been set in order to leave pertinent tasks to the teachers and school administration given how closely tied they are to the functioning of the schools and the interactions with the students. Nevertheless, the courts can maintain the task of enforcement of the various laws, statutes and acts relevant to the public school system while the Legislature can focus on proper drafting, implementation and

¹⁷A School District in Crisis: Detroit's Public Schools 1842-2015, John Grover & Yvette van der Velde. <https://make Loveland.com/reports/schools>

support of innovative and successful educational reform. The State Board of Education also plays a significant helping role. As noted in *Straus v. Governor*, all “statutory, policy making powers, duties, functions and responsibilities . . . shall remain with the State Board of Education.”¹⁸

Assessing the specific needs of public schools in the state will help identify the discrepancies that are inherent with schools having higher rates of expulsion. Courts can continue to properly offer their best interpretation of public school-based reform while always keeping the best interests of the students at the forefront of their analyses and enforcement of legislation. Through the joint efforts of both branches and the work of the State Board of Education, by strengthening the public schools throughout the state, with focus on those with the most at-risk students, the expulsion rates can continue to be addressed.

a. Judicial Branch Specific Efforts

When looking at judicial competence in matters regarding education, “[c]ourts cannot serve as . . . overseers, . . . weighing the costs and benefits of competing . . . ideas, or the wisdom of . . . taking certain actions, but may only determine whether some . . . provision has been violated.”¹⁹ That being said, the role of the courts remains in the enforcement and support of significant legislation related to the functioning of the public school system in Michigan in order to combat the issues it faces. As seen in *Lansing Schools Education Assoc. v. Lansing Board of Education*, the efforts of the courts were focused on enforcing statutes relevant to the students whose behavior warranted possible expulsion.²⁰ Here, there was a “substantial interest in the

¹⁸ 459 Mich. 526, 531 (Mich. 1999), Executive Order No. 1996-12.

¹⁹ *Straus*, 307 Mich.App. 685, 703.

²⁰ *Lansing Schools Education Assoc. v. Lansing Board of Education*, 487 Mich. 349, 376.

enforcement of MCL 380.1311a(1),”²¹ specifically that compliance of school-based statutes is necessary for the plaintiff-teachers’ safety.²² This particular case illustrates the need for the combined efforts of the legislature’s drafting of statutes and the courts’ consistent enforcement of those relevant statutes.

Additionally, one of the courts’ important roles in combating expulsion rates deals with addressing the disparities in school functionality and student success. *Milliken v. Green*²³ looked at whether or not Michigan schools denied “substantially equal educational opportunity”²⁴ based upon inadequate financial resources available to schools in lower socioeconomic communities. This was seen through the students’ low test scores and lack of educational and extracurricular activities offered. The plaintiffs here argued that the tax differences were an unconstitutional burden that “deprived children in districts with relatively low taxable resources of educational opportunities equivalent to those available to children in districts with greater taxable resources.”²⁵ The courts here point out that greater taxable resources does not necessarily guarantee increased student success and retention in schools, that “there is continuing debate regarding the point at which the marginal return on incremental expenditures becomes educationally significant.”²⁶ However, by truly focusing on the best way to allocate taxable resources available to the school districts, there is a greater likelihood that those schools that lack adequate books, supplies, facilities and salary incentives for a strong teacher base would benefit from more efforts being focused on the issues therein.

²¹ *Id.*

²² *Id.*

²³ *Milliken v. Green*, 390 Mich. 389 (Mich. 1973), 212 N.W.2d 711

²⁴ *Id.* at 391.

²⁵ *Id.* at 396.

²⁶ *Id.* at 405.

Furthermore, new legislation was likewise passed to amend how teacher layoffs are handled, as seen in *Baumgartner, Loretta, Cole, et al. v. Perry Public Schools*.²⁷ This case addressed governmental power and authority, specifically who reviews decisions regarding teacher layoffs. A change was made in the form of MCLs 380.1248 and 380.1249, which adopted a performance evaluation system that “assesses teacher effectiveness and provides a detailed set of factors that school districts’ performance evaluation systems must include.”²⁸ Thus, a stronger pool of teachers can allow for more engagement of students who might otherwise neglect schoolwork and potentially turn to behaviors that can lead to expulsion. Essentially, these cases illustrate a couple examples of the courts’ role in implementing and enforcing changes to the public school system to help reduce expulsion rates. Likewise, the Legislative branch has their own respective roles in accomplishing this goal.

b. Legislative Branch Specific Efforts

As the Judicial branch can only offer so much assistance in matters pertaining to public schools, the Legislature must also play an active role in working to reduce expulsion rates. The drafting and implementation of innovative laws, statutes and acts can help accomplish this by strengthening the public education system, and in turn, helping students stay in school. It is important to note that the legal tools of relevant, school-based legislation can be revised and updated to address expulsion rates in evidence-backed and inventive ways. Some important areas of focus are the establishment of a core academic curriculum to allow for students to stay in school and succeed, and in defining proper behaviors in which to expel students while supporting alternative approaches to students who exhibit those behaviors.

²⁷ 309 Mich.App. 507 (Mich.App. 2015).

²⁸ *Id.* at 527.

The core academic curriculum is set forth in MCL 380.1278, which defines academic objectives and is “based upon the school district’s educational mission, long-range pupil goals, and pupil performance objectives.”²⁹ Enforcement of this statute allows for children to be provided relatively equal opportunities in terms of academic achievement in hopes of keeping them engaged and in school. MCL 380.1310(d)³⁰ lists factors to consider when ascertaining situations where students should or should not be expelled for their particular behavior. The difference with this Revised Act is that the focus shifts to a “restorative” one, rather than a strictly disciplinary one. While the students who are expelled do need discipline to a degree,³¹ efforts must also be focused on promoting a mindset where they are ready and willing to prioritize school. This Act provides for the idea of restorative practices to allow the students to remain in school at the “sole discretion of the board of a school district or intermediate school district or board of directors of a public school academy or its designee,”³² an innovative approach to the former zero tolerance policy. Additionally, MCL 380.1311a(11) lays out alternative resources for students at-risk for expulsion. The Legislature’s passing of this portion of the Act also led to the creation of offices for safe schools, which “work with and provide technical assistance to school districts, authorizing bodies for public school academies, and other interested parties in developing . . . alternative education programs.”³³ Furthermore, the students may be given “agreement to a behavior contract, which may involve the individual, parent or legal guardian and an outside agency; participation in or completion of an anger management

²⁹ MCL 380.1278(3)(a).

³⁰ Revised School Code; Act 451 of 1976; Public Acts 360-366

³¹ Strict expulsion guidelines still remain for serious offenses, such as bringing a weapon onto school property.

³² MCL 380.1310d(4)

³³ MCL 380.1311a(11)

program or other appropriate counseling; period progress reviews; and specified immediate consequences for failure to abide by a condition.”³⁴ It is through these modern ways of thinking at all ends of the government spectrum that can lead to the most impactful changes, and, most importantly, to the reduction of expulsion rates.

c. State Board of Education Specific Efforts and Overall Collaborative
Governmental Approach

While the branches of the government still have their respective duties to uphold in strengthening our public school system, collaborative work will help that process. The final governmental group that can play a significant helping role in this approach is the Michigan State Board of Education. Through their continued support of the efforts of both branches of the government combined with the strategic statewide school-based initiatives, expulsion rates can truly be combated. The State Board of Education was given powers at the inception of a public school system, namely to “serve as the general planning and coordinating body for all public education, including higher education, and [to] advise the legislature.”³⁵ Given that the Board is empowered with the “leadership and general supervision over all public education,”³⁶ its collaborative role in assisting the legal field with reducing expulsion rates is essential.

It is the duty of statewide programs to assess educational progress and determine where remedial assistance is needed, namely to “provide the state with information needed to allocate state funds and professional services in a manner best calculated to equalize educational opportunities for students to achieve competences in such basic skills.”³⁷ The most important collaboration that can occur is in the legislature’s drafting of innovative laws, statutes and acts

³⁴ Id. at (5)(g)

³⁵ Michigan Constitution, Article VIII, Section 3, Clause 1 (In Part).

³⁶ Const 1963, Art VIII, Section 3, Clause 4 (In Part).

³⁷ 307 Mich.App. 697, 698.

that promote success for the public school system, the courts subsequent support and enforcement of that legislation, and the State Board of Education’s support of all key legislation and initiatives in addressing expulsion rates. However, a delicate balance must still be respected in terms of government involvement with the schools. Those most closely tied to the public schools and students, namely the teachers, administration and local school boards, must also play a primary role in addressing expulsion rates throughout the state.

III. THE ROLE OF LOCAL EDUCATIONAL BOARDS AND ALTERNATIVE SCHOOL STRUCTURES IN REDUCING EXPULSION RATES

While the legal field plays its own important role in addressing discrepancies in public schools, the local school boards are also an important part of this multi-layered approach to reducing expulsion. It is proper to note that “[t]he Michigan Constitution leaves the actual intricacies of the delivery of specific educational services to the local school districts.”³⁸ This is understandable given the direct involvement these groups have with the students. Furthermore, not only must the innovative nature of legal resources be utilized, but innovative approaches to varying school structures must also be considered. It is only through implementing necessary change that the state of education in Michigan can also change.

a. The Role of Local School Boards and Alternative Methods of Expulsion and Suspension

While the legal field and the tools and resources at its disposal are a significant piece of implementing a solution, one must not discount the importance of the local school boards, for they “enjoy broad discretion in fashioning rules relative to anything necessary for the proper establishment, maintenance, management and carrying on of the public schools.”³⁹ Being so

³⁸ 307 Mich.App. 685 (Mich.App. 2014), 697; 862 N.W.2d 246

³⁹ MCL 380.1300. *Davis v. Hillsdale Community School District*, 226 Mich.App. 375,379 (Mich.App. 1998)

closely tied to how the school operates, the administration, teachers and educational boards must also think collaboratively and innovatively for ways to address expulsion. Every school district is required by law to adopt its own code, as set forth in the Revised School Code, MCL 380.1312(8),⁴⁰ and this shall be “one element of a school district’s safe schools plan.”⁴¹ In the Code of School Conduct,⁴² exclusionary discipline is addressed by pointing out that it “often sets the stage for student disenfranchisement, academic failure, dropout and potential criminalization.” Local school districts must focus on the importance of keeping students in school to continue learning, and that the previous methods of isolating children from this environment as their punishment has proven to be more detrimental than helpful. Therefore, the collaborations of local school boards and administration, coupled with those of the legal field and other aforementioned parties, to finding solutions are critical to enforce and encourage alternative methods of disciplinary practice on students who would otherwise have been expelled.

In order to continue to tackle school expulsion rates, local school boards and the legal field alike should encourage the implementation of alternatives to traditional suspension and expulsion protocols. Some examples in Michigan include In School Suspension (“ISS”), the Michigan Model for Health, Positive Behavior Interventions and Supports (“PBIS”), Restorative Justice (“RJ”) and Social and Emotional Learning (“SEL”)⁴³. These programs look to minimize the amount of zero-tolerance policies adopted by school boards. This allows for students to participate in the academic process while being disciplined for their actions. ISS has students

⁴⁰ MCL 380.1312(8)

⁴¹ Id.

⁴² Look up citation – Code of School Conduct, Section 3

⁴³ Discussion of each alternative found on Michigan Department of Education website; https://www.michigan.gov/mde/0,4615,7-140-74638_72831_72836---,00.html

continue to do normal class work in a separate room with a supervisor, RJ seeks to have students not simply be reprimanded, but to make things right with whom they have harmed, and the Michigan Model for Health facilitates the creation of safe and effective schools through a team-based framework helping students develop social skills and use problem solving to address behavioral concerns.

b. Alternative Methods of School Structures and Timelines

As pointed out in Malcolm Gladwell's *Outliers*⁴⁴, an alternative school structure based on scheduling can have positive effects on those students who may find themselves in a more at-risk area. Gladwell points out that students in the affluent suburbs spend their summer vacations in various camps, continuing to learn, read and stimulate their intellectual development. Meanwhile, children who lack these opportunities end up spending the same period of time with no forward movement in their education. He mentions an "achievement gap," which can be described as follows:

[It is] a phenomenon that has been observed over and over again, and it typically provokes one of two responses. The first response is that disadvantaged kids simply don't have the same inherent ability to learn as children from more privileged backgrounds. They're not as smart. The second, slightly more optimistic conclusion is that, in some way, our schools are failing poor children: we simply aren't doing a good enough job of teaching them the skills they need.⁴⁵

However, Gladwell continues on that neither of these observations are true. Through the analysis of results from an Achievement Test administered at both the beginning of the school year and at the end, it was apparent that the children from the poorest neighborhoods made little to no improvement over the course of summer vacation in their reading skills, whereas those

⁴⁴ Gladwell, Malcolm, *Outliers: The Story of Success*.

⁴⁵ *Id.* at 256

children from wealthy communities outscored them year after year.⁴⁶ While children in affluent communities spend their summers in special programs, reading books and having parents actively engage them in continued learning, children in poorer areas lack the money to enroll in summer camps, typically do not have a multitude of books lying around their homes and do not have parents that are pushing them to continue improving their educational skills.⁴⁷ It is through the results of these studies that perhaps a different timeline for public schools in at-risk areas of the state should be tested, in particular one that allows for shorter breaks throughout the year rather than one extended summer vacation.

Ideas of alternative school structures for certain at-risk areas can also be tested. Gladwell discusses one such example from the Bronx KIPP (“Knowledge is Power Program”) Academy⁴⁸. The KIPP Academy was an experimental public middle school in one of the poorest neighborhoods in the Bronx, with classes of students chosen by lottery from the nearby community. Over the last ten years, it has become “one of the most desirable public schools in New York City⁴⁹” and has since spread across the US, now boasting more than 50 KIPP Academies. How the schools have become so successful deals in part with how the students are taught and the amount of time spent at school⁵⁰. Teachers discuss a more relaxed atmosphere in classrooms where students can be given proper explanations, better understand material that is difficult for them, and work through topics until the student understands. This methodical approach, one where the teacher is in full support of the student and classmates help each other

⁴⁶ Include stats from table on pg. 257

⁴⁷ Id. at 259

⁴⁸ Id. at 250

⁴⁹ Id. at 251

⁵⁰ Id. at 261. Note: Students at KIPP Academies come in on Saturday mornings, and they continue to attend classes throughout the summer with shorter breaks than traditional schools.

work through concepts, has proven to be what makes all the difference. The students are taught from the beginning that they must develop their work ethic, dedication and commitment, all while the teachers are fully supportive and engaged in their learning. The development of these traits could help keep those students who would otherwise fall through the cracks into situations of possible expulsion. Teachers at KIPP Academies point out that, “[p]art of it is endurance, part of it is motivation. Part of it is incentives and rewards and fun stuff. Part of it is good old-fashioned discipline. You throw all of that into the stew. We talk a lot here about grit and self-control. The kids know what those words mean.”⁵¹ The students here are not necessarily smarter than students in other communities; they are simply given opportunities to find a way out of their life of poverty, and they take full advantage of those opportunities. By Michigan taking ideas from this concept, refashioning some of the public schools in impoverished areas or those with at-risk students and high expulsion rates to KIPP-style Academies, the state could also provide these children with opportunities. The legal community’s role in both of these alternatives, namely a varied school schedule and an alternate public school format, could be in the analysis of the actual effectiveness of these changes. In assessing the changes and any potential positive impacts they have on reducing rates of expulsion, the legal field can then utilize their access to governmental-based resources in advocating for more widespread use of these innovative approaches.

c. Reassess, Repurpose and Revive – Consolidation of Schools in Areas Most At-Risk

Finally, in order to combat the issue of expulsion rates in a more manageable way, one can specifically focus on areas where larger populations of at-risk students live, and, thereafter,

⁵¹ Id at 261, Quote by David Levin, a student at the Bronx KIPP Academy.

develop a strategic, gradual and procedure-driven approach to assess the optimal number of schools that should be operating. By consolidating the number of schools, an optimal ratio of students, teachers and dollars per student can be determined, which could help create a better environment where children feel engaged and less likely to resort to behaviors that can lead to expulsion. Additionally, by having a formal process in place, the potential negative impacts that school closures can have on a community can be minimized.

Between 2001 and 2013, Chicago closed about 140 of its 601 public schools⁵². Many of these schools that closed had high rates of expulsion, just as Detroit and other cities throughout Michigan face. In 2013, Chicago Mayor Rahm Emanuel created a committee to address the problem through a formal 3-step process to assess viable use for the closed schools⁵³. The success they experienced came in the instances where the buildings themselves were repurposed, either reopening as charter schools or public schools with different academic programs or being sold or demolished. The problems arose in the schools that remained vacant. Abandoned buildings take a toll on a city, both financially and aesthetically, something Detroit knows a great deal about. Therefore, should Detroit implement a solution such as this, by having a formal and well-thought out process beforehand, with extensive input from the legal field on important areas such as tax implications and land use policies, the issues that Chicago faced can be avoided as much as possible.

IV. THE ROLE OF POSITIVE INFLUENCES FROM WITHIN THE LEGAL COMMUNITY IN REDUCING EXPULSION RATES

While it is important to focus not only on the legal and judicial tools and all other governmental and school board based resources available to help reduce the expulsion rates in

⁵² <https://makeloveland.com/reports/schools#chicago>

⁵³ *Id.*

Michigan, one cannot discount the impact that a positive role model can have on a child who is considered at-risk in the public school community. Often times, those students who end up being expelled face more than simply education-based problems. They come from difficult home lives, lower socioeconomic status communities, neighborhoods with violence, or parents or legal guardians that are not supportive or engaged in their upbringing. In having to overcome these obstacles, at times their decisions in school to go against rules or policies or neglect basic responsibilities such as studying or homework stem from these other issues. This is where the legal and judicial tools, namely attorneys' ability to be role models to these at-risk children, can come into play.

Attorneys and judges alike can serve as positive influences to students of all ages in public school communities most at-risk. With exceptional educational backgrounds themselves, those in the legal community can emphasize the importance of staying in school, building strong work ethic and establishing good character traits. Giving back is a two-way benefit for all. Through the efforts of the State Bar of Michigan and various local Bar Associations throughout the state focusing on after-school mentor programs, the issues of expulsion in the educational districts most in need can be reduced, and students' lives can be positively impacted for the better. Currently, there are organizations in place that center their missions around keeping children in schools. For instance, Big Brothers Big Sisters of Metropolitan Detroit⁵⁴ seeks to provide children who face adversity with safe, strong and enduring, professionally supported one-on-one relationships. This mentorship program improves the odds of children not only succeeding in school, but also behaving non-violently, avoiding drugs and alcohol, and building strong and healthy relationships with family, friends and adults. Programs such as this are perfectly attuned

⁵⁴ <https://www.bbbsdetroit.org/>

to draw a pool of volunteers such as attorneys, giving the legal community the perfect opportunity to give back and also improve the lives of children around the state. There are also smaller organizations, such as buildOn⁵⁵, which empowers Detroit youth to transform schools and neighborhoods most in need, and Teen HYPE (“Helping Youth by Providing Education”)⁵⁶, which provides evidence-based programs that focus on health, safety, education and the arts, that can also be utilized by the legal field to positively influence students in need of a role model.

Essentially, the simple act of volunteering one’s time can go as far as extensive legislative reform, discussions and debates on how best to structure the educational system, elaborate statewide initiatives and significant amounts of funding. To be able to have a student who would otherwise have made poor decisions that could lead to expulsion, inability to finish school or find a job, but instead have him or her find a role model, a mentor to look up to, one in which to turn to in times of difficulty or where no other support could be found, would be the true success. Furthermore, attorneys possess the mindset of fighting for the best interest of their clients, which can easily be transferred to volunteer efforts of providing the best hope for children in at-risk schools and communities. The legal field, with its high level of intellect and admirable character traits of integrity, discipline and hard work, is perfectly positioned to help address the issue of expulsion through the small act of volunteer work, positively influencing one student at a time.

V. CONCLUSION

The issues that the educational system face are vastly complex in nature. The most effective way for the legal field and the resources at its disposal to address this is through a multi-layered approach involving multiple parties. First, the collaboration of the courts, Legislature and State

⁵⁵ <https://www.buildon.org/>

⁵⁶ <https://www.teenhype.org/>

Board of Education can lead to new and effective laws, statutes and acts relevant to addressing expulsion rates. Furthermore, utilizing the closeness that local school boards have to the students and teachers can help determine proper solutions to public school-based issues the state faces. Moreover, in order to address problems, a more modernized approach to school structures and expulsion methods must be implemented, for if change does not occur, the issues that Michigan's educational system faces cannot be solved. Finally, the simple act of volunteering as a mentor to children who are at-risk can make just as much impact on a community as extensive legislative reform and funding. Essentially, by engaging many important parties as part of the legal fields' approach to solving expulsion rates, the chances of strengthening the state of public education in Michigan significantly improves.