

**To: House Education Committee**

**From: Marian Cakarnis**

**Date: 3/1/2013**

**Re: Support for HB 2192.**

My name is Marian Cakarnis, and I'm the adoptive parent of a mixed race child in the rural Forest Grove School district. I'm in support of HB2192 because our current zero-tolerance policy is not only damaging to students, but is a contributing factor to the negative environment in many of our schools. This negative environment contributes to increased bullying problems and makes our schools unsafe.

My daughter was expelled towards the end of sixth grade for possession of a pocketknife (refer to picture below). She is a child who has never had any discipline issues, was an "A/B" student and had no trouble meeting and exceeding on the state assessment tests. She is very well-adjusted with many friends and two devoted parents.

On June 1, 2011, she was bullied on the school bus by two boys on the way home from school. One of the boys was sitting behind her and kept playing with her hair and touching the back of her neck. The bus follows an assigned seating policy and my daughter was sitting in an aisle seat with two other students. The other boy sitting by the window was "egging" on the boy behind her and they were calling her names. My daughter told them to stop and to leave her alone, but they persisted. She finally turned around and scratched the boy's hands behind her with her fingernails – she also reached over and slapped the boy by the window. The boys both threatened to hurt her. The bus arrived at my daughter's stop and she got off the bus. After my daughter got off the bus, the boys told the bus driver that she had a knife in her backpack.

The next day the bus company called the school to report the incident and my daughter was called down to the office after lunch. She was interviewed by one of the sixth grade teachers who also has administrative responsibilities as the Dean of Students. He also interviewed the two boys and the witness who was sitting between my daughter and one of the boys. The boys admitted taunting her and one of the boys said he saw a knife that day and the other said he'd seen it in her backpack before, but didn't see it on the bus that day. The witness also did not see a knife on the bus that day. My daughter admitted scratching the boys and produced her small pocketknife to the teacher when he asked her to empty her backpack and pockets.

The pocketknife was a gift from her dad years before. She'd lost it for a long time in her room and when she finally found it, she put it in her backpack so she wouldn't lose it again. She sometimes used the scissors to cut loose threads or papers. When the teacher asked her why she had the knife, she said she had it for protection. We believe she said this because she was afraid and that perhaps this would justify it somehow.

At this point, the school contacted me to come and pick her up and explained that she would be suspended for 10 days - she would not be returning to school because the last day of school was on June 8th. I understand that she broke a school rule and suspension might be an appropriate action, but they also explained that there was a mandatory 1 year expulsion which was the school policy, mandated by Federal and State law. I was stunned - my husband and I awaited the hearing, where we felt reason would predominate. We were wrong. The hearing was an exercise which did not allow for any leeway, as the outcome was predetermined. At the hearing, it was unanimously said that they did not feel our daughter was any risk to other students. They said they would recommend that she be allowed to attend school in the Forest Grove school district under "guest" status. They did not see any reason that she would not be able to attend her regular school in the fall. After meeting with the Superintendent, it was confirmed that she would have no restrictions and would be allowed to participate in all school activities. The only thing is, she would have this expulsion on her record. It still isn't clear to me what the point would be - other than its' function as a scarlet letter.

It wasn't until later that I began to realize the detrimental impact this expulsion had on my daughter's self-image. She prides herself on being respectful and she works hard to maintain a solid academic record, so this disciplinary measure was devastating to her. Although she would still be able to attend the middle school that she had been looking forward to, she was embarrassed that she would be a "guest" and felt others would judge her harshly. The first term of seventh grade was difficult for her, as her confidence in herself had withered and she struggled to be engaged in her classes. She often worried about how she might be perceived and struggled to complete assignments fearing that she might be doing something wrong and will be harshly judged. In prior years, tests and quizzes were merely an assessment of skills and knowledge, but they became increasingly worrisome exercises which she saw as yet another method of judgment against her.

My husband and I worked hard to help her feel less like a victim and more empowered to be a good student. Although all of her grades dropped, she was still doing okay in school. She was still active in her activities: community choir, track, basketball, etc. She hasn't had any issues - except for an occasional homework lapse. But I still fear this expulsion on her record could have long-term

consequences. She will always have this on her record and will have to answer affirmatively when asked if she's ever been expelled. At the end of her expulsion period, I requested to have the expulsion removed from her record, but received a reply from the Superintendent that this would not happen because it is not in their policy.

As parents, we now realize that this incident may have long-term consequences when applying to schools or her possible future career. Our daughter's experience destroyed a stellar record of school achievement. In fact, the school did not even report her expulsion to the state on the school report card – it clearly shows there were zero expulsions due to weapons, when in fact, her expulsion should have been reported if it was going to be on her record. More troubling, is that she has not fully recovered her self-confidence in her ability to make good decisions. She is still worried that she will do something “bad” and will be poorly thought of.

Our daughter enrolled in the local charter school this fall, where the environment is much more positive and her confidence in herself has improved. Since she will be starting 9th grade next year, we decided to apply to a couple of private schools with similar positive environments. My husband and I never would have thought of private school, if our daughter hadn't suggested it. But after looking into it, we realized what a difference a positive education could make in her life.

*Students need to feel safe in school, but policies promoting a negative and punitive learning environment do exactly the opposite. The safest schools are those where ALL students feel they can trust the adults in charge to be capable and fair, who care about the success of students and are able to promote a positive learning environment - not a punitive one where students are wary and fearful of the adults who mete out unnecessary and overly harsh punishments. School environments should help students learn - academically and from minor infractions. Adults in charge should be able to competently assess situations and determine what is in the best interest of students.*

I've also made an effort with our local school board to address our local policies – although I can't say that any real improvements or changes have been made. The only positive effect has been that the school board requested an annual review of expulsion data and the school board Vice-Chair added the topic of restorative justice to a future meeting (scheduled for “Spring 2013”). It is a very sad situation and I often think of the students who don't have the support of a strong family situation like my daughter has. Their lives are often ruined and any options they may have had in life, are significantly reduced. Should these students be so harshly judged and denied an adequate education? Students in their learning years, should have the opportunity to learn from their mistakes and we should support their right to an education giving them the options they will need in

life to be successful.

*Policies such as Zero-tolerance policies promote negative learning environments which drive students into fear-based behavior. Fear-based behavior serves no one; not the fearful student, nor other students who may become victims of bullying by students who are fearful. We need to stop this cycle, by restoring more positive learning environments for all students.*

I urge you to pass HB 2192. School district policies need to change, and schools should not be required or believe that they are required to expel students like my daughter. Successful students like her have their lives turned upside down when “zero tolerance” policies are so extreme and so inflexible.

Thank you,  
Marian Cakarnis

*Picture of the pocketknife which was the subject of my daughter’s expulsion:*



