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Students facing expulsion will be told of free legal help
School board reverses position

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After balking for three years about telling students who are facing expulsion that they can get a free lawyer, the Greenville County School District has decided to give them that information.

The change of heart came after a group of local lawyers who are offering students free legal help put up billboards advertising their program, and *The Greenville News* published stories about it.

Trustee Leola Robinson-Simpson, who had raised the issue, said she wants to make sure that before the district expels a student that the case is thoroughly investigated.

"We have lost a lot of our young people, and I think the dropout rate is being fueled by this suspension and expulsion process," she said. "Everybody is concerned about dropouts but a lot of these kids are being helped out the door."

Advertisement Last year, 413 Greenville County students were referred for expulsion, and 166 were expelled, according to district records. Half of those who were kicked out never tried to get back in school when their term was up.

The district had resisted putting information about free legal help in a letter sent to parents notifying them about their child's expulsion hearing. Among reasons given were that if the students had a lawyer, the principal involved should have one too, and that could cost.

Trustees also said they didn't want to give parents the impression that the district was recommending any particular lawyer or group of lawyers.


"After researching the matter, we identified a toll-free number for the Legal Aid Telephone Intake Service ... to assist families seeking legal counsel," said district spokesman Oby Lyles.

That phone number, however, is for the same organization that the local attorney's group had been asking the district to give to parents for South Carolina Legal Services, formerly known as the South Carolina Center for Equal Justice.

But the local attorney's group, called Law in Action, had asked that the local number be given rather than a toll-free number for the Columbia office.

Legal Services determines whether the student is eligible for free legal aid, based on family income. It would assign the case to the attorney who handles such cases for Legal Services in Greenville, or refer it to a local attorney willing to take the case pro bono.

Kent Owens, executive director of student personnel services, said the district's lawyer is editing the letter after

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questions were raised about the toll-free number.

The letter also incorrectly refers to the program as being a service of the South Carolina Bar, according to Mary Nash, a spokeswoman for the bar. The bar is one of its sponsors but doesn't operate it.

Attorney Steve Henry, who heads Law in Action, had asked that his group's name be in the letter, since Legal Services has only one lawyer in Greenville handling expulsion cases.

"They are obviously very short-handed and that's one of the main reasons I created this other program to provide more free lawyers for parents who needed them," he said.

But just telling parents free legal help is available and giving them a phone number is "a vast improvement," he said.

He joked about school board members' concerns that the Law in Action attorneys were attempting to "build a dynasty" from doing free legal work.

District administrators have said lawyers are unnecessary in expulsion hearings, but Robinson-Simpson said lawyers might have made a difference in many cases in which she believes students have been unjustly expelled.

"I think the punishment should fit the crime," Robinson-Simpson said. "I think there should be levels of punishment."

The district is looking into changing its policies and procedures related to expulsion. It has established an expulsions review committee that will examine such things as the list of infractions that result in automatic recommendation for expulsion.
