

# Fairfax County Public Schools Hearings Office Annual Report 2017-18 School Year



## **Executive Summary**

### **Hearings Office Annual Report, 2017-18 School Year**

During the 2017-18 school year, school principals and program administrators submitted 749 student disciplinary referrals to the Hearings Office, a 13.48% increase in Hearings Office referrals compared to the previous school year. An examination of the school-based misconduct resulting in referrals to the Division Superintendent<sup>1</sup> demonstrates that 43% were based primarily upon drug-related violations, 24% upon assault-related violations, 12% upon weapons-related violations, and 21% upon other prohibited conduct. While referrals related to drugs and assaults increased significantly (by 38% and 27% respectively), weapons-related referrals decreased by 37%.

An examination of demographic data<sup>2</sup> revealed that while Hearings Office referrals for middle and high school students increased, referrals for elementary school students decreased by 5%. Furthermore, less than one-half of one percent (0.40%) of all Fairfax County Public Schools students were referred to the Hearings Office for disciplinary action: less than one-tenth of one percent (0.06%) of all elementary school students, less than three-quarters of one percent (0.60%) of all middle school students, and less than one percent (0.86%) of all high school students. As was true in previous school years, less than one percent (1%) of students in each of the four largest ethnic/racial subgroups (Asian, Black, Hispanic, and White), were referred to the Hearings Office. However, Black and Hispanic students remain disproportionately referred to the Hearings Office, as do special education students.

Following hearings conducted to consider the 749 disciplinary referrals, the Hearings Office permitted 183 students (24%) to return to their schools, reassigned 40 students (5%) to different regular schools, reassigned 504 students (67%) to alternative educational settings, long-term suspended 16 students (2%), and forwarded six students (less than 1%) to the School Board with a recommendation for expulsion. The School Board expelled six students from the Fairfax County Public Schools

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<sup>1</sup> This data does not include the three referrals to the Division Superintendent that were based upon students having been convicted of community-based crimes.

<sup>2</sup> Demographic data is based upon FCPS's membership report for September 2017.

# ***Hearings Office Annual Report 2017-18 School Year***

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## ***Introduction***

This is a report on disciplinary referrals and recommendations submitted to the Superintendent's Hearings Office during the 2017-18 school year. This report includes data on:

- Referral to the Division Superintendent – Submission for consideration of a student disciplinary action greater than a short-term suspension
- Recommendation for Exclusion – Recommends imposition of a student's expulsion or long-term suspension from another school district or private school
- Recommendation for Reassignment – Recommends assignment to an alternative educational setting for a student who has been charged with an alleged community-based crime

This report does not include data on short-term suspensions or other school-based consequences.

Inquiries about the Hearings Office Annual Report should be directed to Dana Scanlan, the Superintendent's Hearing Officer, at the Hearings Office, Office of the Superintendent, Fairfax County Public Schools, 8115 Gatehouse Road, Falls Church, Virginia 22042.

## ***Summary***

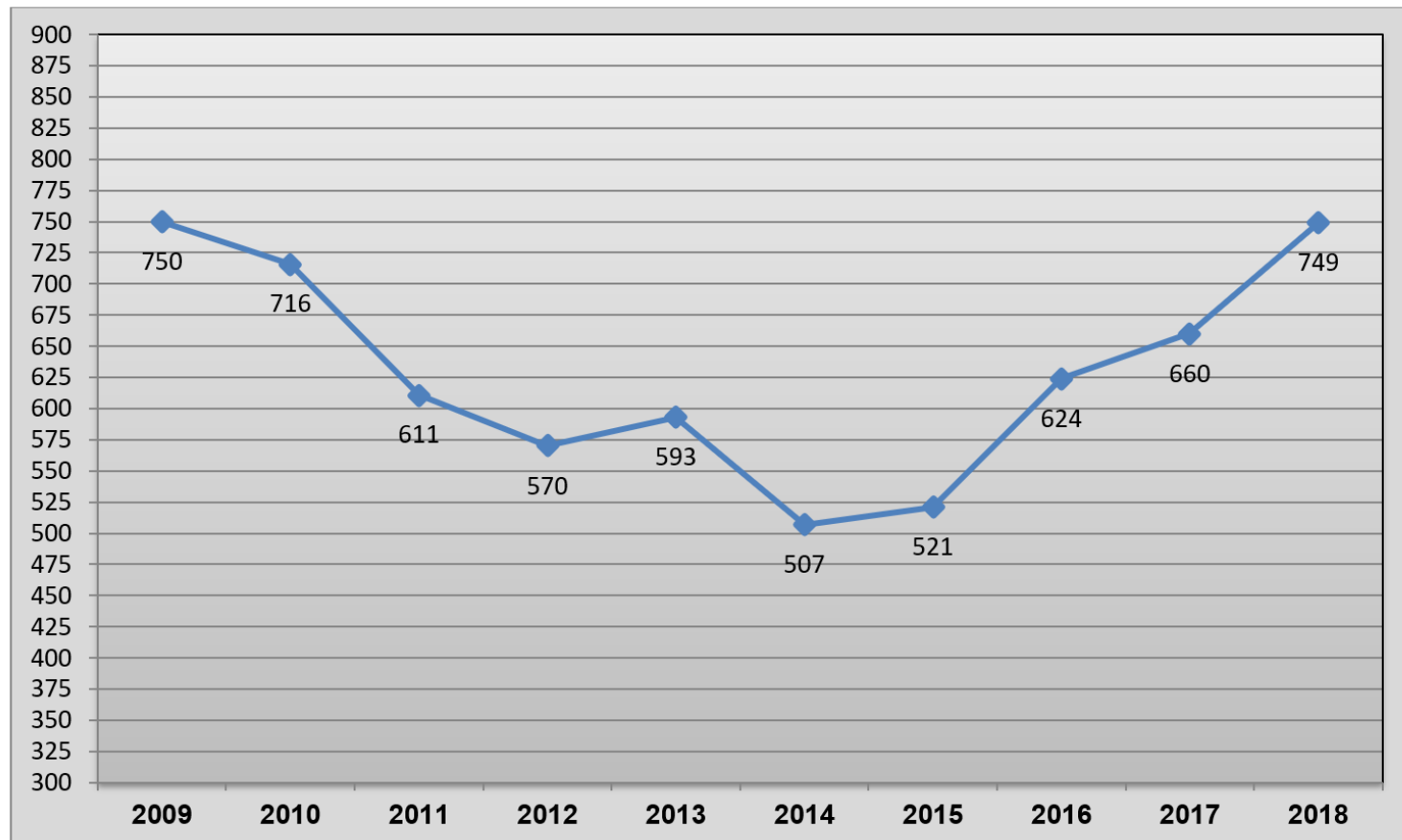
749 hearings were conducted by the Hearings Office during the 2016–17 school year to consider:

- 671 referrals to the Division Superintendent
- 71 reassignment recommendations
- 7 exclusion recommendations

The School Board considered 56 cases.

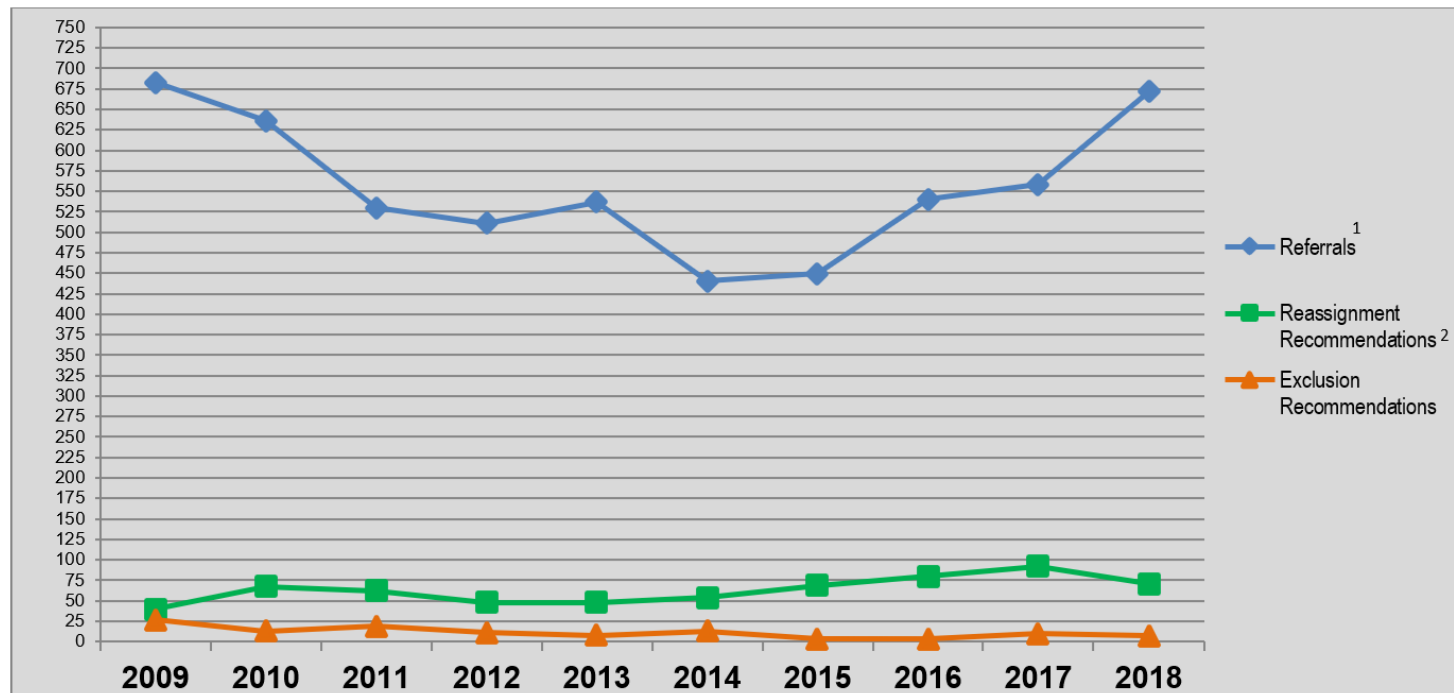
## ***Total Hearings 2009-18***

Total hearings to consider disciplinary referrals and recommendations conducted by the Hearings Office for the 2008-09 school year through the 2017-18 school year.



## **Total Hearings 2009-18**

Total hearings to consider disciplinary referrals and recommendations conducted by the Hearings Office for the 2008-09 school year through the 2017-18 school year, disaggregated by case type.

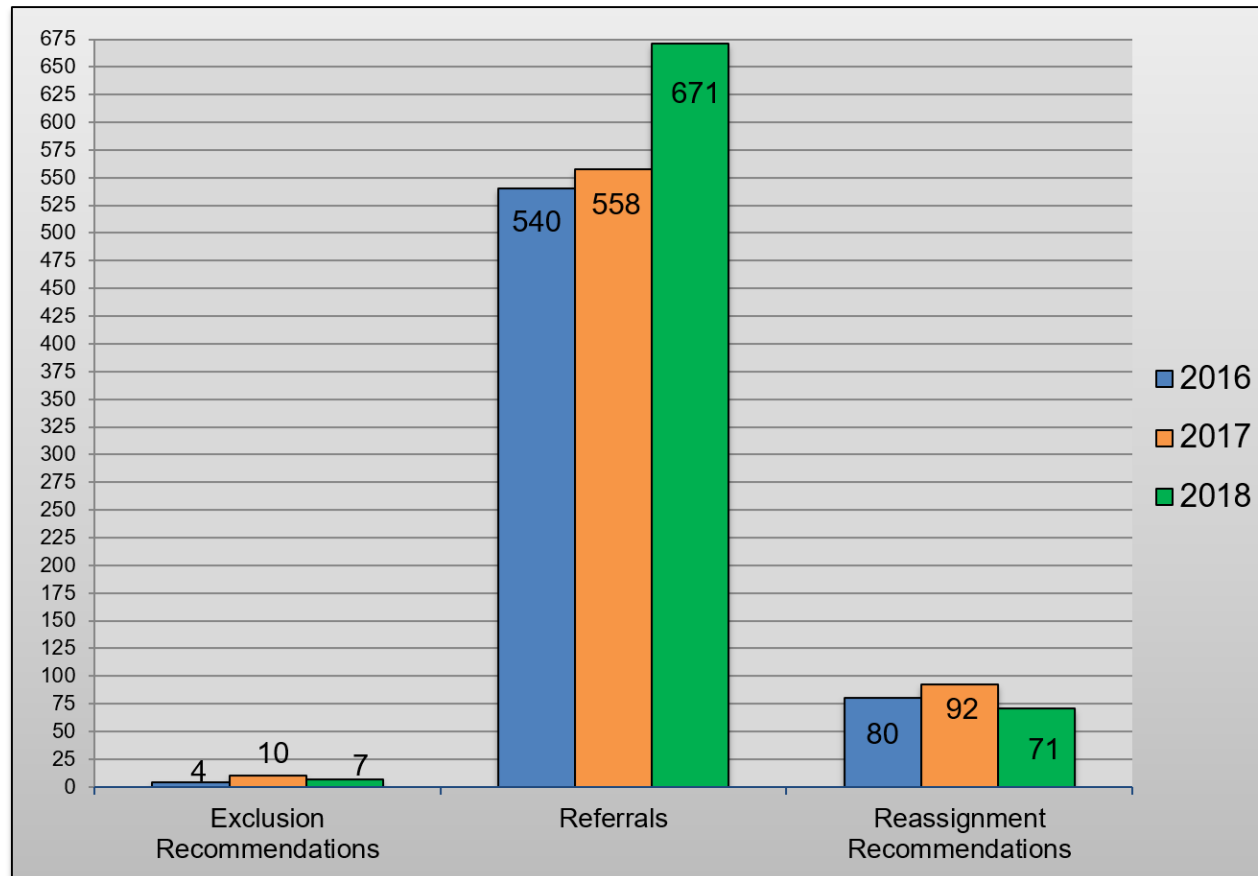


<sup>1</sup>. For school years 2009–13, this line represents recommendations for expulsion. For the 2014 school year, this line represents recommendations for expulsion and recommendations for reassignment for serious violations of School Board policy. For school years 2015 - 2018, this line represents referrals to the Division Superintendent.

<sup>2</sup>. For all school years, this line represents recommendations for reassignment as the result of criminal charges related to alleged community-based crimes.

## ***Total Hearings 2016-18***

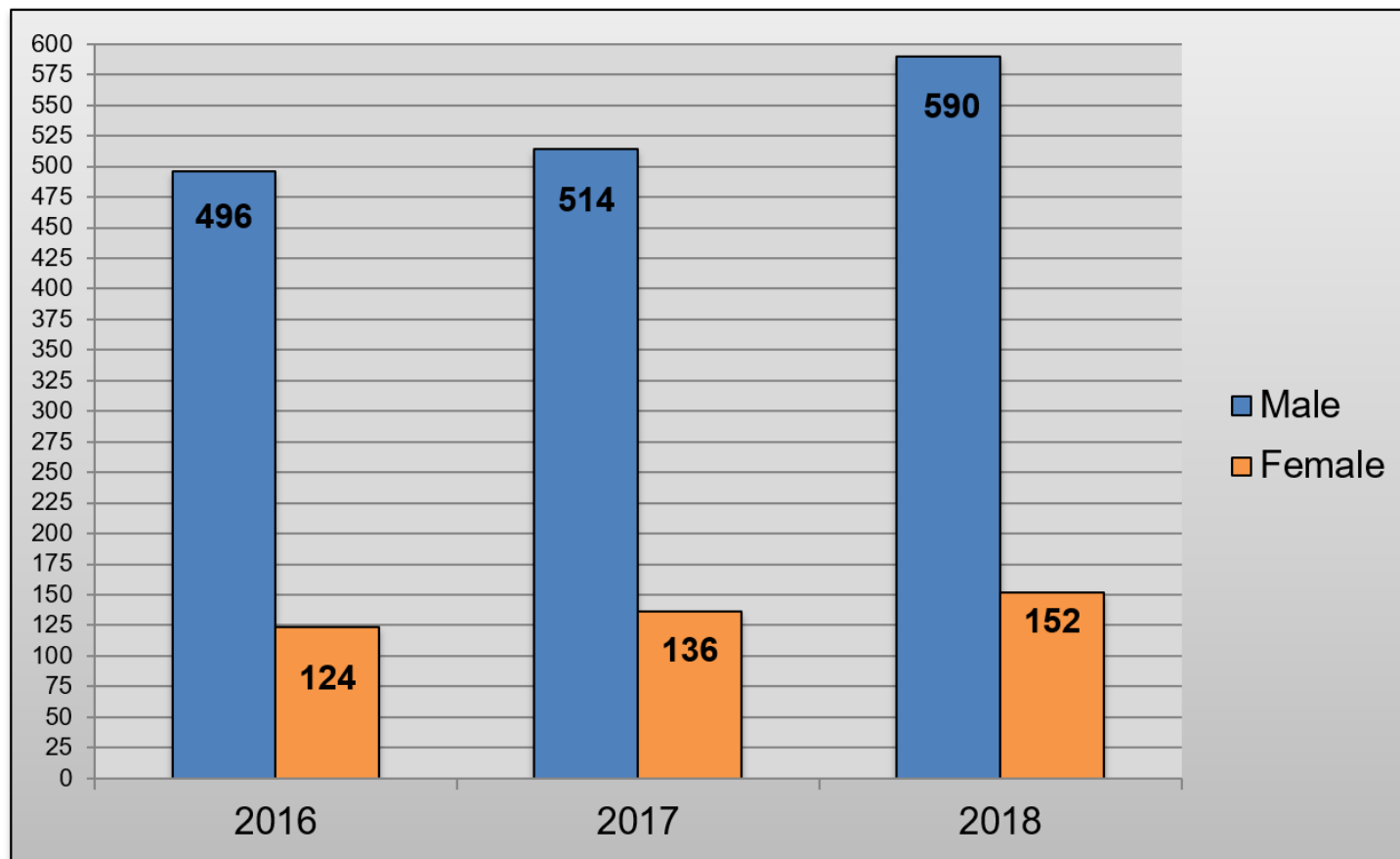
Total hearings to consider disciplinary referrals and recommendations conducted by the Hearings Office for the 2015-16 school year through the 2017-18 school year, disaggregated by case type.





## Gender

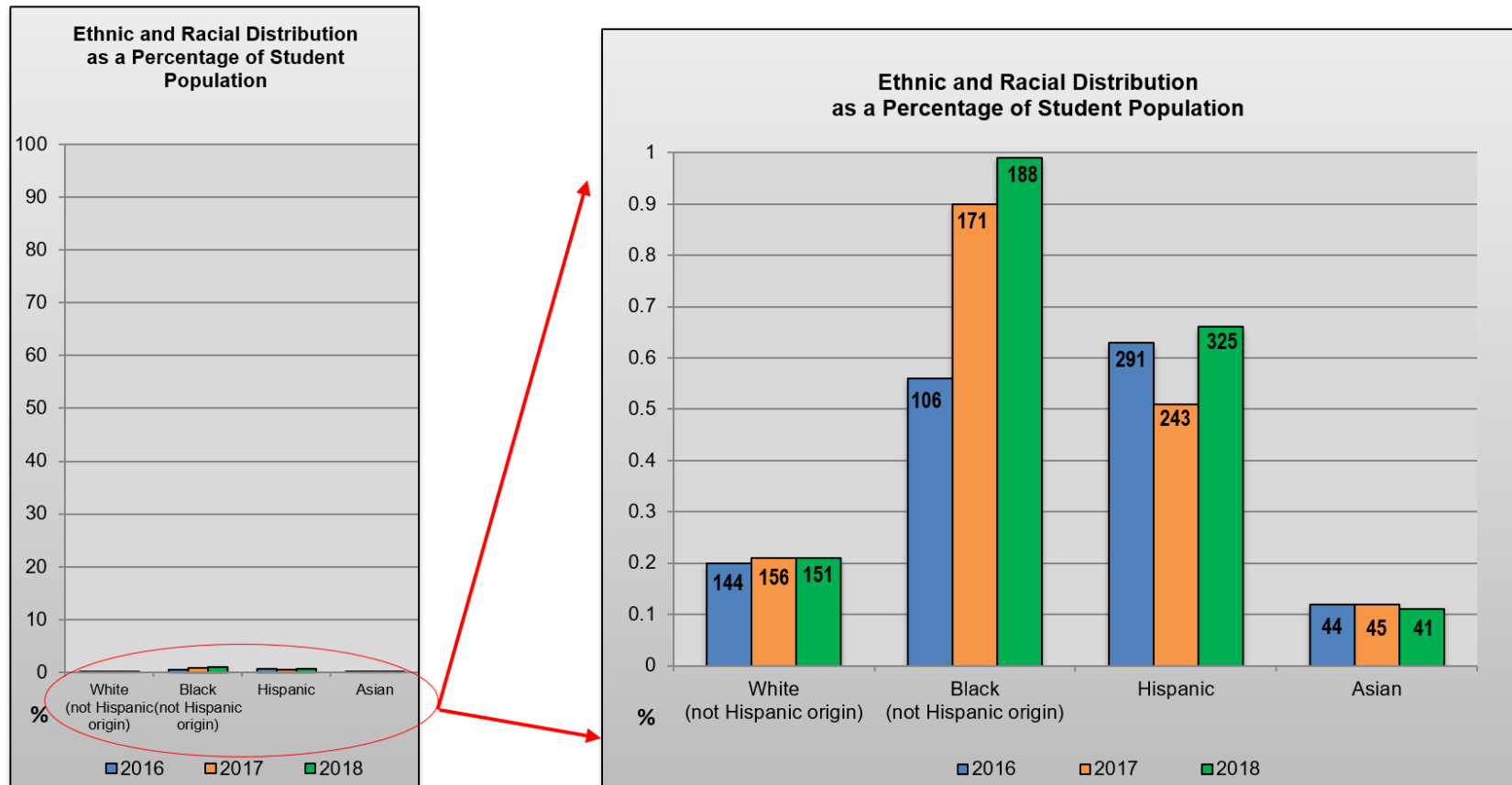
Gender distribution for referrals to the Division Superintendent and reassignment recommendations considered by the Hearings Office during the 2017-18 school year is illustrated below with the two prior years for comparison.



**Note:** The graph represents a male/female distribution of 80.0% / 20.0% (2016), 79.1% / 20.9% (2017), and 79.5% / 20.5% (2018).

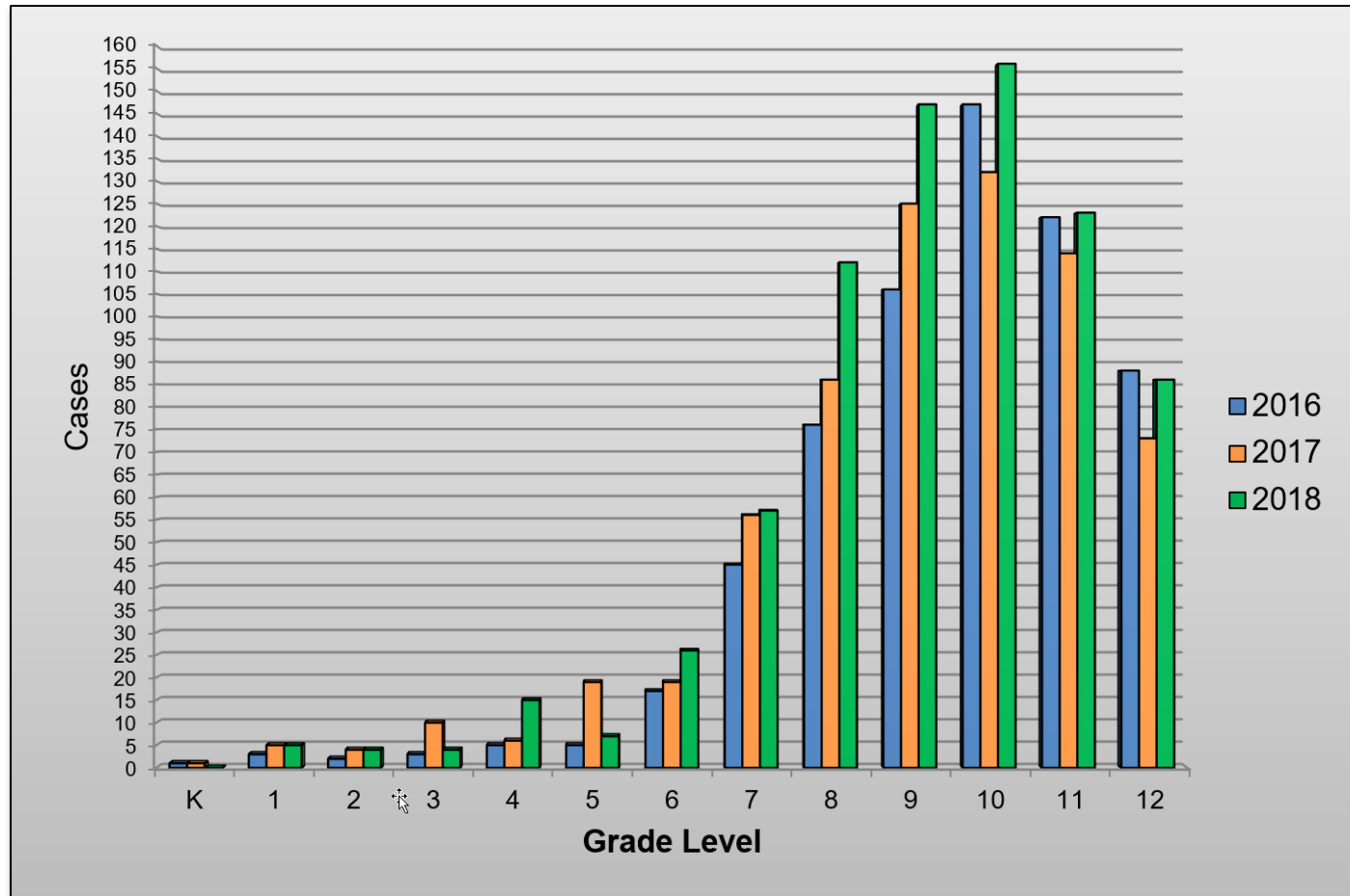
## ***Ethnicity and Race***

Less than one percent of students in each ethnic or racial subgroup were referred to the Division Superintendent or recommended for reassignment during the 2017-18 school year. Ethnic/racial distribution for such cases considered by the Hearings Office during the 2017-18 school year is illustrated below with the two prior years for comparison.



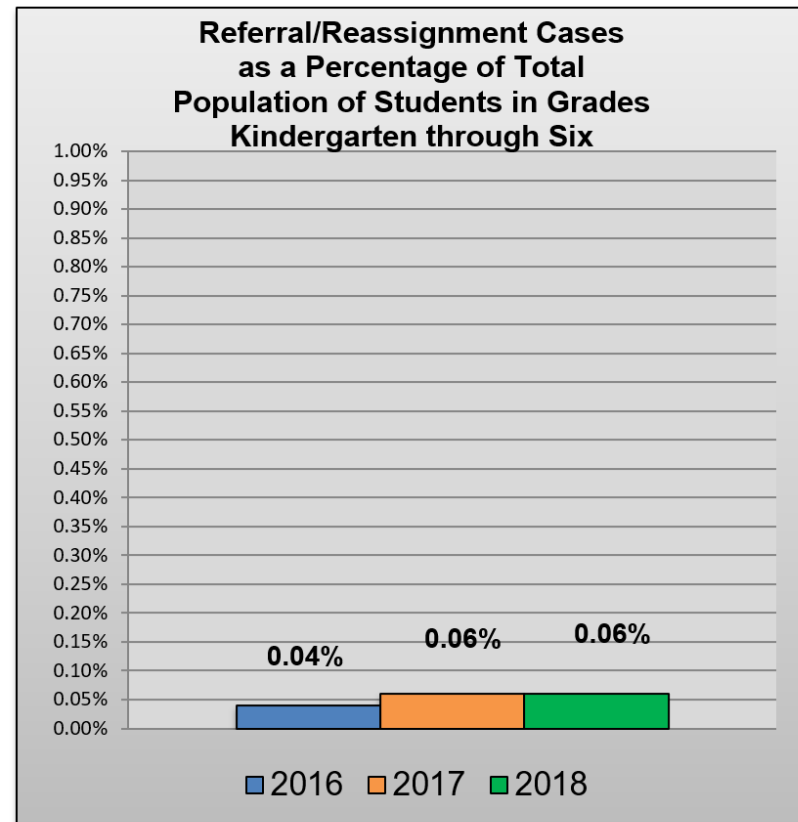
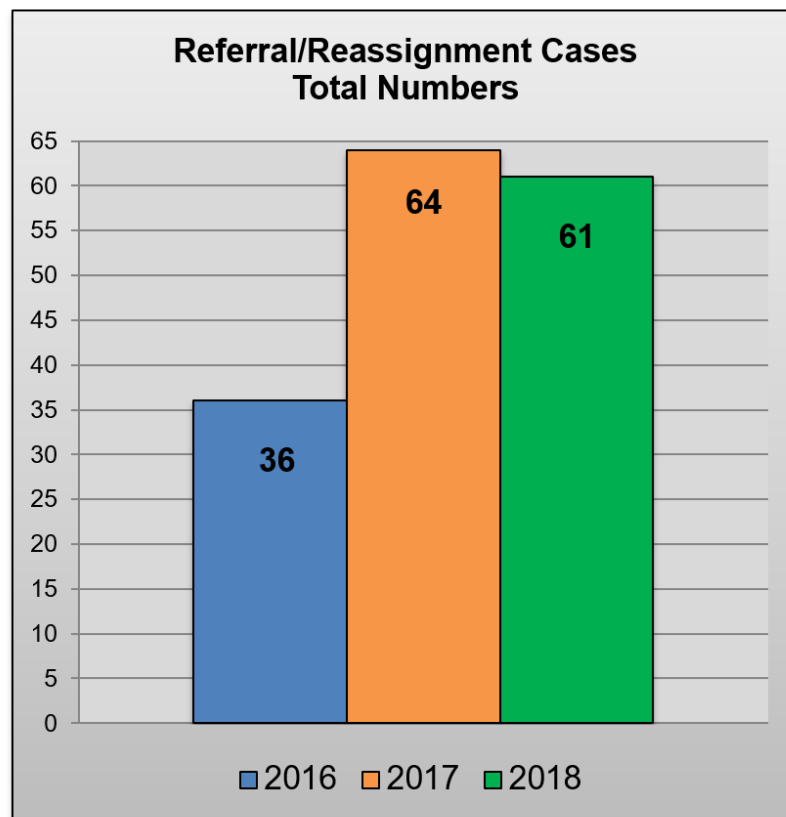
## Grade

Grade distribution for referrals to the Division Superintendent and reassignment recommendations considered by the Hearings Office during the 2017-18 school year is illustrated below with the two prior years for comparison.



## Kindergarten –Grade 6

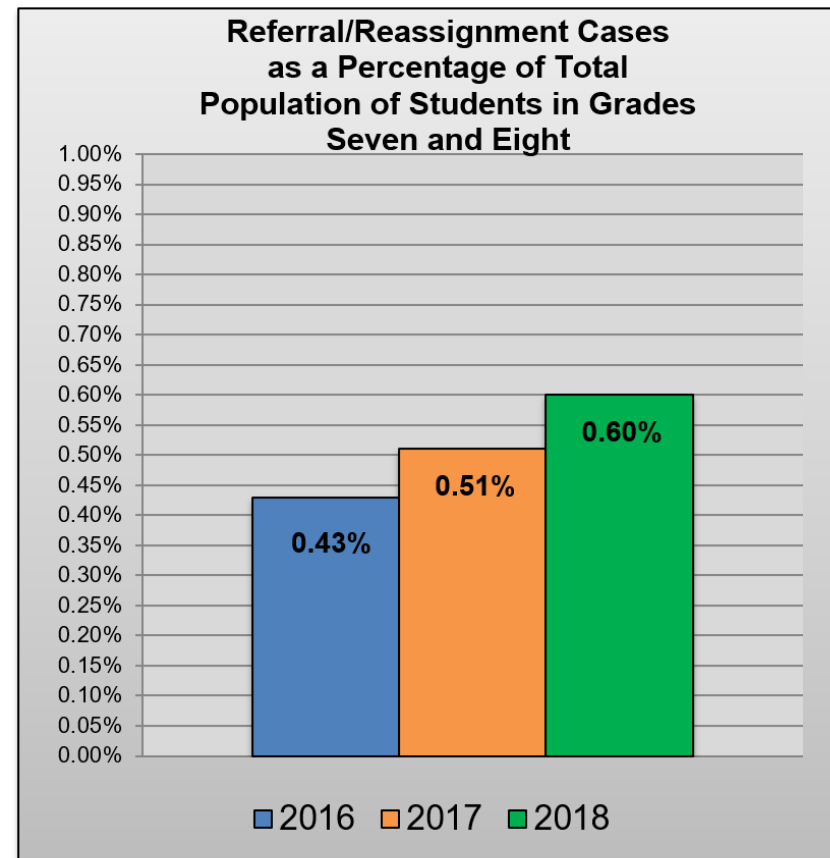
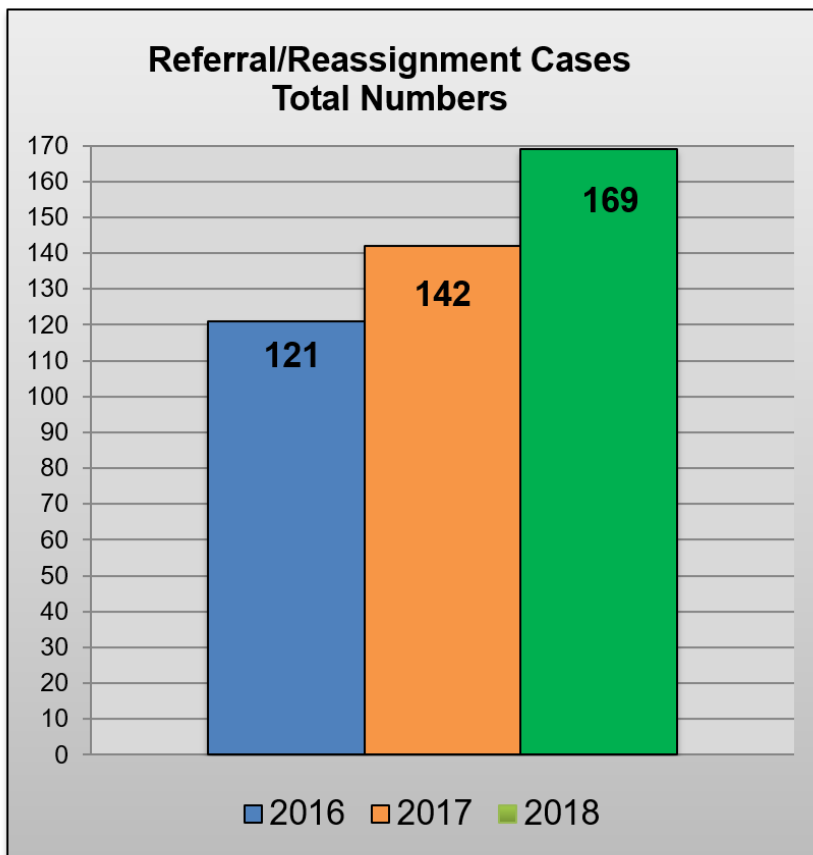
Illustrated below (with two prior years for comparison) is the total number of students in Kindergarten through grade six that was referred to the Division Superintendent or recommended for reassignment during the 2017-18 school year. Also illustrated is the percentage of students in Kindergarten through grade six considered by the Hearings Office, which was less than one-tenth of one percent in each of the last three school years.



**Note:** No students in Kindergarten through grade six were recommended for reassignment during the 2015-16 school year.

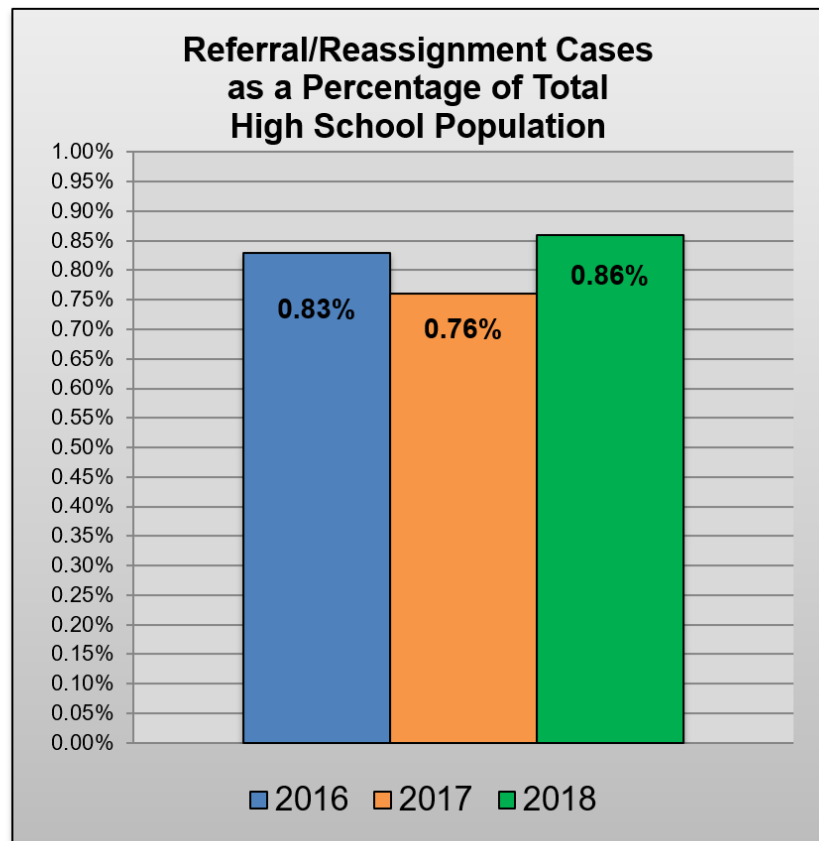
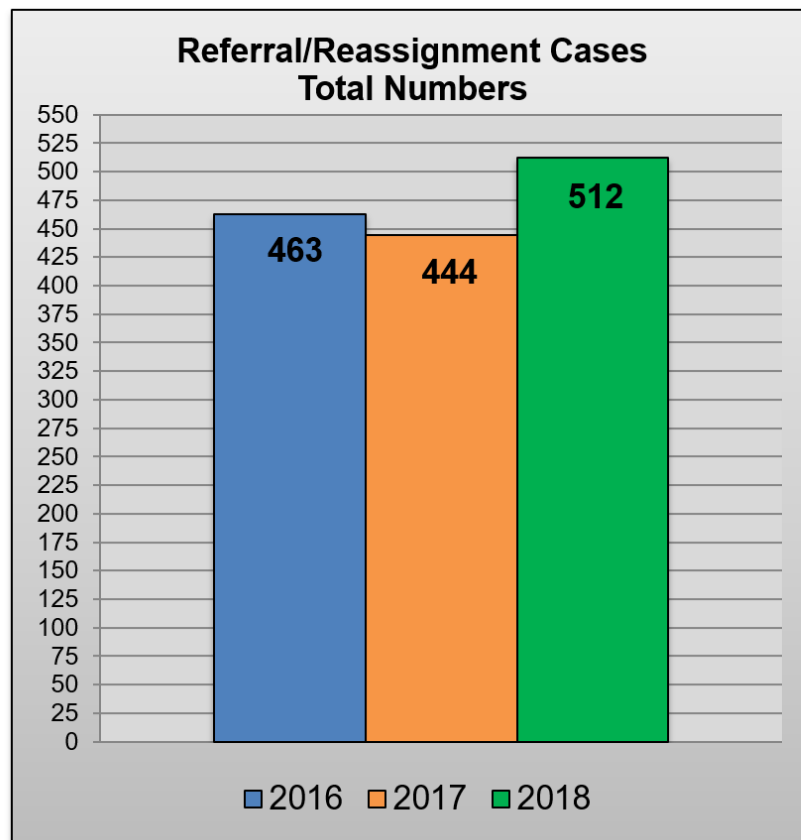
## Grades 7 and 8

Illustrated below (with two prior years for comparison) is the total number of students in grades seven and eight that was referred to the Division Superintendent or recommended for reassignment during the 2017-18 school year. Also illustrated is the percentage of students in grades seven and eight considered by the Hearings Office, which was less than three-quarters of one percent in each of the last three school years.



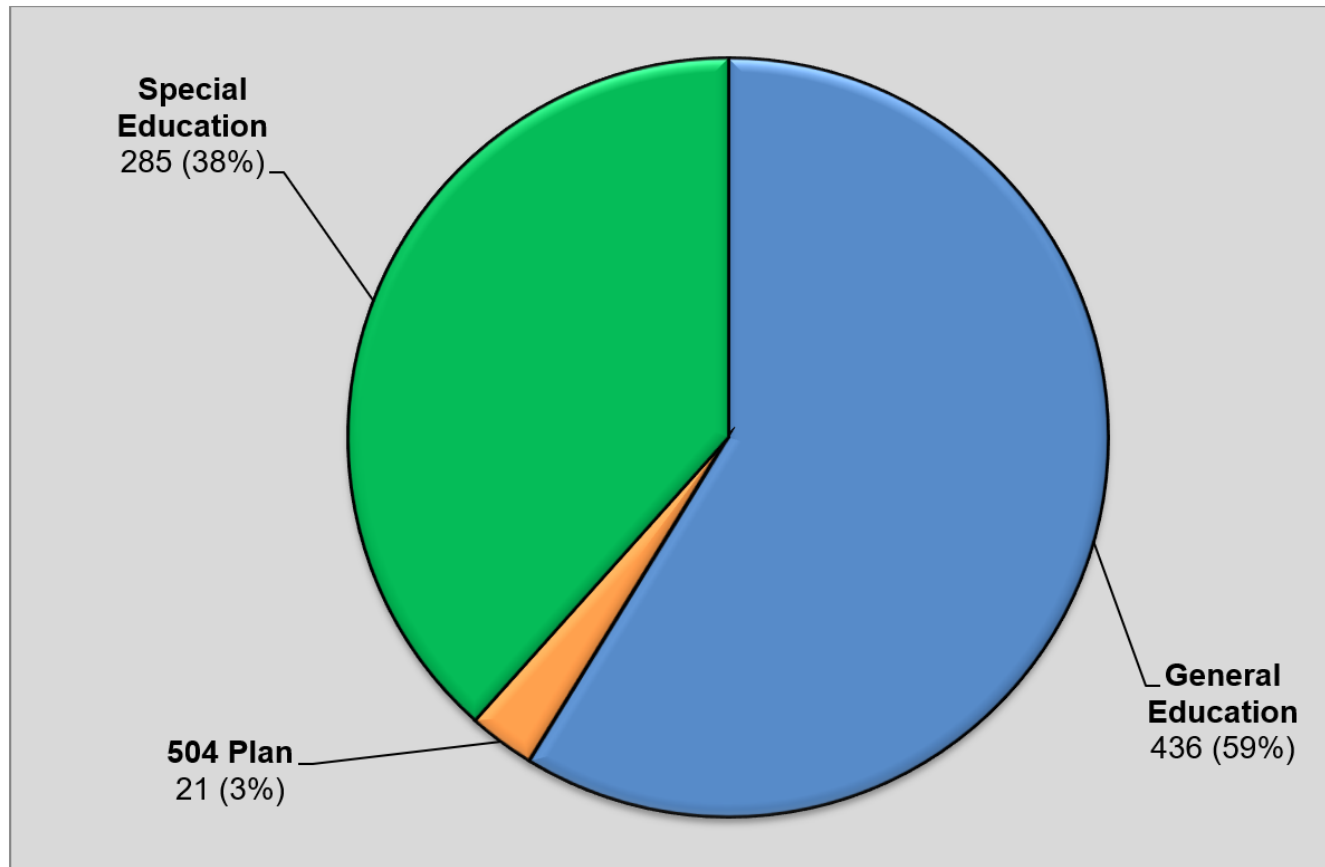
## High School

Illustrated below (with two prior years for comparison) is the total number of students in grades nine through 12 that was referred to the Division Superintendent or recommended for reassignment during the 2017-18 school year. Also illustrated is the percentage of students in grades nine through 12 considered by the Hearings Office, which was less than one percent in each of the last three school years.



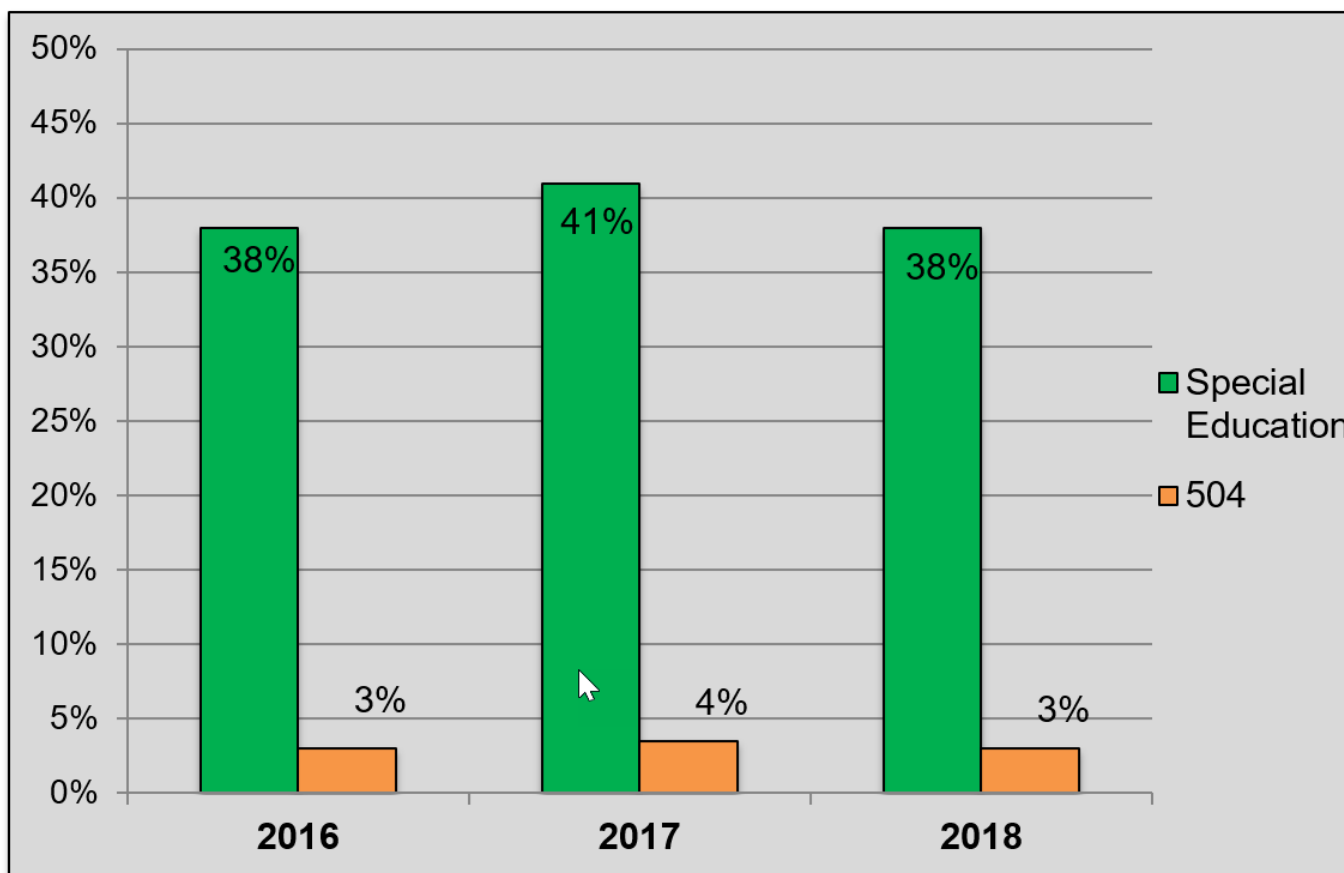
## ***Special Education and General Education***

Illustrated below are referrals to the Division Superintendent and recommendations for reassignment considered by the Hearings Office during the 2017-18 school year for general education students, special education students, and students with active 504 plans.



## ***Students with Disabilities***

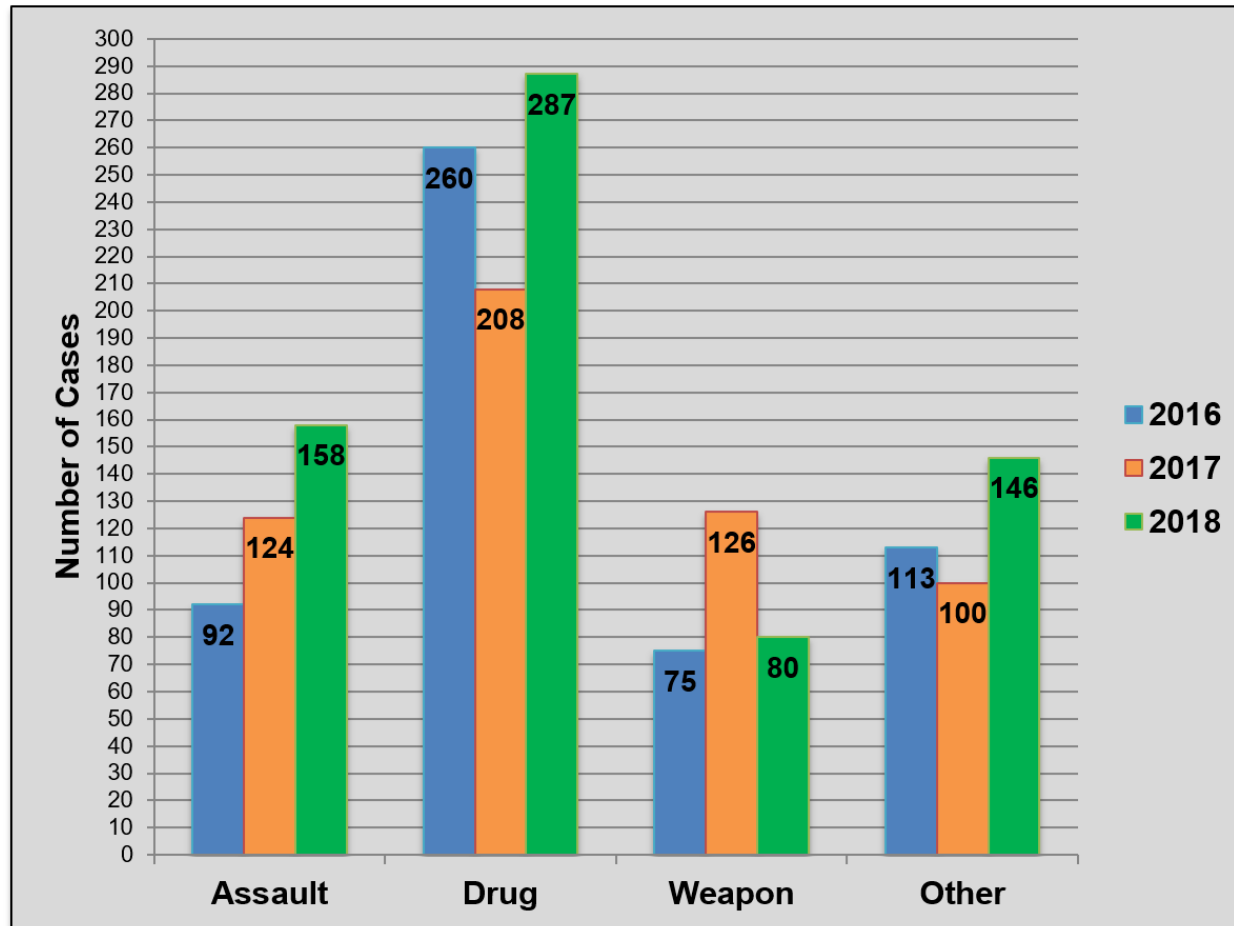
Illustrated below (with two prior years for comparison) is the percentage of referrals to the Division Superintendent and recommendations for reassignment considered by the Hearings Office during the 2017-18 school year for students who qualify for special education services or for accommodations or assistance under Section 504 of the Rehabilitation Act.





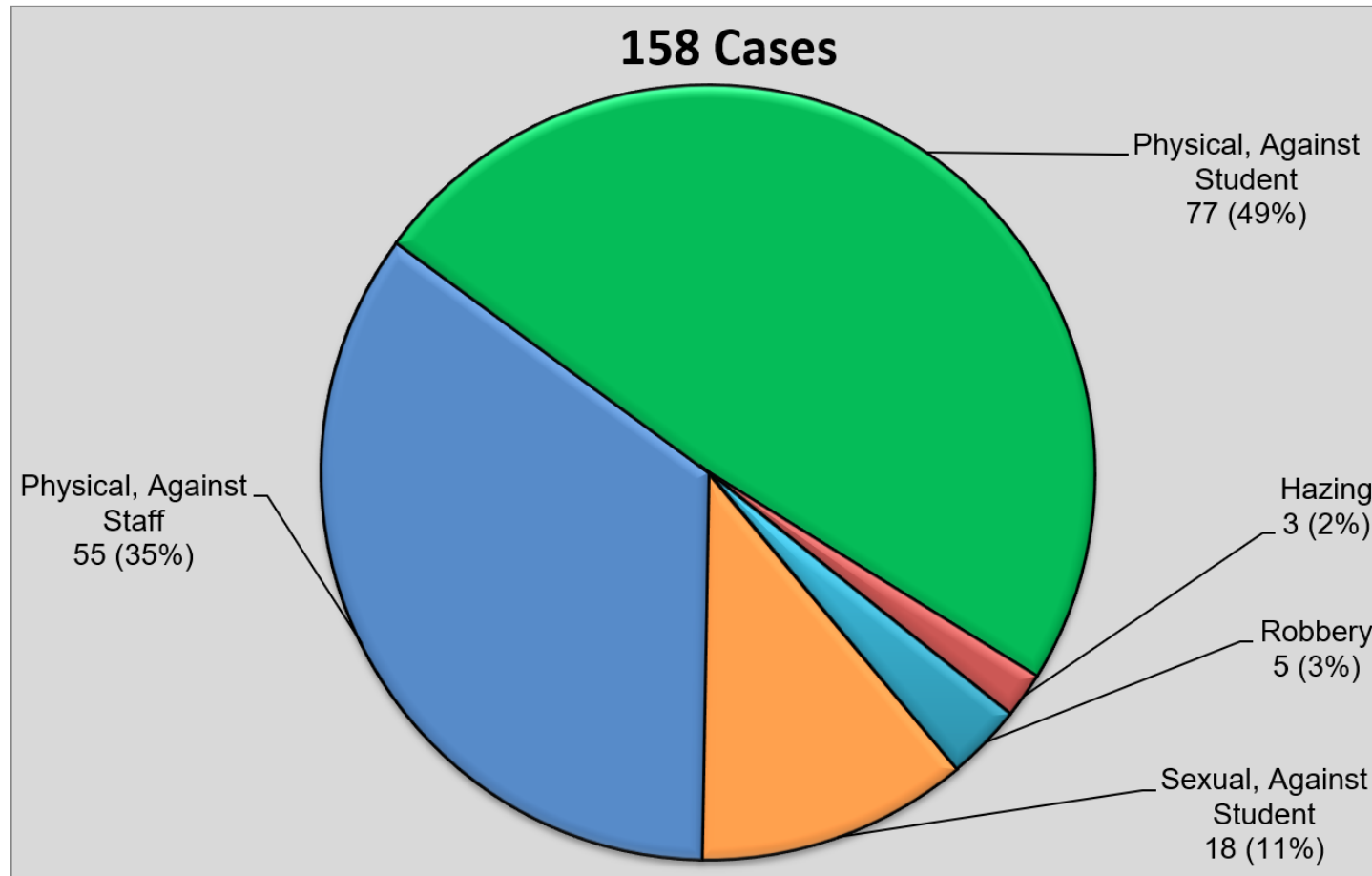
## Violations Overview

Violations resulting in referrals to the Division Superintendent that were considered by the Hearings Office during the 2017-18 school year are illustrated below with the two prior years for comparison.



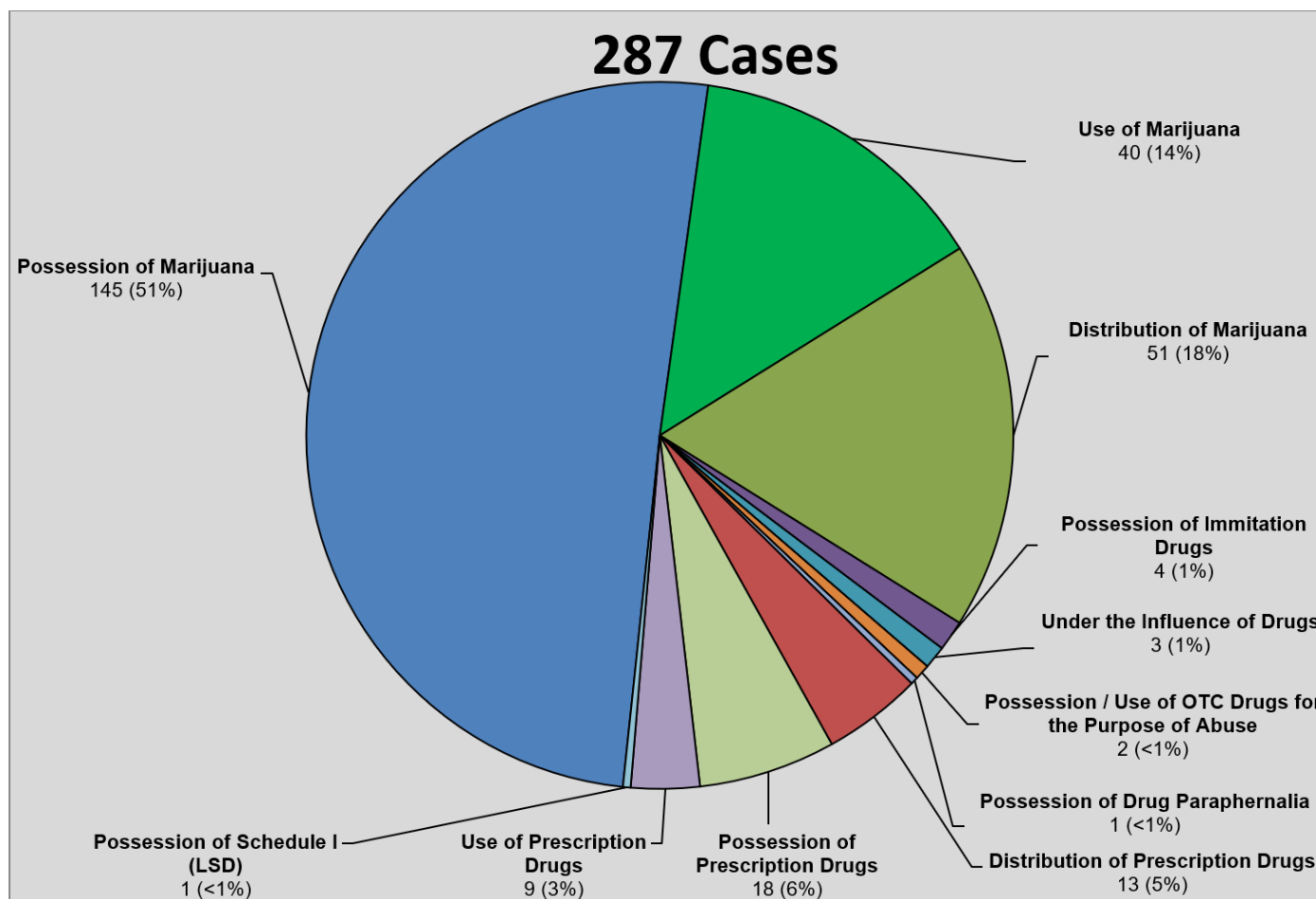
## ***Assault Violations***

Illustrated below are the referrals to the Division Superintendent that were considered by the Hearings Office during the 2017-18 school year in which the primary violation was assault-related.



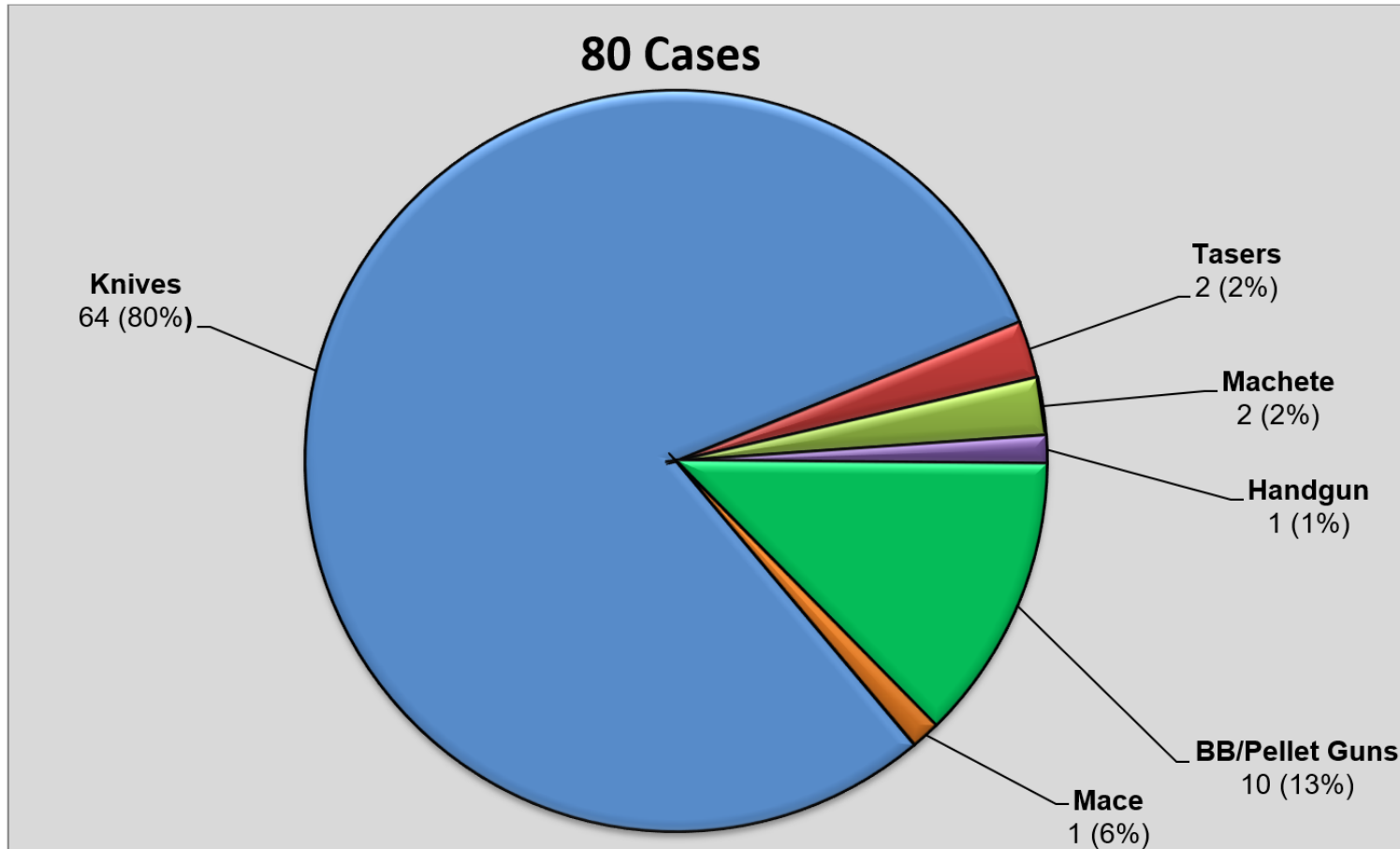
## Drug Violations

Illustrated below are the referrals to the Division Superintendent that were considered by the Hearings Office during the 2017-18 school year in which the primary violation was drug-related.



## Weapon Violations

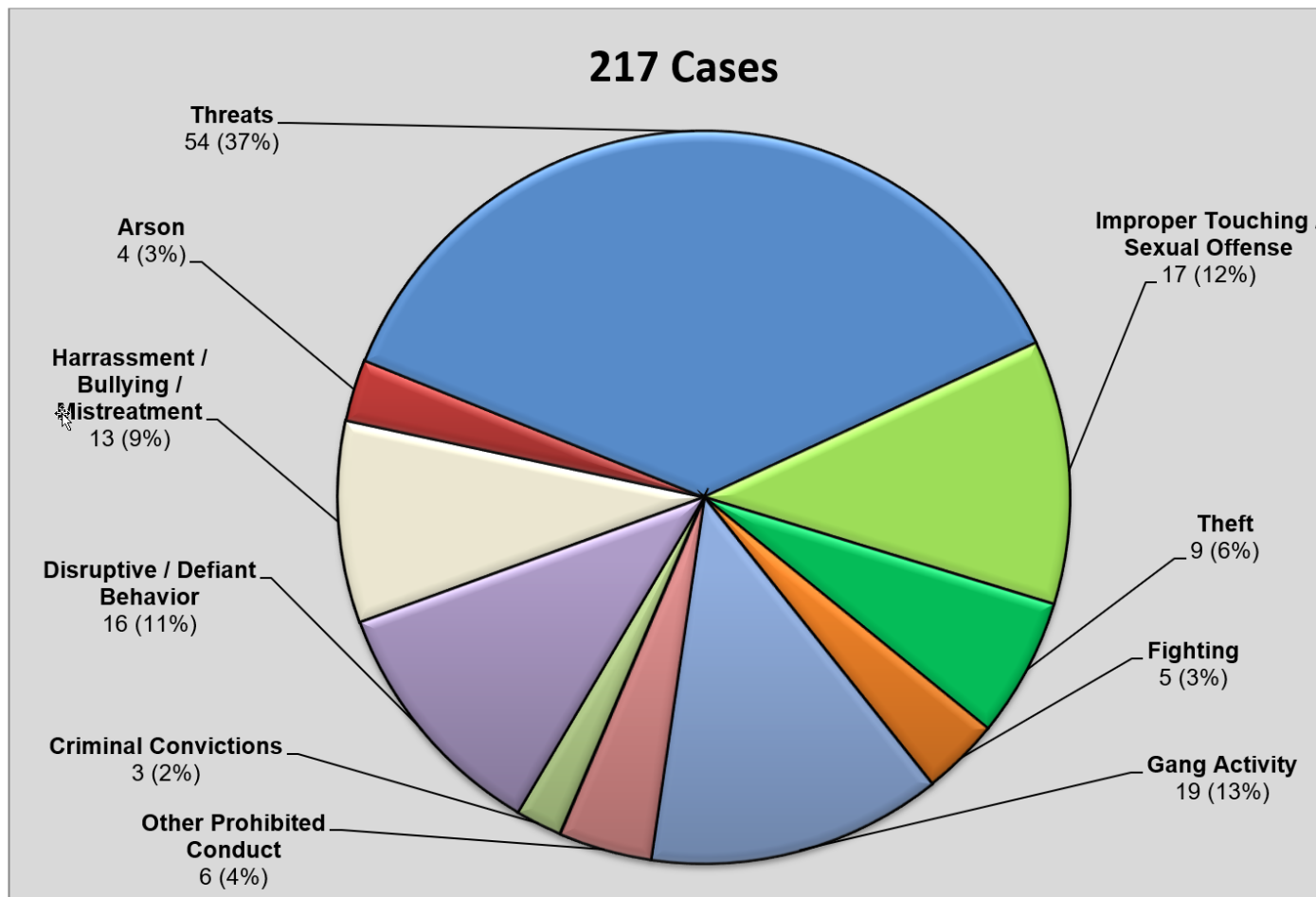
Illustrated below are the referrals to the Division Superintendent that were considered by the Hearings Office during the 2017-18 school year in which the primary violation was weapon-related.



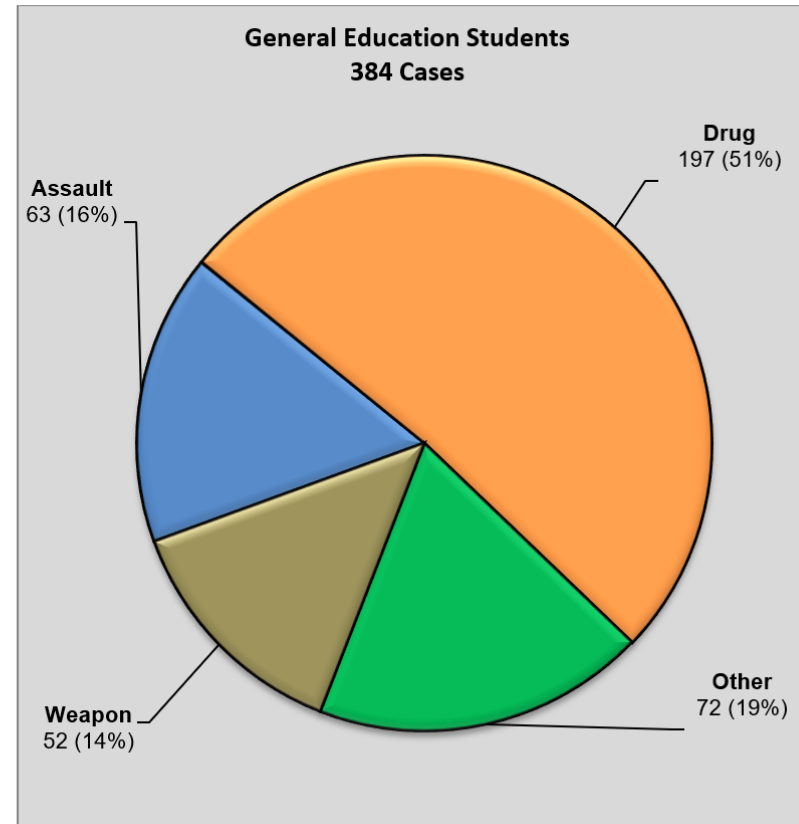
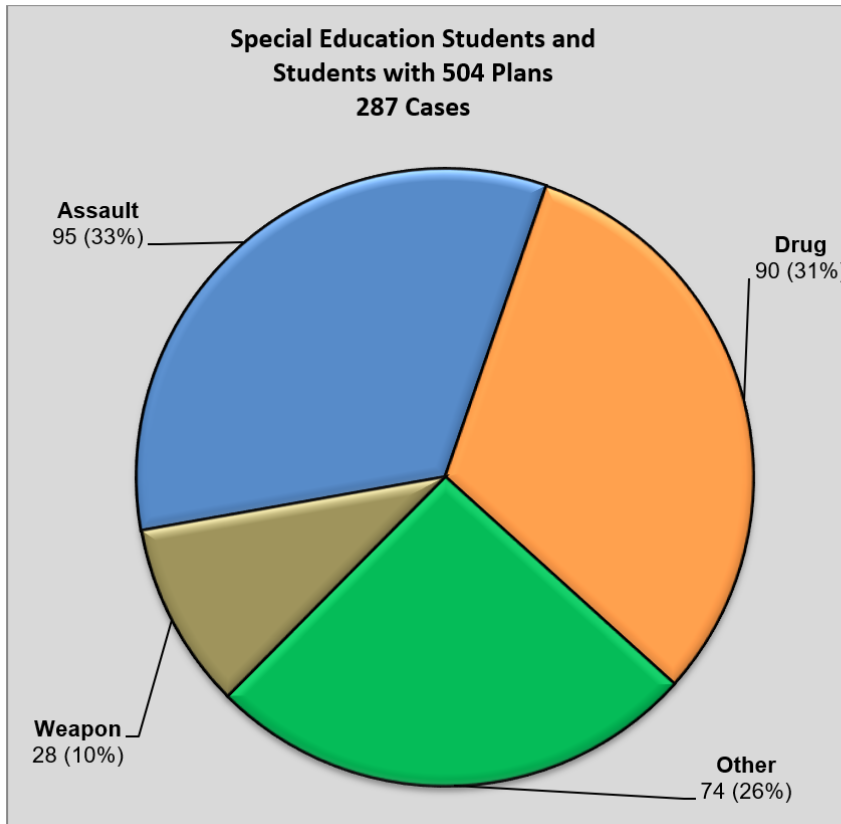
Note: The handgun and machetes referenced in the chart were not on FCPS property during the school day.

## Other Violations

Illustrated below are the referrals to the Division Superintendent that were considered by the Hearings Office during the 2017-18 school year in which the primary violation was not related to assault, weapons, or drugs.

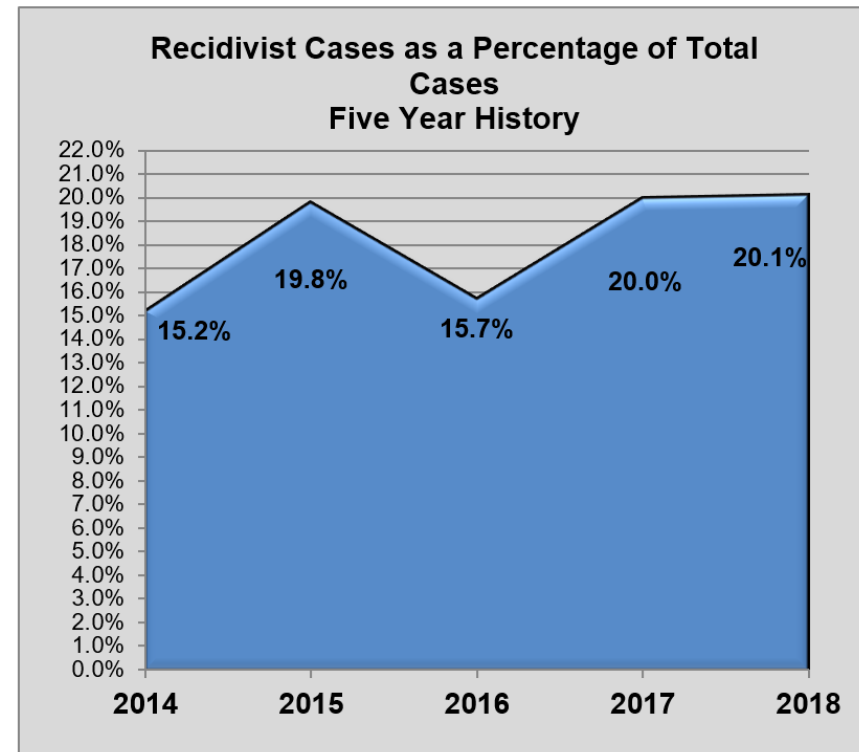
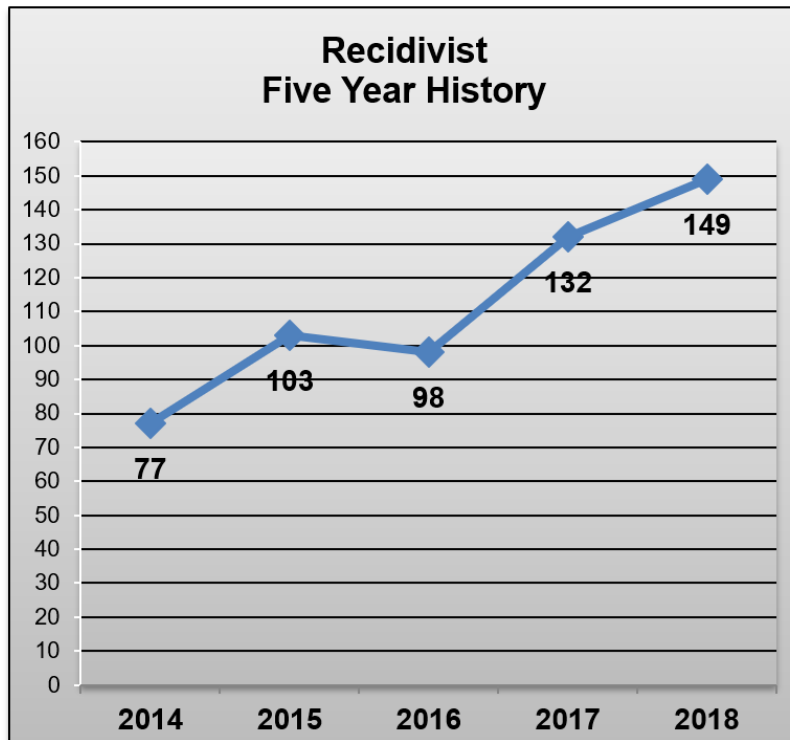


## ***Referrals to the Division Superintendent***



## Recidivism

One hundred forty-nine (149) cases were submitted to the Hearings Office during the 2017-18 school year for one hundred forty (140) students who had had previous disciplinary hearings.



## ***Case Decisions by Hearings Office***

Seven hundred forty-two (749) disciplinary referrals and recommendations were considered by the Hearings Office during the 2017-18 school year, resulting in the following dispositions.

Returned to Same School: 183

Reassigned to Alternative Setting: 504

- Achievement, Integrity, and Maturity: 64
- Alternative High School: 62
- Alternative Learning Center: 151
- Alternative setting by IEP: 181
- Transition Support Resource Center: 35
- Unspecified due to withdrawal: 11

Reassigned to Regular School: 40

Forwarded to School Board: 6

Long-Term Suspended<sup>1</sup>: 16

- Return to same school, 2017-18: 3
- Alternative setting, 2017-18: 11
- Graduated: 2

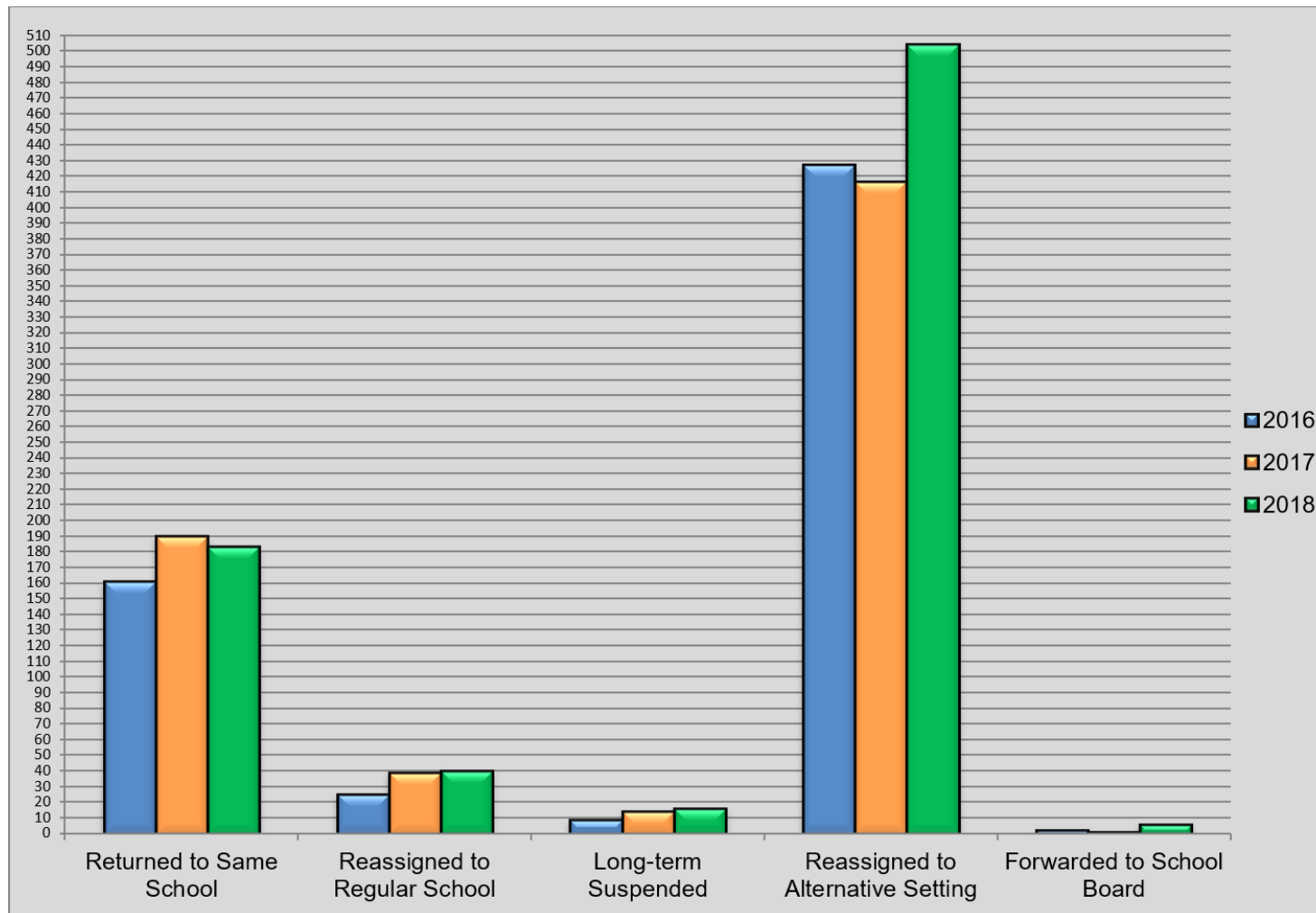
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<sup>1</sup> Student was permitted to complete assignments and earn credits through the end of the school year while on suspension. Student graduated or was assigned to an FCPS school or program for 2017-18 school year.



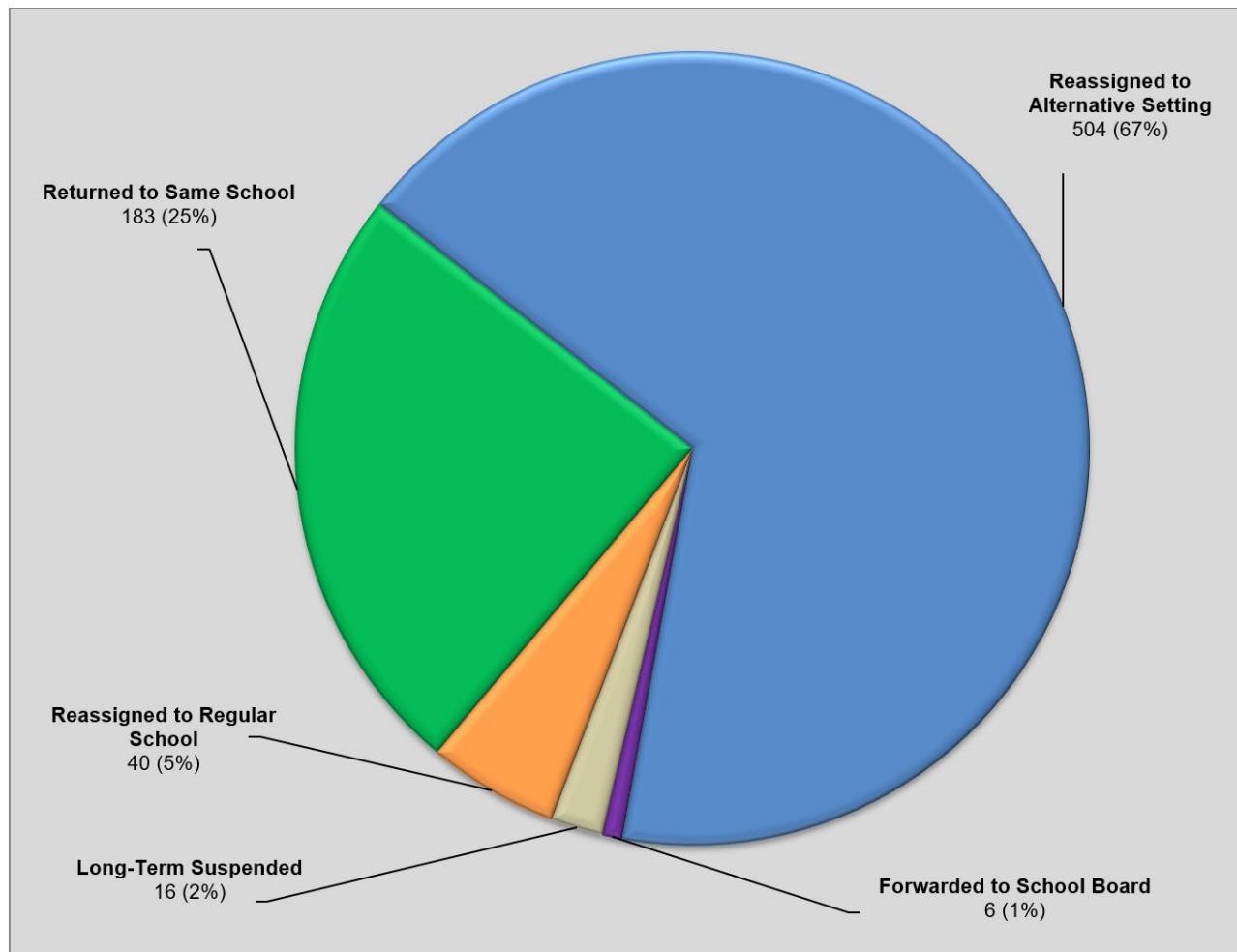
## ***Case Decisions by Hearings Office***

The Hearings Office case decisions for the 2017-18 school year are illustrated below with the two prior years for comparison.



## ***Case Decisions by Hearings Office***

The Hearings Office case decisions for the 2017-18 school year are illustrated below.



## ***School Board Summary***

### ***2017 – 18***

School Board Actions: 56

- Full School Board: 55
  - Written record appeal of reassignment decision: 50
  - Unappealed expulsion recommendation: 5
- School Board Committees: 1

## ***School Board Decisions***

Fifty-six (56) cases were considered by the School Board during the 2017-18 school year, resulting in the following dispositions.

Expelled (No FCPS Services): 6

Returned to Same School: 9

Reassigned to Regular School: 3

Reassigned to Alternative Setting: 38

- Achievement, Integrity, and Maturity: 4
- Alternative High School: 8
- Alternative Learning Center: 14
- Alternative setting by IEP: 10
- Transition Support Resource Center: 2

**Note:** In 43 cases (77%), the School Board confirmed the disciplinary decisions of the Hearing Officers. In each of the remaining 13 cases (23%), the School Board determined that the student had violated school rules but, nonetheless, modified the Hearing Officer's decision; School Board modifications included shortening the term of student reassignments; changing the setting of a student reassignment; permitting a reassigned student to receive a base-school diploma; and returning students to their base schools under strict probationary conditions.