

Fairfax County Public Schools

Hearings Office Annual Report

2013-14 School Year



Executive Summary

Hearings Office Annual Report, 2013-14 School Year

During the 2013-2014 school year, school principals and program managers submitted 507 disciplinary recommendations to the Hearings Office, 15% fewer recommendations than the previous school year. Disciplinary recommendations for elementary and middle school students decreased significantly, by 35% and 36% respectively. As expected, there was an overall decrease in recommendations for expulsion, as well as an overall increase in recommendations for reassignment, attributable, in part, to a change in Student Rights and Responsibilities that gave principals the discretion, in certain cases, to recommend reassignment to an alternative educational setting, instead of expulsion.

Far less than 1% of all students, and less than 1% of students in each of the four largest ethnic/racial subgroups (Asian, Black, Hispanic, and White), were referred to the Hearings Office for disciplinary action. Although the percentage of students from each of the largest ethnic/racial groups was small compared to its overall population, Black and Hispanic (and predominantly male) students continued to be disproportionately recommended for expulsion and reassignment. While there was a 5% increase in the percentage of Hispanic students referred for disciplinary action, there was a 31% decrease in the percentage of Black students so referred. Likewise, some progress was made toward reducing the disproportional representation of special education students referred to the Hearings Office. During the 2012-2013 school year, 44% of students referred for disciplinary action received special education; during the 2013-2014 school year, that number fell to 40%.

During the 2013-2014 school year, drug- or alcohol-related offenses accounted for 51% of all recommendations for expulsion and reassignment, while assault-related offenses accounted for 13%, weapons-related offenses for 11%, and offenses related to other prohibited conduct for 25%. While there was a decrease in the total number of offenses across all offense categories, the number of offenses related to the distribution marijuana and controlled substances increased by 43%. Furthermore, while the total number of offenses related to Schedule I controlled substances remained very small (at eight offenses), this represented a 100% increase from the previous school year.

Of the 507 disciplinary recommendations considered during the 2013-2014 school year, the Hearings Office assigned 305 students (60%) to alternative educational settings, returned 152 students (30%) to their schools, permitted 22 students (4%) to attend different regular schools, long-term suspended six students (1%), and forwarded 22 students (4%) to the School Board for final determination.

The School Board expelled 21 students, but permitted 18 (86%) of those students to receive educational services through FCPS during the term of their expulsions. Two of the remaining three students were permitted to earn credits towards an FCPS diploma through a Court- or agency-sponsored educational program.

Hearings Office Annual Report 2013-14 School Year

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Introduction

This is a report on disciplinary recommendations submitted to the Superintendent's Hearings Office during the 2013-2014 school year. This report includes data on:

- Recommendations for Expulsion – Recommends removal of a student from Fairfax County Public Schools (FCPS) for 365 days
- Recommendations for Exclusion – Recommends imposition of a student's expulsion or long-term suspension from another school district or private school
- Recommendations for Reassignment – Recommends assignment to an alternative educational setting as a result of a criminal charge for an alleged crime in the community, or for serious offense(s) in violation of School Board policies

This report does not include data on short-term suspensions or other school-based consequences. Additional discipline-related data will be provided in the forthcoming Annual Discipline Analysis Report, produced by the Office of Program Evaluation.

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

507 hearings were conducted by the Hearings Office during the 2013–2014 school year to consider:

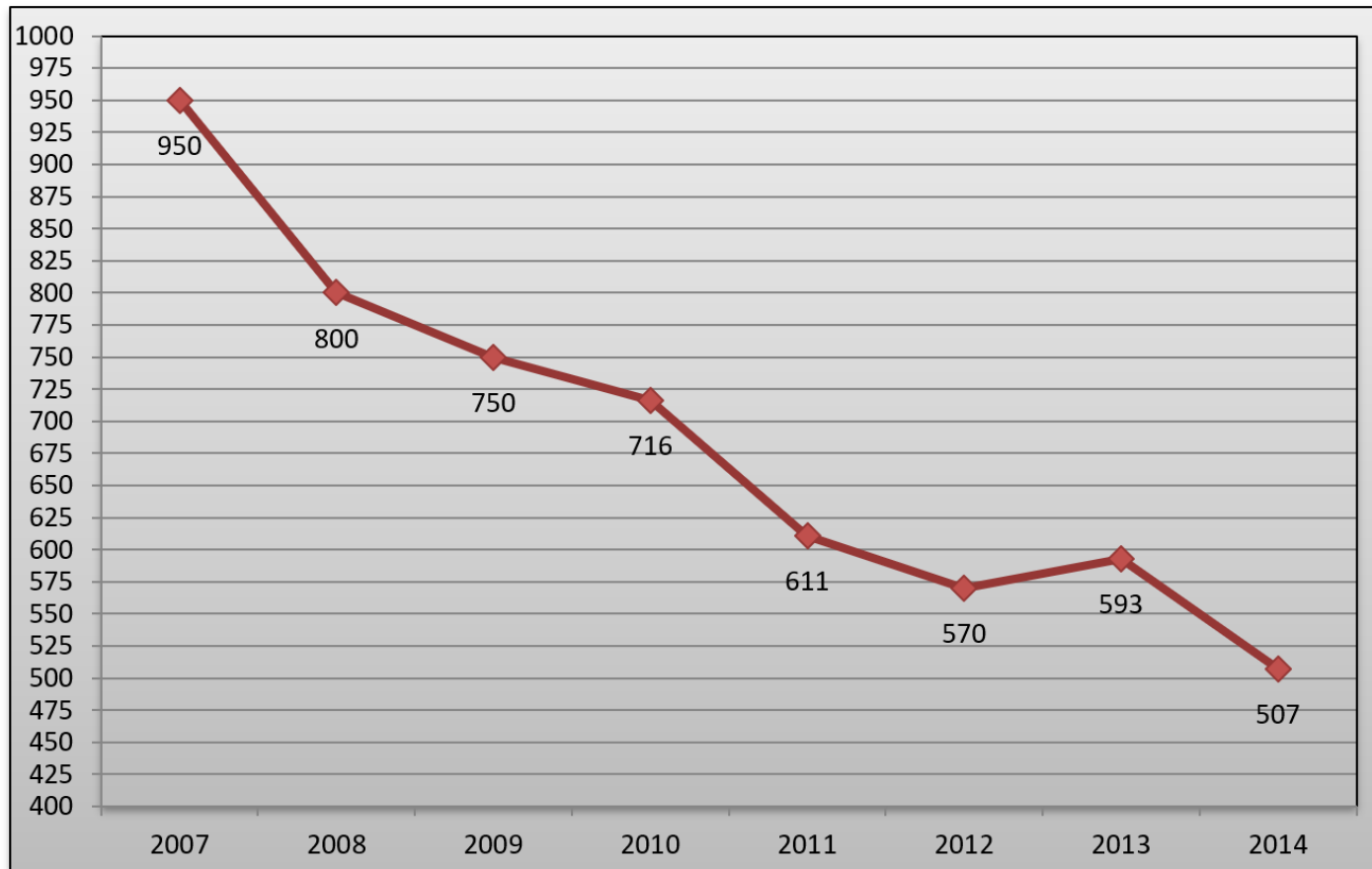
- 385 expulsion recommendations
- 109 reassignment recommendations
 - 54 as the result of criminal charges related to alleged community-based crimes
 - 55 as the result of serious offense(s) in violation of School Board policies
- 13 exclusion recommendations

The School Board considered 38 cases:

- 13 cases considered by three-member committees of the School Board
- 25 cases considered by the full School Board

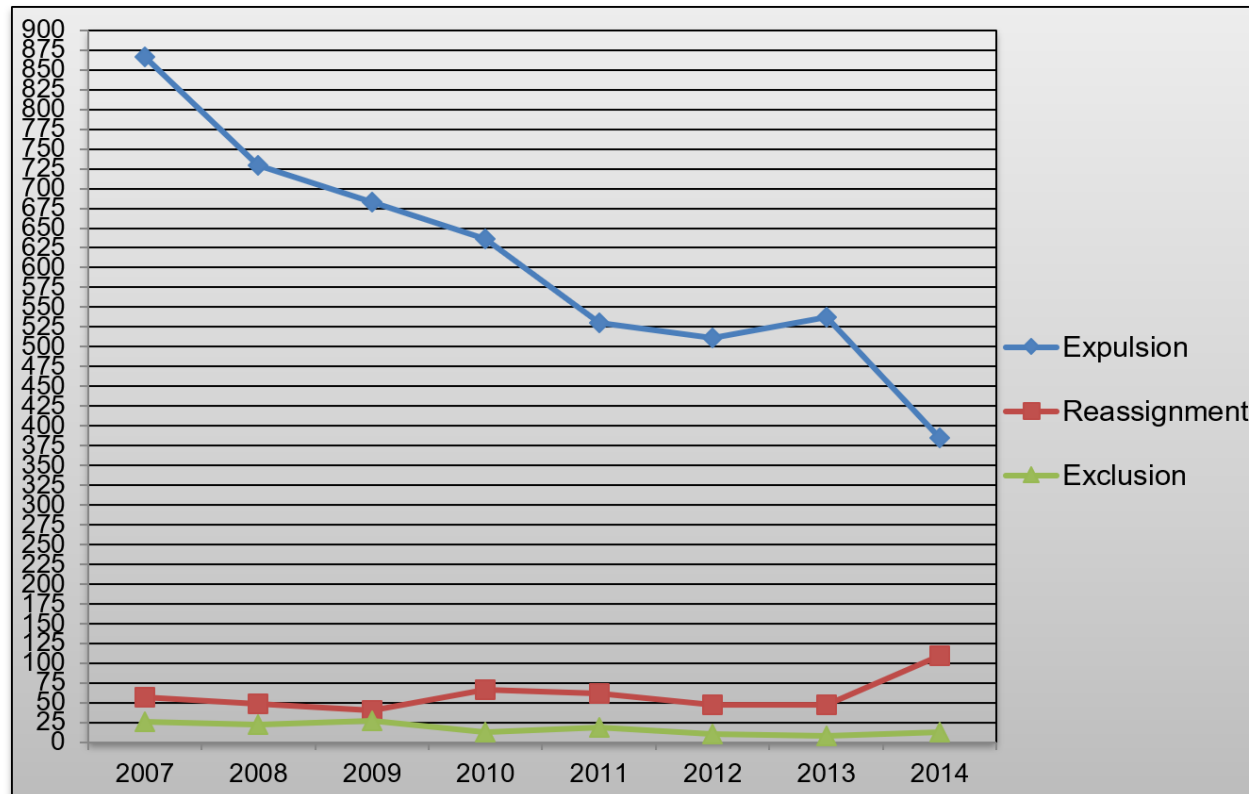
Total Hearings 2007-2014

Total hearings to consider disciplinary recommendations conducted by the Hearings Office for the 2006-2007 school year through the 2013-2014 school year.



Total Hearings 2007-2014

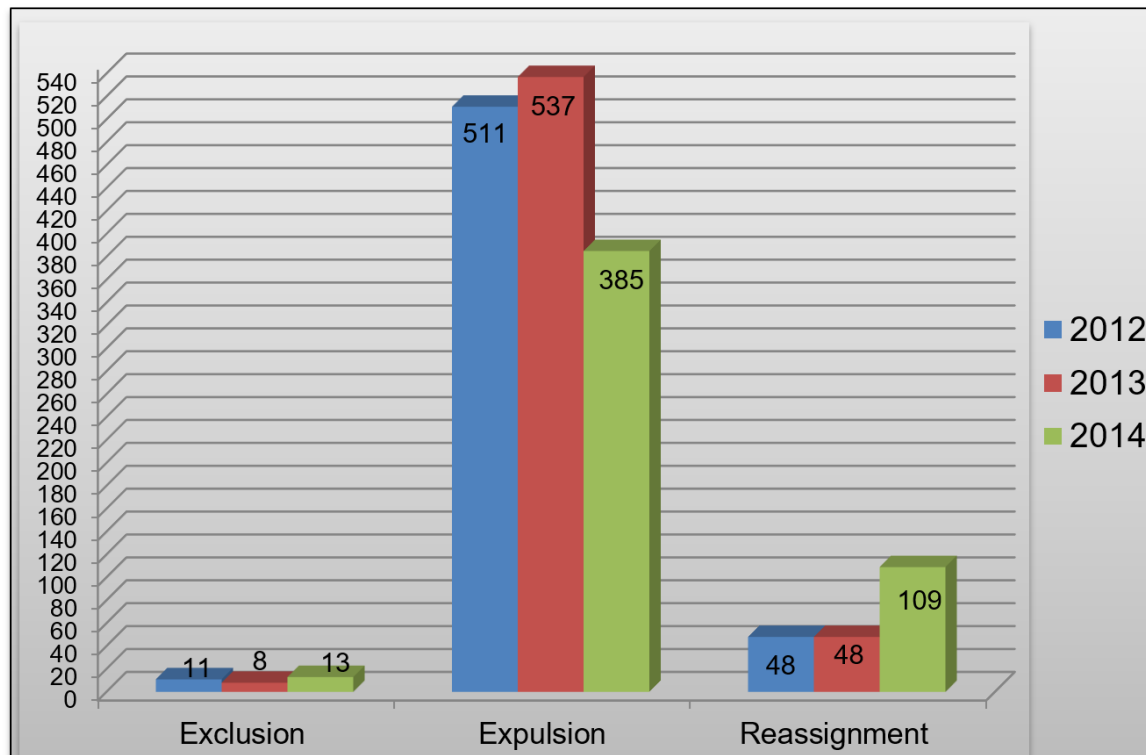
Total hearings to consider disciplinary recommendations conducted by the Hearings Office for the 2006-2007 school year through the 2013-2014 school year, disaggregated by case type.



Note: The decrease in recommendations for expulsion, as well as the increase in recommendations for reassignment, was, in part, due to a change in Student Rights and Responsibilities for the 2013-2014 school year that gave principals the discretion, in certain cases, to recommend reassignment to an alternative educational setting, instead of expulsion.

Total Hearings 2012-2014

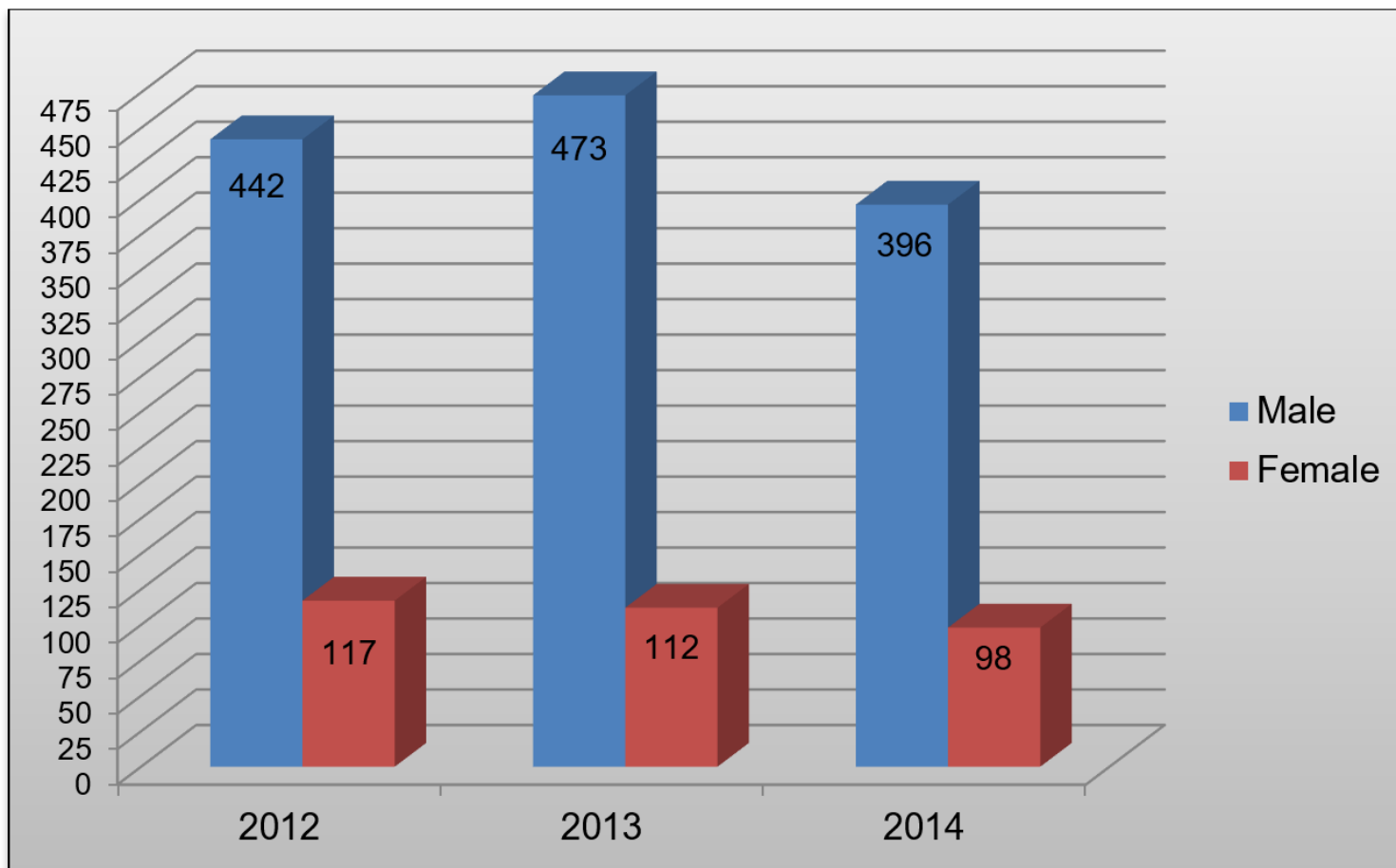
Total hearings to consider disciplinary recommendations conducted by the Hearings Office for the 2011-2012 school year through the 2013-2014 school year, disaggregated by case type.



Note: The decrease in recommendations for expulsion, as well as the increase in recommendations for reassignment, was, in part, due to a change in Student Rights and Responsibilities for the 2013-2014 school year that gave principals the discretion, in certain cases, to recommend reassignment to an alternative educational setting, instead of expulsion.

Gender

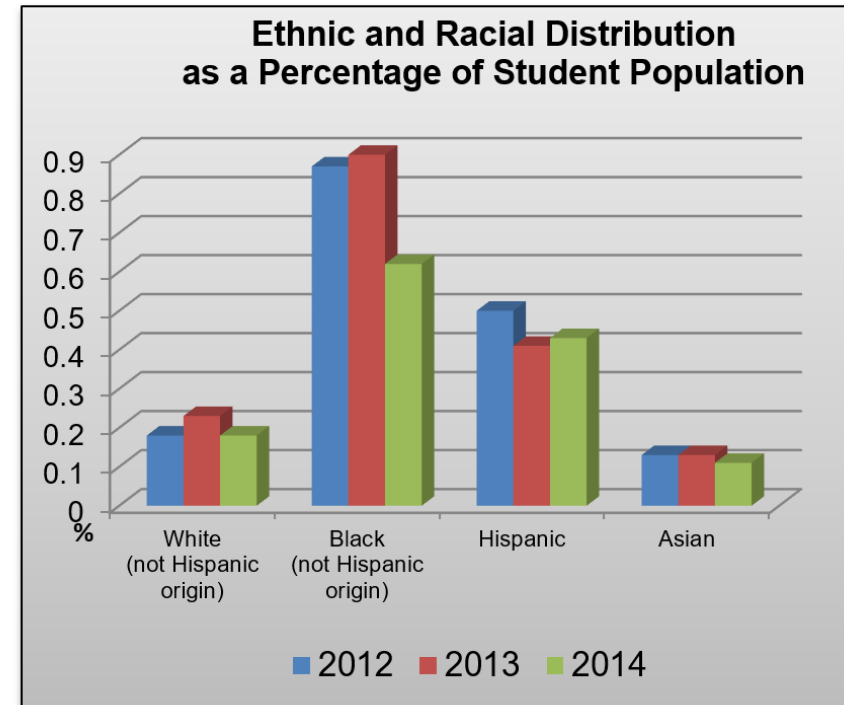
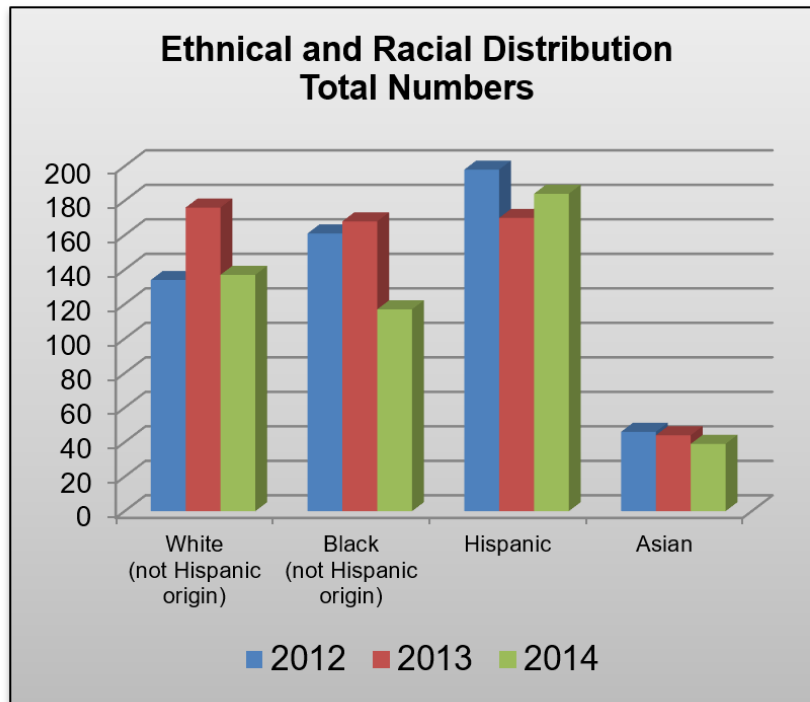
Gender distribution for expulsion and reassignment cases considered by the Hearings Office during the 2013-2014 school year is illustrated below with the two prior years for comparison.



Note: The graph represents a male/female distribution of 79.1%/20.9% (2012), 80.9%/19.1% (2013), and 80.2%/19.8% (2014).

Ethnicity and Race

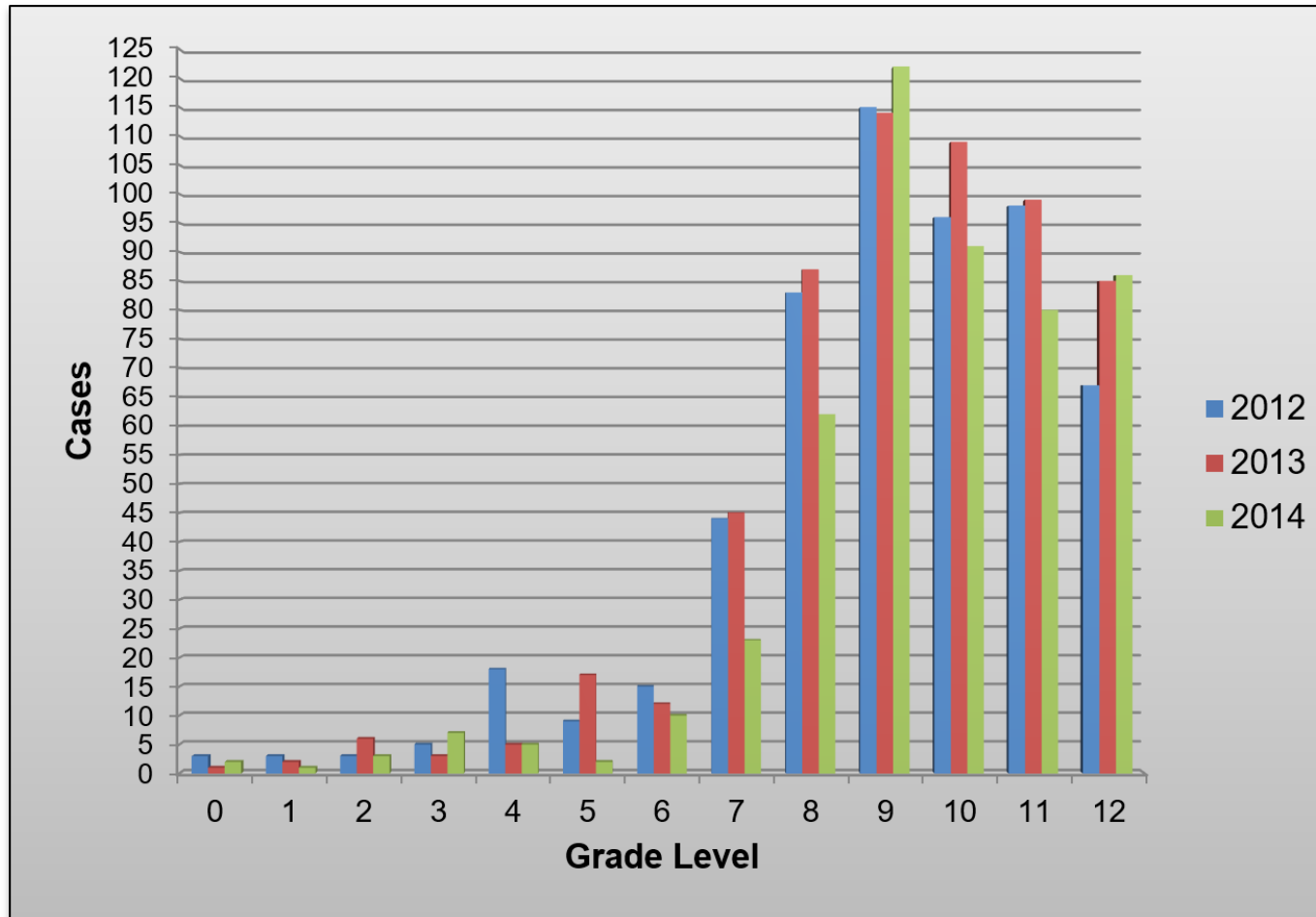
Less than one percent of students in each ethnic or racial subgroup were recommended for expulsion or reassignment during the 2013-2014 school year. Ethnic/racial distribution for such cases considered by the Hearings Office during the 2013-2014 school year is illustrated below with the two prior years for comparison.



Note: The student ethnic/racial population for the 2013-2014 school year is based upon Fairfax County Public Schools published statistical reports as of September 30, 2013.

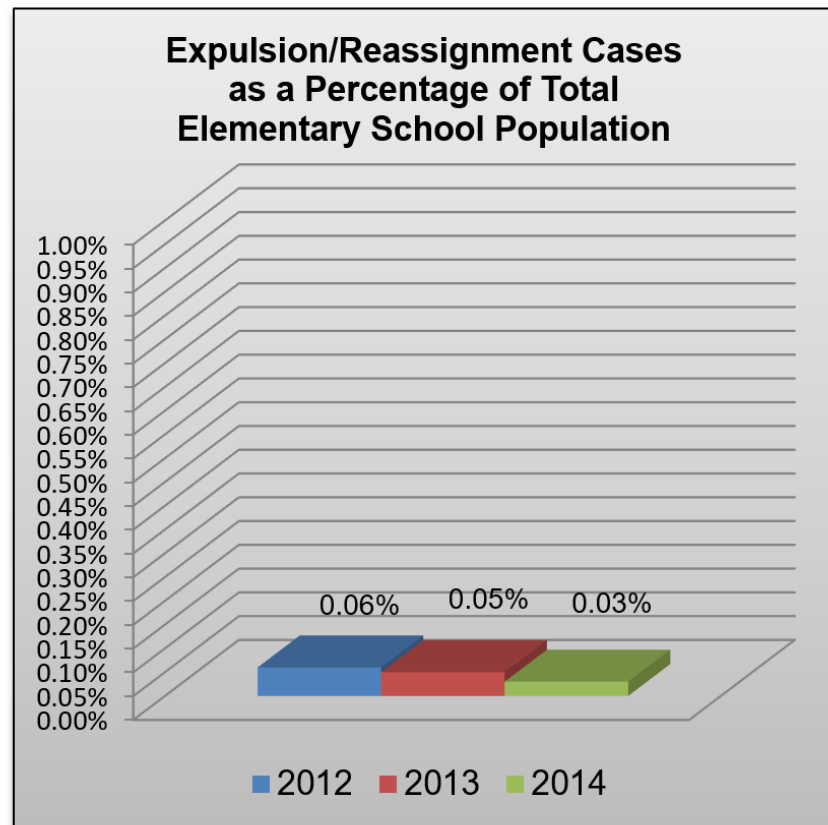
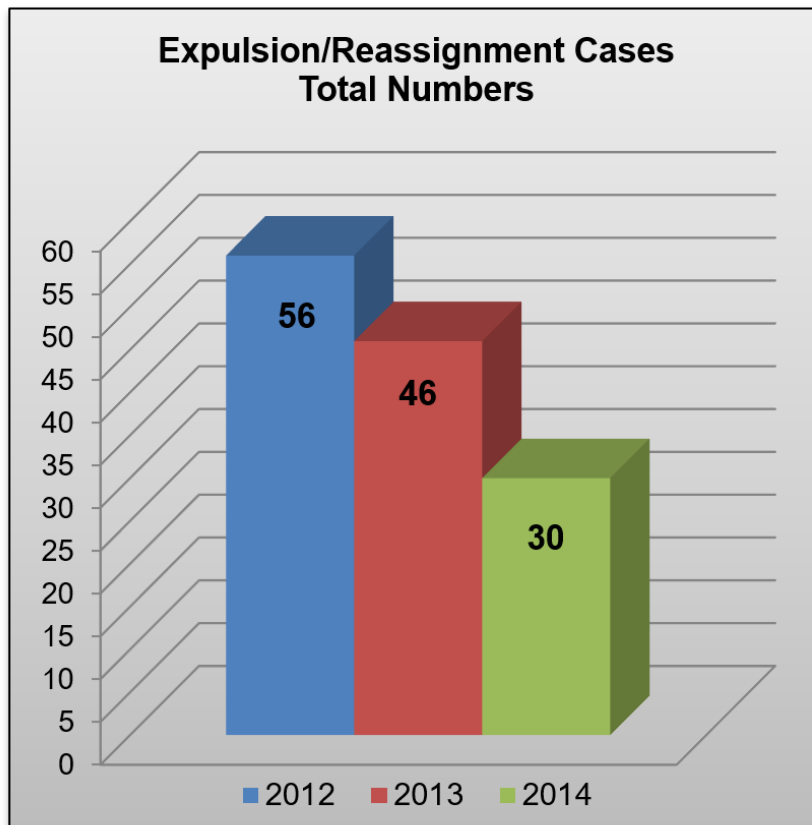
Grade

Grade distribution for expulsion and reassignment cases considered by the Hearings Office during the 2013-2014 school year is illustrated below with the two prior years for comparison.



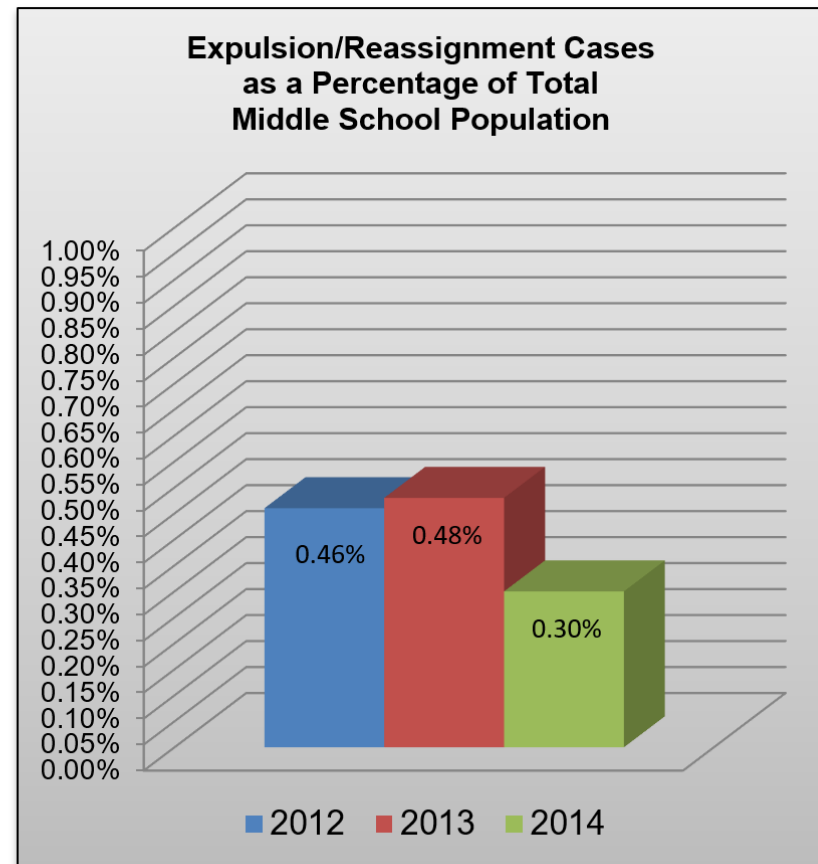
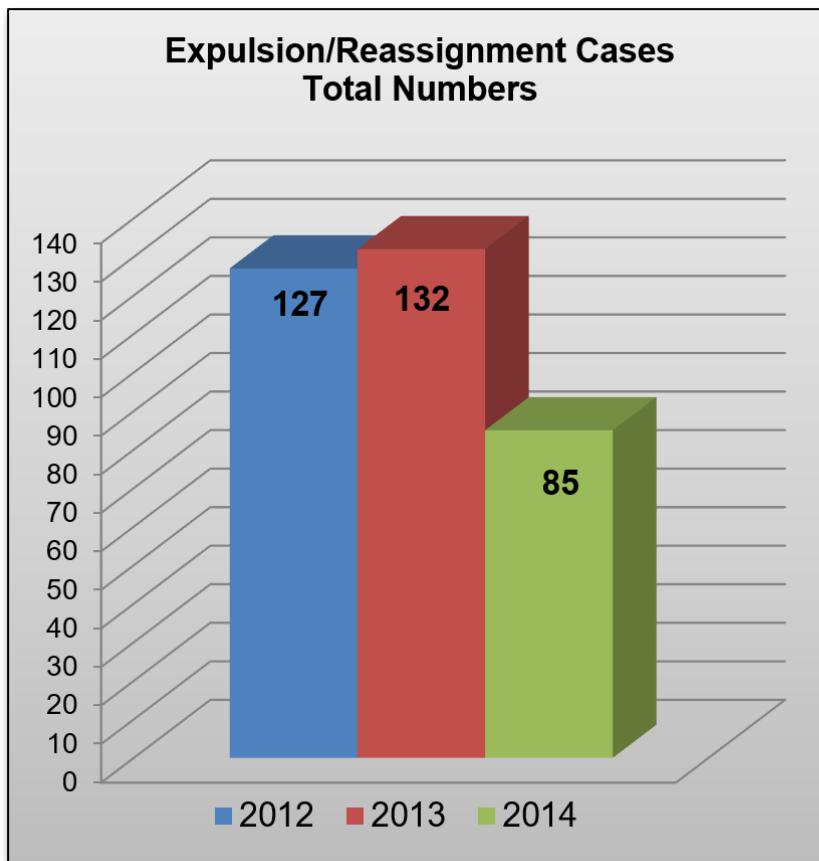
Elementary School

Illustrated below (with two prior years for comparison) is the total number of students in grades K-6 that were recommended for expulsion or reassignment during the 2013-2014 school year. Also illustrated is the percentage of elementary school students referred to the Hearings Office, which was less than one-tenth of one percent in each of the last three school years.



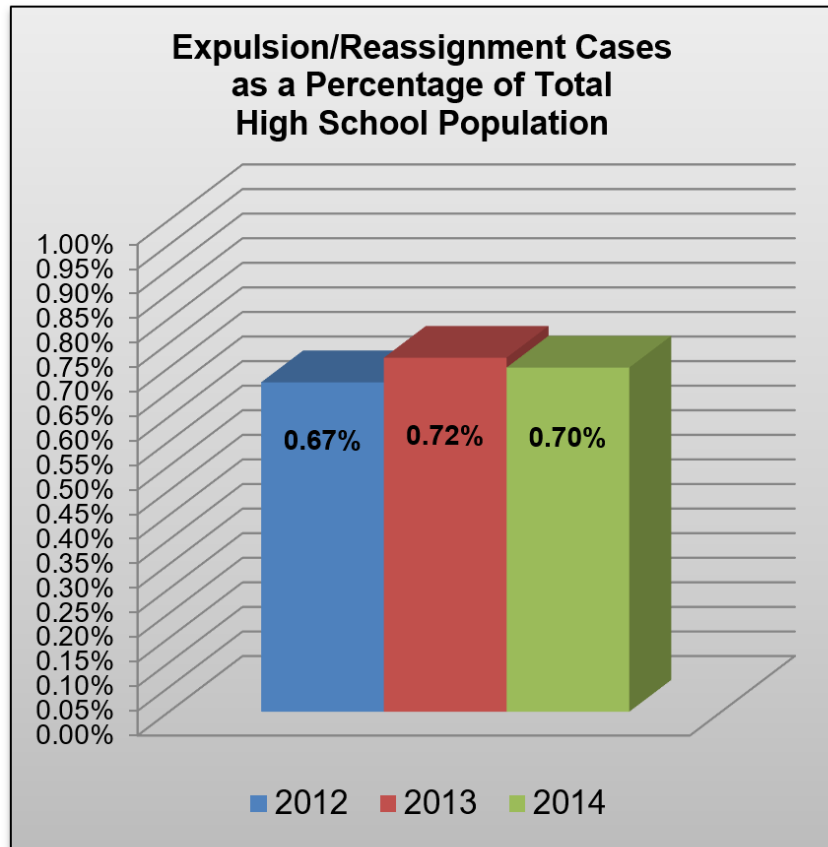
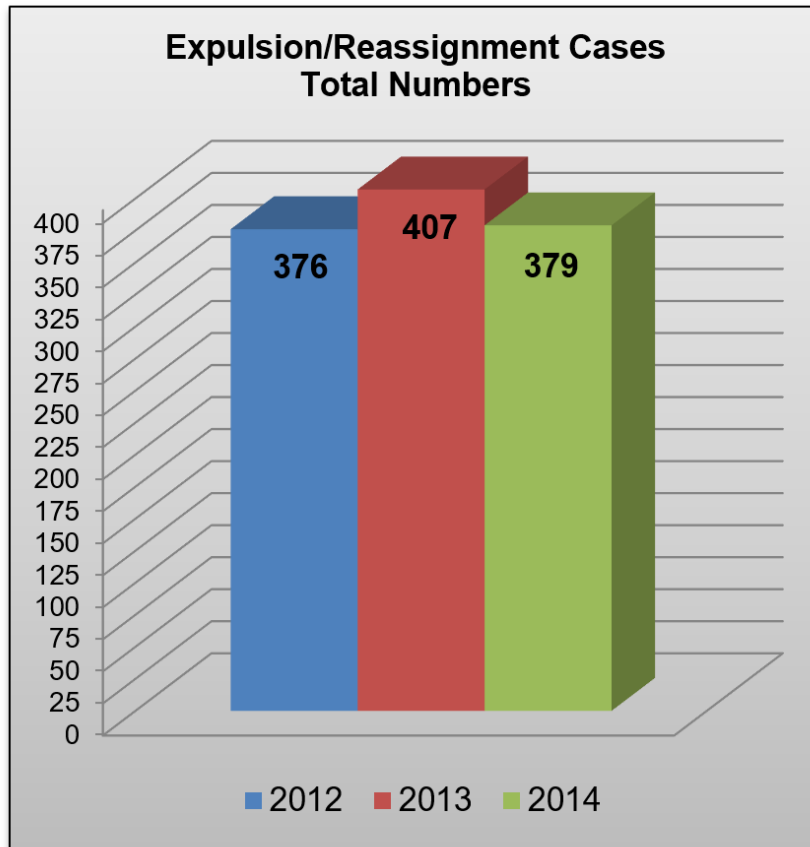
Middle School

Illustrated below (with two prior years for comparison) is the total number of students in grades 7-8 that were recommended for expulsion or reassignment during the 2013-2014 school year. Also illustrated is the percentage of middle school students referred to the Hearings Office, which was less than one-half of one percent in each of the last three school years.



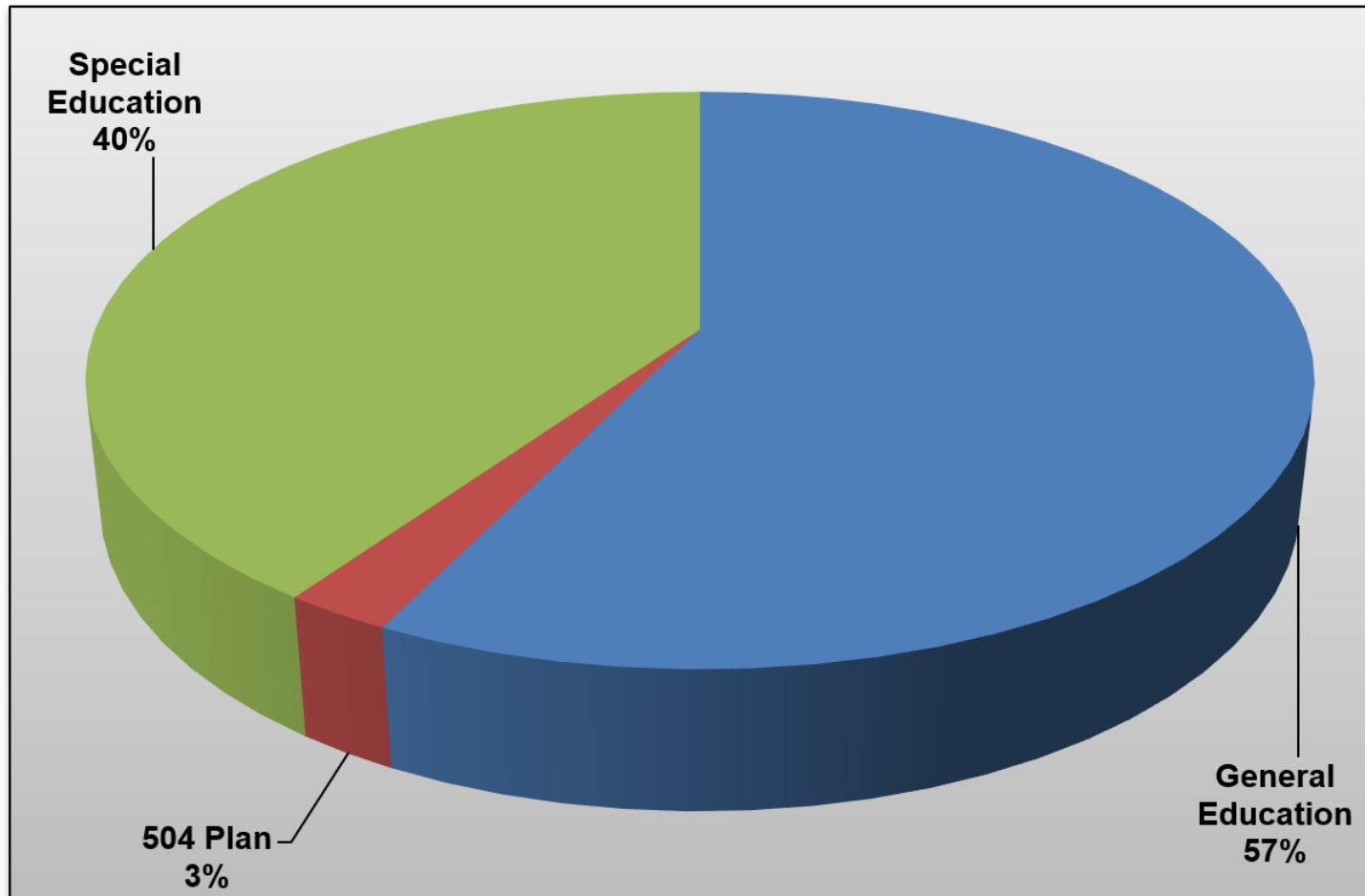
High School

Illustrated below (with two prior years for comparison) is the total number of students in grades 9-12 that were recommended for expulsion or reassignment during the 2013-2014 school year. Also illustrated is the percentage of high school students referred to the Hearings Office, which was less than one percent in each of the last three school years.



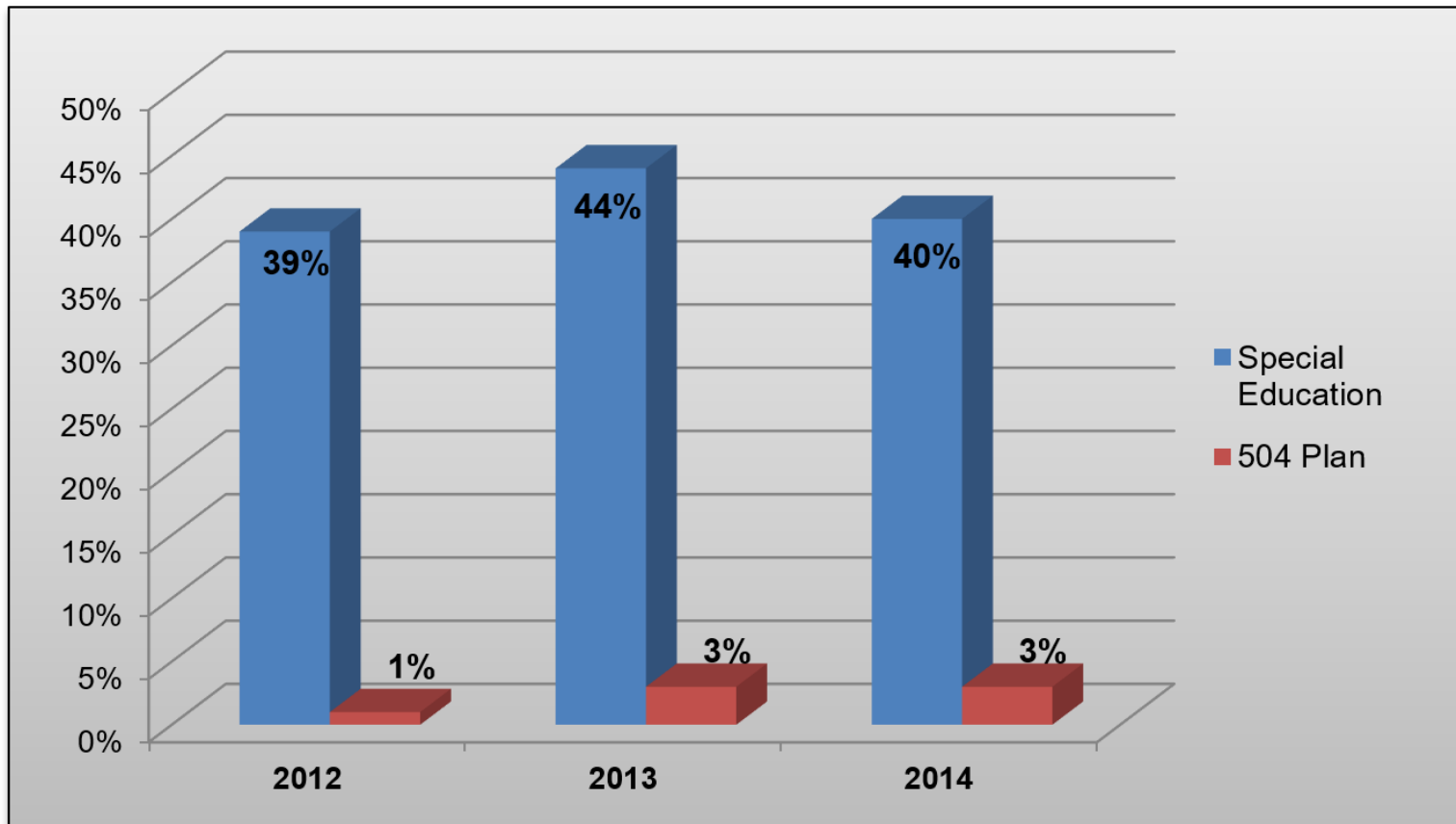
Special Education and General Education

Expulsion and reassignment cases considered by the Hearings Office during the 2013-2014 school year for general education students, special education students, and students with active 504 plans are illustrated below.



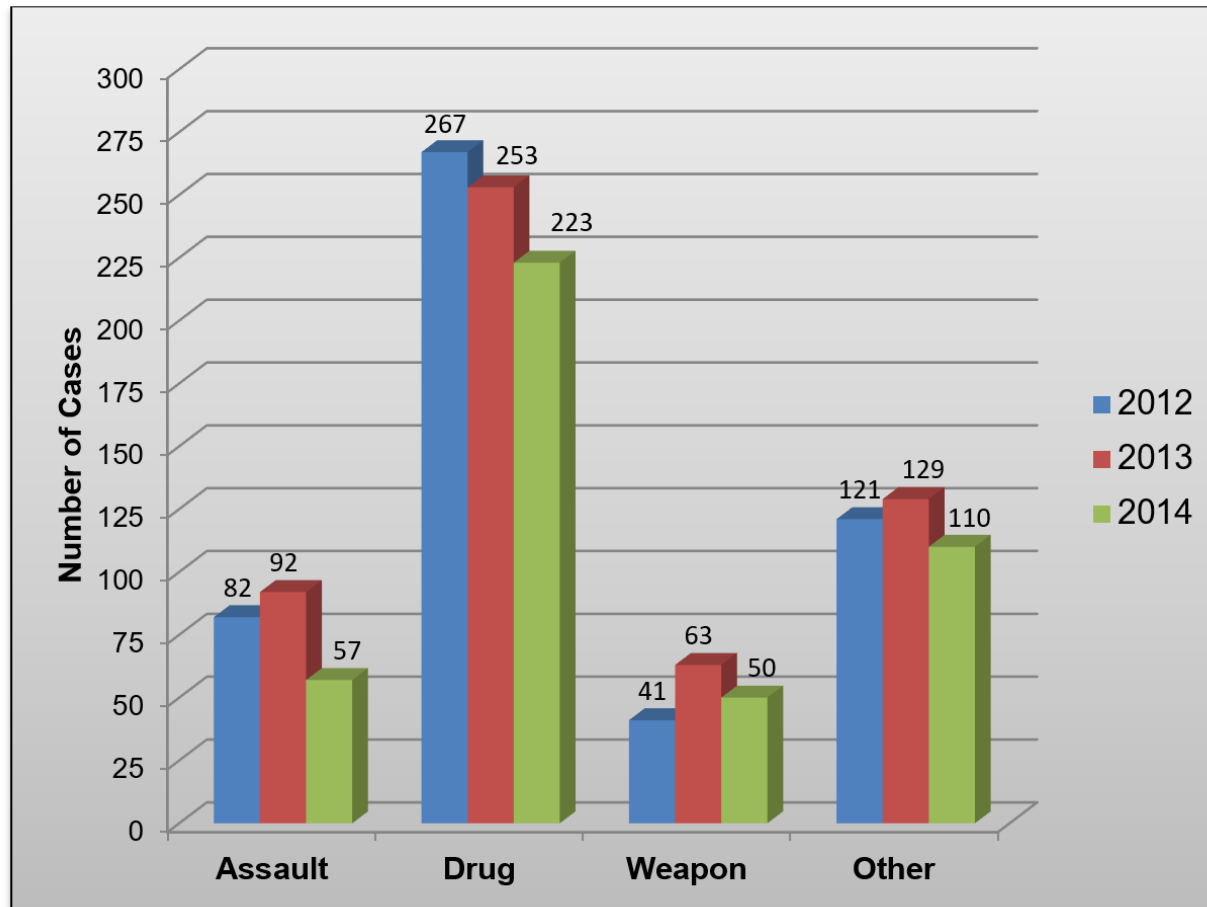
Students with Disabilities

Illustrated below (with two prior years for comparison) is the percentage of expulsion and reassignment cases considered by the Hearings Office during the 2013-2014 school year for students who qualify for special education services or for accommodations or assistance under Section 504 of the Rehabilitation Act.



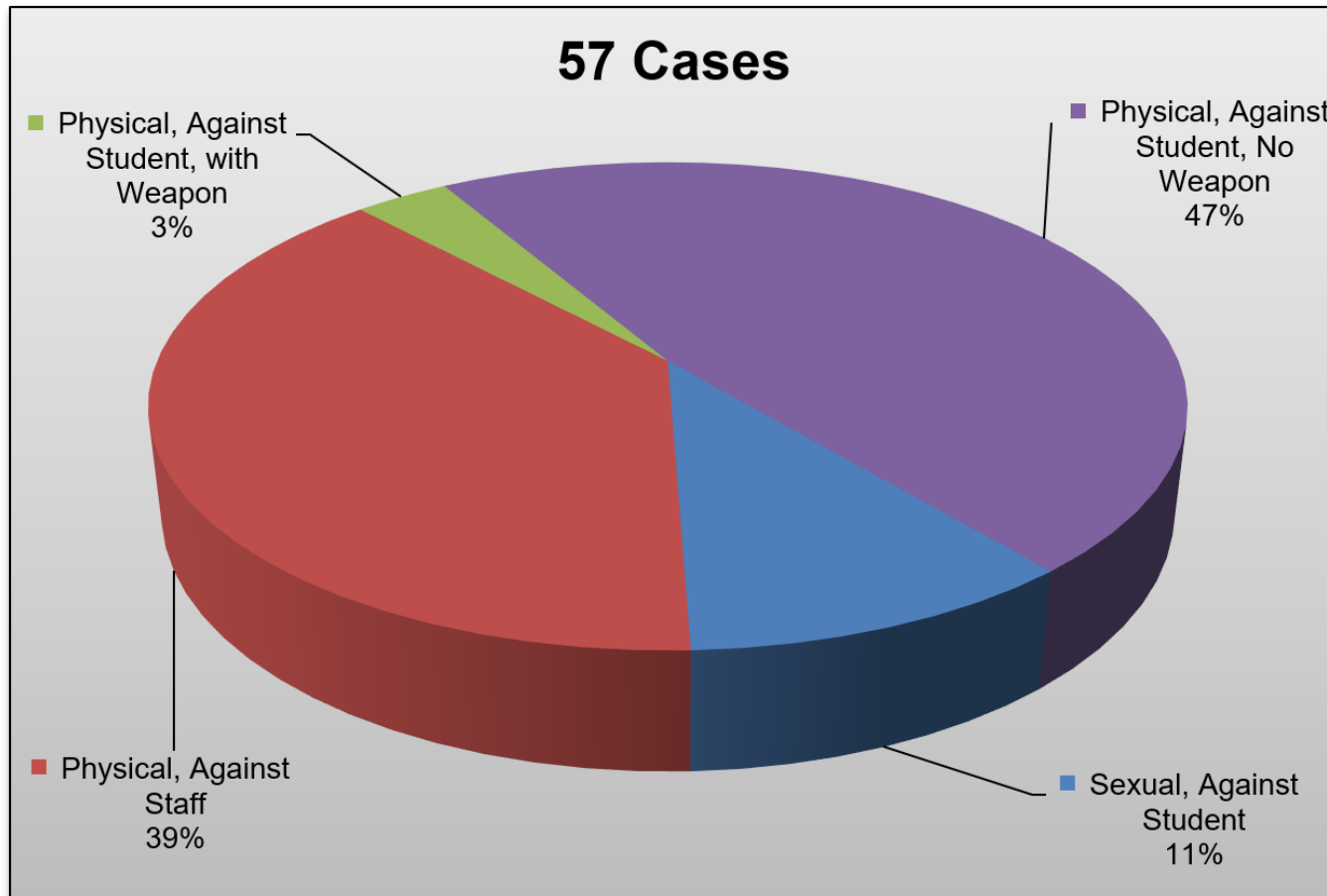
Violations Overview

Violations resulting in recommendations for expulsion, or reassignment for serious offense(s) in violation of School Board policies, considered by the Hearings Office during the 2013-2014 school year are illustrated below with the two prior years for comparison.



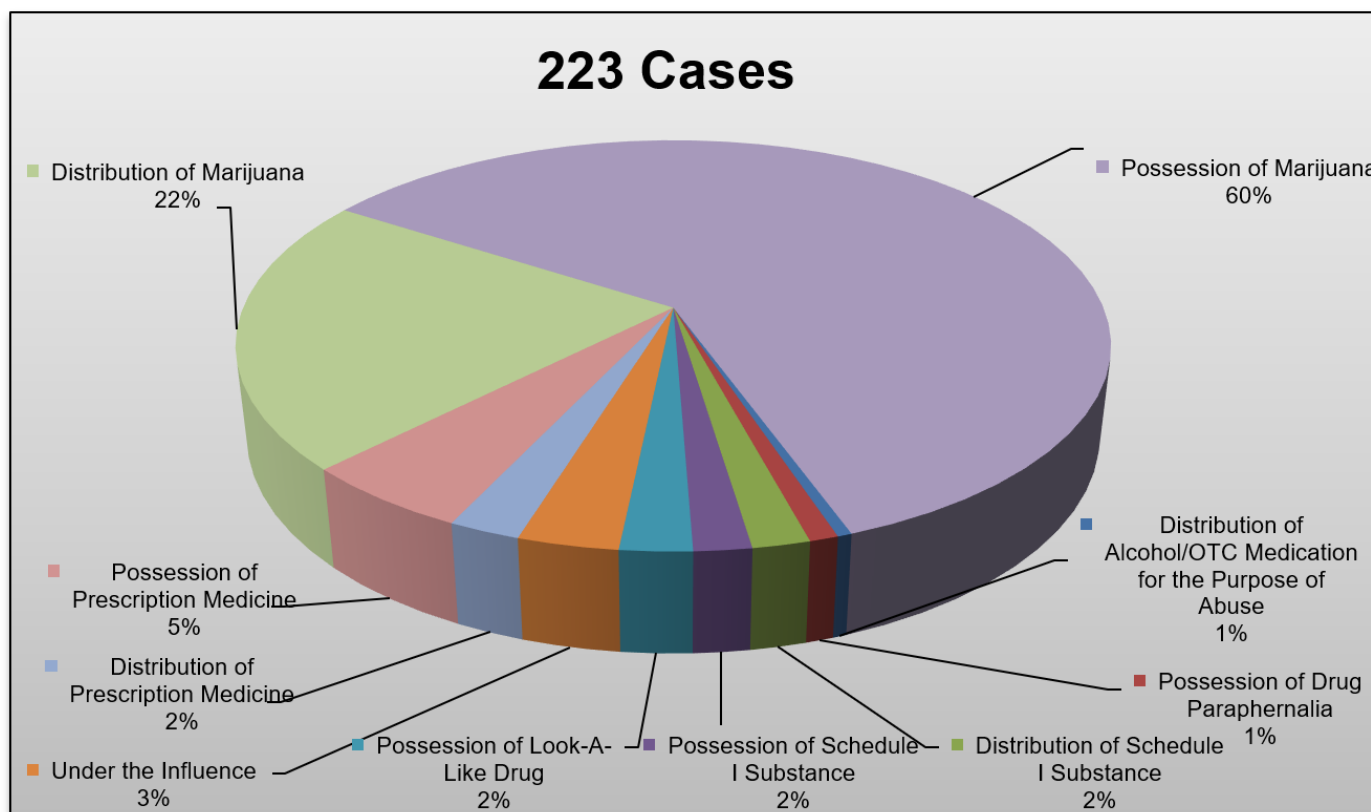
Assault Violations

Illustrated below are the recommendations for expulsion, or reassignment for serious offense(s) in violation of School Board policies, that were considered by the Hearings Office during the 2013-2014 school year in which the primary violation was assault-related.



Drug and Alcohol Violations

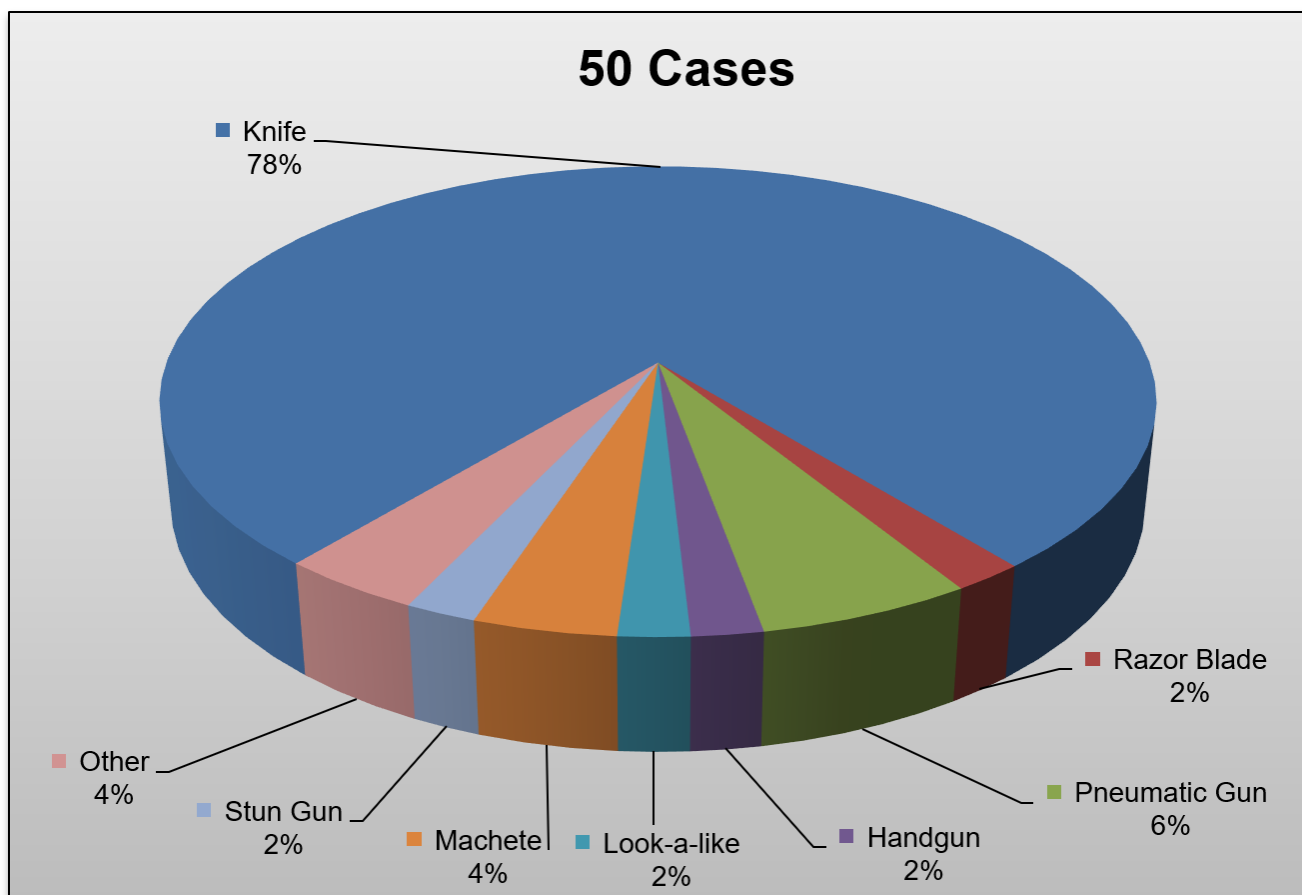
Illustrated below are the recommendations for expulsion, or reassignment for serious offense(s) in violation of School Board policies, that were considered by the Hearings Office during the 2013-2014 school year in which the primary violation was drug- or alcohol-related.



Note: As defined by the Drug Control Act of Virginia, a Schedule I controlled substance is one that has high potential for abuse, and has no accepted medical use in treatment in the United States, or lacks accepted safety for use in treatment under medical supervision. Examples include cocaine, methamphetamine, and LSD.

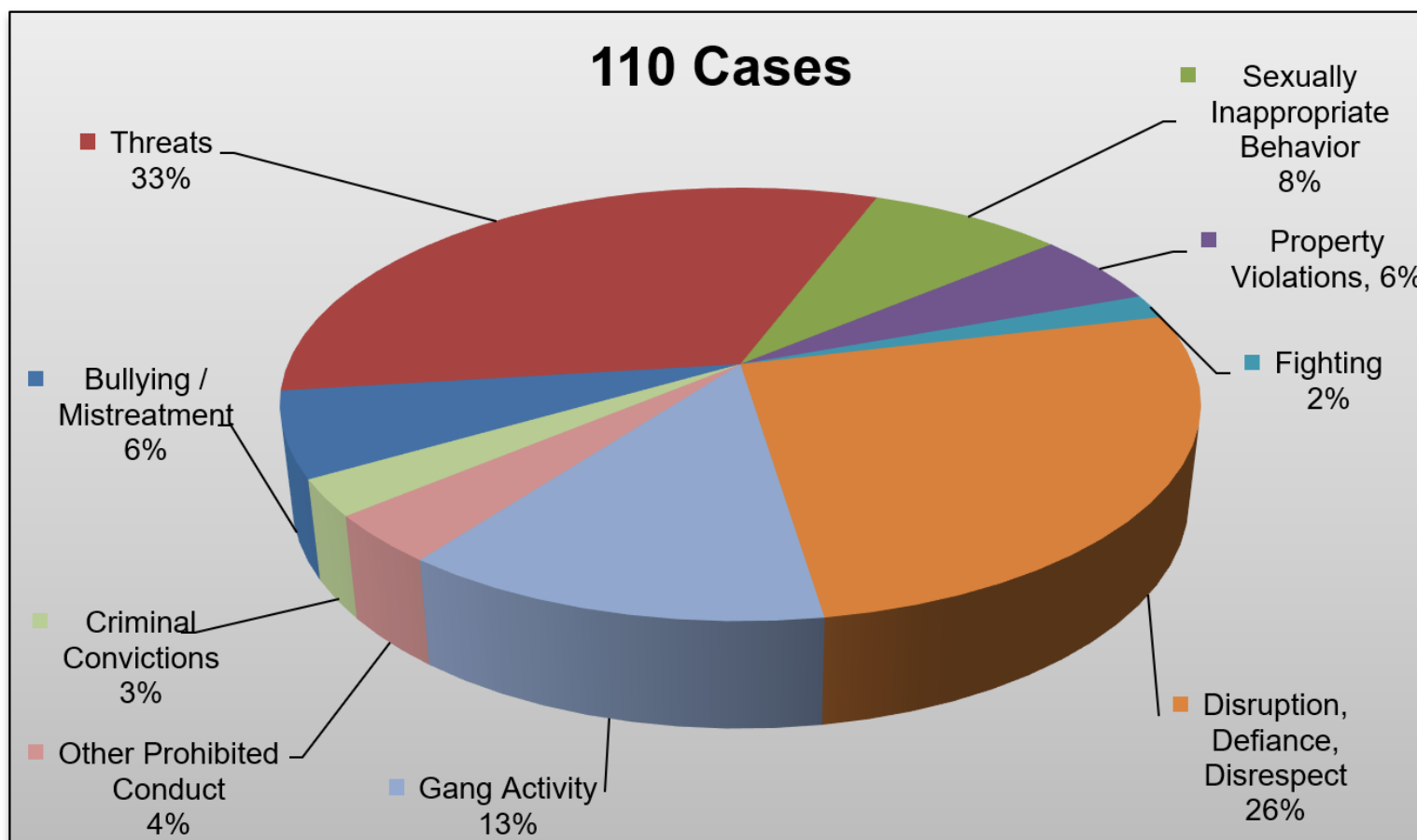
Weapon Violations

Illustrated below are the recommendations for expulsion, or reassignment for serious offense(s) in violation of School Board policies, that were considered by the Hearings Office during the 2013-2014 school year in which the primary violation was weapon-related.

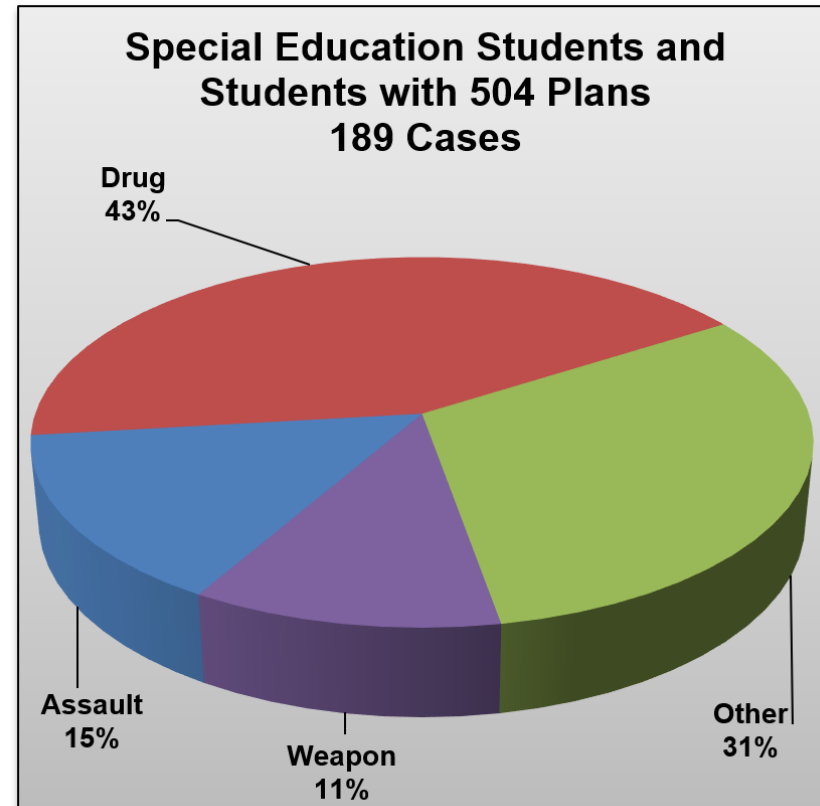
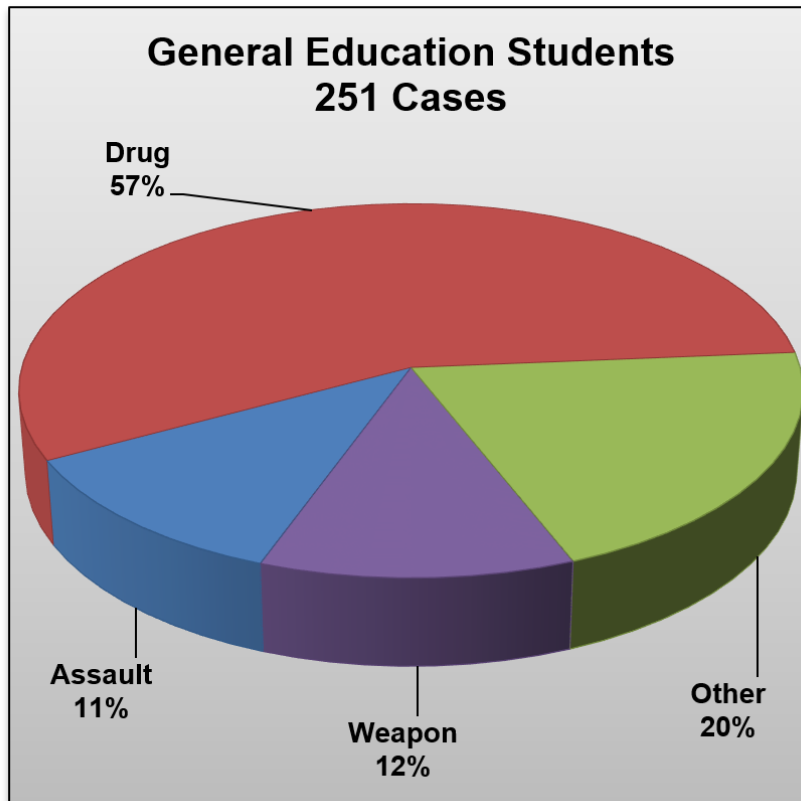


Other Violations

Illustrated below are the recommendations for expulsion, or reassignment for serious offense(s) in violation of School Board policies, that were considered by the Hearings Office during the 2013-2014 school year in which the primary violation was not related to assault, weapons, drugs, or alcohol.

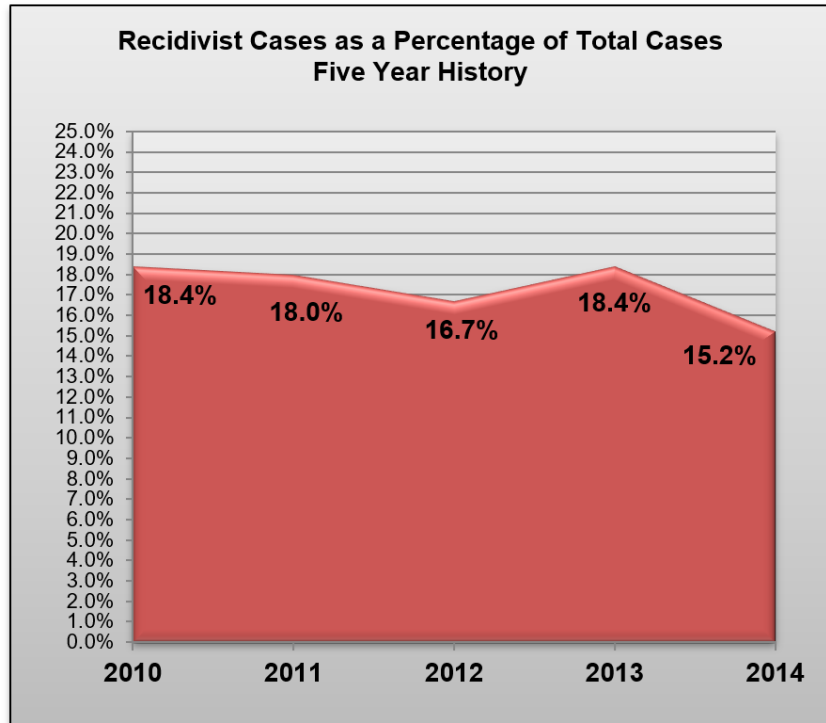
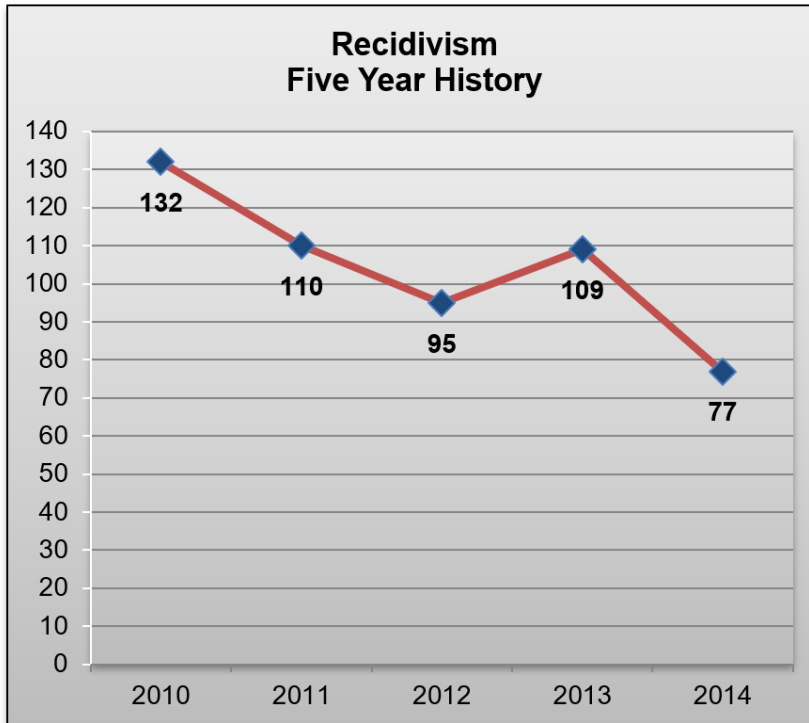


Recommendations for Expulsion and Reassignment for Serious Offense(s) in Violation of School Board Policies



Recidivism

Seventy-seven cases were submitted to the Hearings Office during the 2013-2014 school year recommending expulsion, reassignment, or exclusion of seventy-three students who had had previous disciplinary hearings.



Case Decisions by Hearings Office

Five hundred and seven (507) disciplinary recommendations were considered by the Hearings Office during the 2013-2014 school year, resulting in the following dispositions.

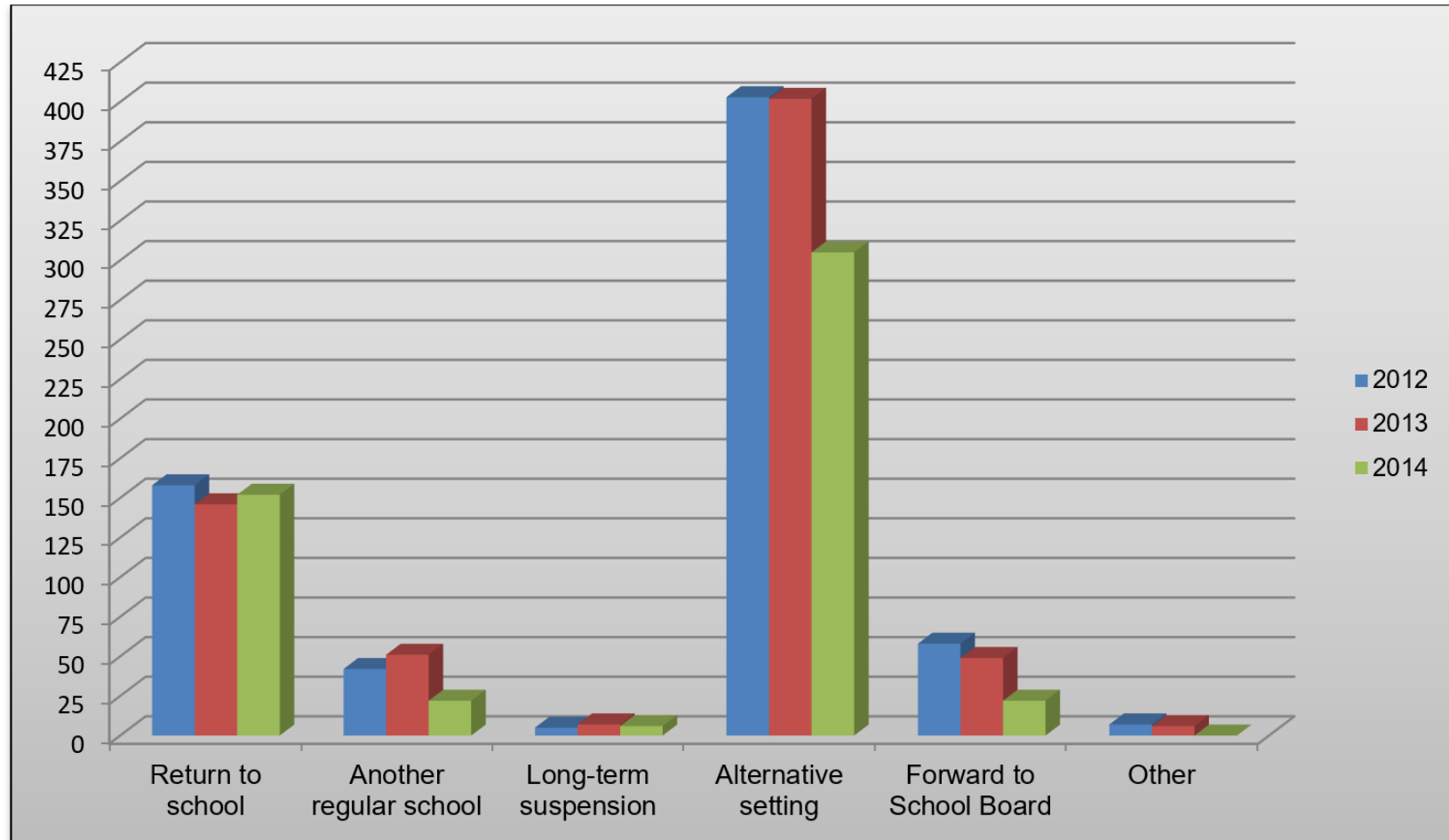
- Assigned to Regular School: 174
 - Another School: 22
 - Return to School: 152
- Assigned to Alternative School: 305
 - Achievement, Integrity, and Maturity: 12
 - Adult Education (AED): 1
 - Alternative High School: 47
 - Alternative Learning Center: 82
 - Alternative setting by IEP: 120
 - Interagency Alternative Schools (IAS): 40
 - Transition Support Resource Center: 38
 - Other IAS: 2
 - Unspecified/withdrawal: 3
- Excluded from FCPS: 0
- Expulsion Imposed: 0
- Forwarded to School Board: 22
 - Letter of Agreement¹(LOA) offered: 18
 - No LOA offered: 4
- Long-Term Suspended*: 6
 - Alternative setting, 2014-15: 4
 - Graduated: 2

**Permitted to complete assignments and earn credits through the end of the school year; assigned to an FCPS program for 2014-2015 school year (unless graduated).*

¹ Agreement offered by the hearing officer, in his/her sole discretion, to a student that the hearing officer is recommending the School Board expel. If the agreement is signed by the parent and accepted by the School Board, the student is assured services in an appropriate alternative setting during the term of the expulsion.

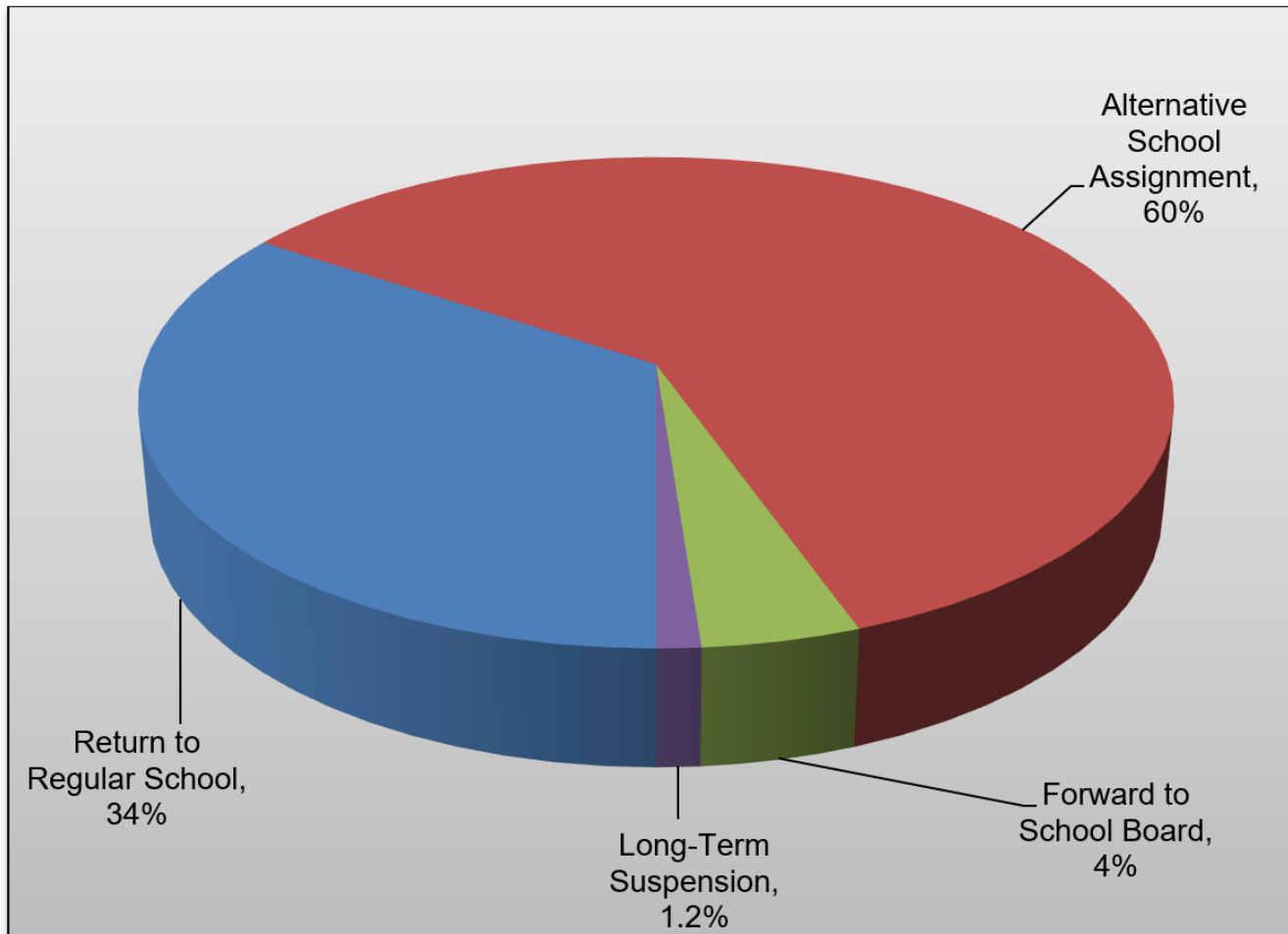
Case Decisions by Hearings Office

The Hearings Office case decisions for the 2013-2014 school year are illustrated below with the two prior years for comparison.



Case Decisions by Hearings Office

The Hearings Office case decisions for the 2013-2014 school year are illustrated below.



School Board Summary 2013 – 2014

School Board Actions: 38

- Full School Board: 25
 - Case forwarded without LOA, not appealed: 3
 - Case forwarded with LOA, neither accepted nor appealed: 6
 - Written record appeal of reassignment decision: 16
- School Board Committees: 13
 - Case forwarded without LOA, appealed: 1
 - LOA accepted by parent and School Board Committee: 10
 - LOA declined and appealed: 2

School Board Decisions

Thirty-eight disciplinary recommendations were considered by the School Board during the 2013-2014 school year, resulting in the following dispositions.

- Expelled (No FCPS Services)*: 3
- Expelled (With FCPS Services): 18
 - Achievement, Integrity, and Maturity: 4
 - Alternative Learning Center: 1
 - Alternative setting by IEP: 4
 - Online Campus: 2
 - Transition Support Resource Center: 7
- Reassigned to Another Regular School: 4
- Reassigned to Alternative Educational Setting: 12
 - Achievement, Integrity, and Maturity: 1
 - Alternative High School: 2
 - Alternative Learning Center: 6
 - Alternative setting by IEP: 2
 - Transition Support Resource Center: 1
- Long-Term Suspended: 1
- Return to School: 0

**Only one student's services were terminated for 365 days with no opportunity to earn credits toward an FCPS diploma. The other two students were permitted to earn credits toward an FCPS diploma in a Court- or agency-sponsored program, if so placed by the Court or agency.*

Note: *While the Hearing Office forwarded 22 students to the School Board with a recommendation for expulsion, the School Board voted to expel only 21 of those students.*