

Fairfax County Public Schools
Hearings Office Annual Report
2014-15 School Year



Executive Summary

Hearings Office Annual Report, 2014-15 School Year

During the 2014-2015 school year, school principals and program managers submitted 521 student disciplinary referrals to the Hearings Office. While the number of referrals increased slightly (by less than 3%) compared to the 2013-2014 school year, there were still fully 50% fewer referrals submitted to the Hearings Office during the 2014-2015 school year than during the 2005-2006 school year, when such referrals peaked. Furthermore, much of the growth in referrals during the 2014-2015 school year was attributable to alleged community-based misconduct rather than school-based misconduct, as evidenced by a 28% increase in the number of students recommended for reassignment as a result of having been charged with serious criminal offenses related to alleged community-based crimes.

Notably, the average number of days a student was suspended from school after having been referred to the Division Superintendent declined significantly from 15 days during the 2012-2013 school year, to 12 days during the 2013-2014 school year, to only 7 days during the 2014-2015 school year¹. This decline was primarily attributable to a change to the student code of conduct, the Student Rights and Responsibilities, which gave principals the flexibility to permit students to remain in school pending the disciplinary process.

An examination of the school-based misconduct resulting in referrals to the Division Superintendent² demonstrates that 50% were based primarily upon drug-related offenses, 20% upon assault-related offenses, 13% upon weapons-related offenses, and 18% upon other prohibited conduct. While there were increases in the number of assault- and weapons-related offenses compared to the previous school year, referrals related to drugs and other prohibited conduct continued to trend downward.

An examination of demographic data revealed that disciplinary referrals for students in Kindergarten through grade six decreased by 33%, the second straight year of significant declines for this group. While there was a 26% increase in referrals for students in grades seven and eight, this does not necessarily reflect an upward trend, as there were still 19% fewer referrals submitted for middle school students during the 2014-2015 school year, compared to the 2012-2013 school year.

As was true in previous years, less than 1% of students in each of the four largest ethnic/racial subgroups (Asian, Black, Hispanic, and White), was referred to the Hearings Office. Nonetheless, Black and Hispanic students continued to be disproportionately referred to the Hearings Office. Likewise, special education students remain disproportionately referred to the Hearings Office, comprising 41% of all disciplinary referrals.

Following hearings conducted to consider the 521 disciplinary referrals, the Hearings Office permitted 175 students (34%) to return to their schools, reassigned 22 students (4%) to different regular schools, reassigned 319 students (61%) to alternative educational settings, long-term suspended three students (less than 1%), and forwarded only two students (less than 1%) to the School Board with a recommendation for expulsion. Notably, the School Board expelled only two students during the 2014-2015 school year, 90% fewer students than were expelled during the previous school year.

¹ For the 2012-2013 school year, this data represents recommendations for expulsion. For the 2013-2014 school year, this data represents recommendations for expulsion and recommendations for reassignment for serious violations of School Board policy. For the 2014-2015 school year, this data represents referrals to the Division Superintendent.

² This data does not include the seven referrals to the Division Superintendent that were based upon students having been convicted of community-based crimes.

Hearings Office Annual Report 2014-15 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 2014-2015 school year. This report includes data on:

- Referrals to the Division Superintendent – Submission for consideration of a student disciplinary action greater than a short-term suspension
- 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

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

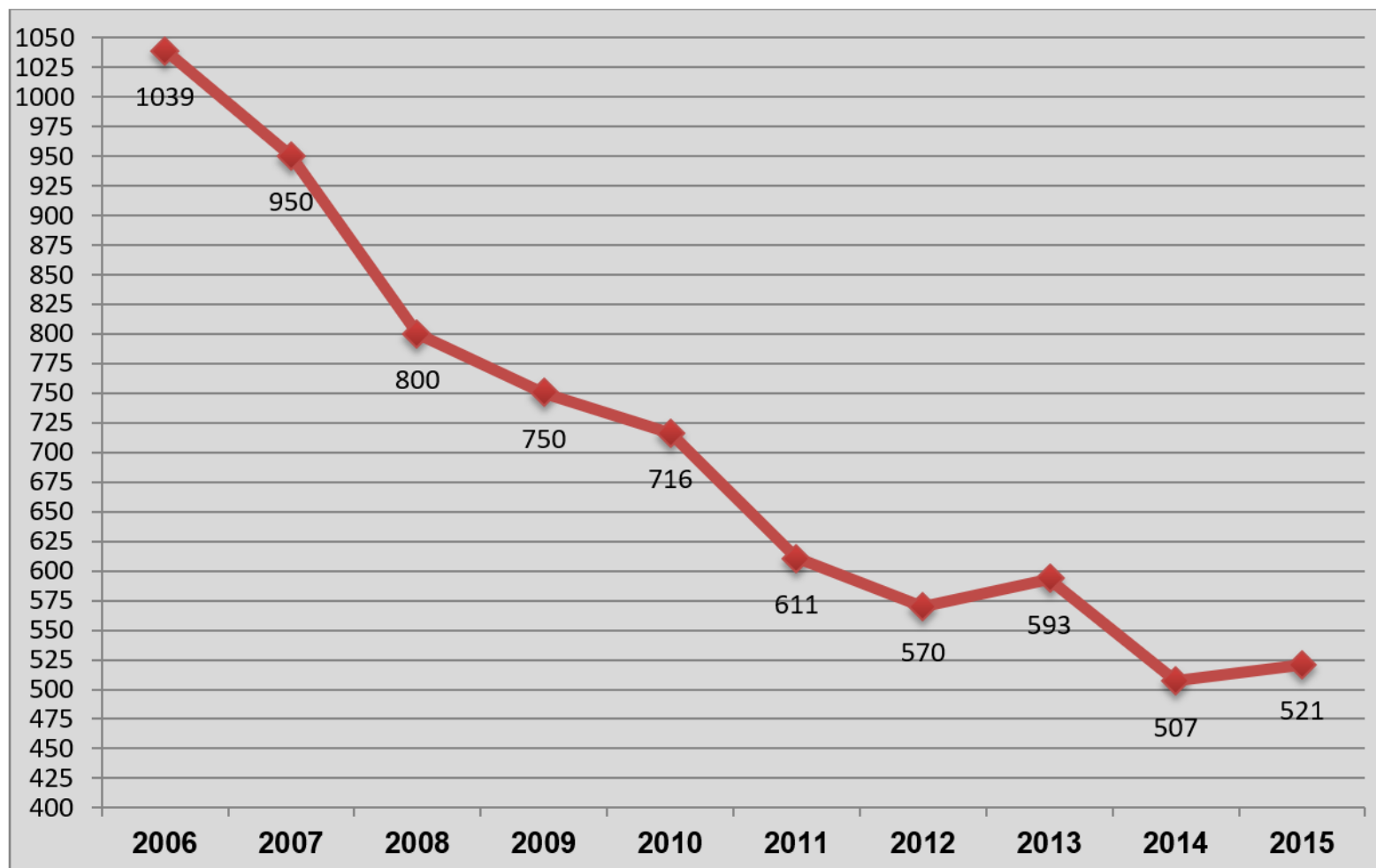
521 hearings were conducted by the Hearings Office during the 2014–2015 school year to consider:

- 449 referrals to the Division Superintendent
- 69 reassignment recommendations
- 3 exclusion recommendations

The School Board considered 27 cases.

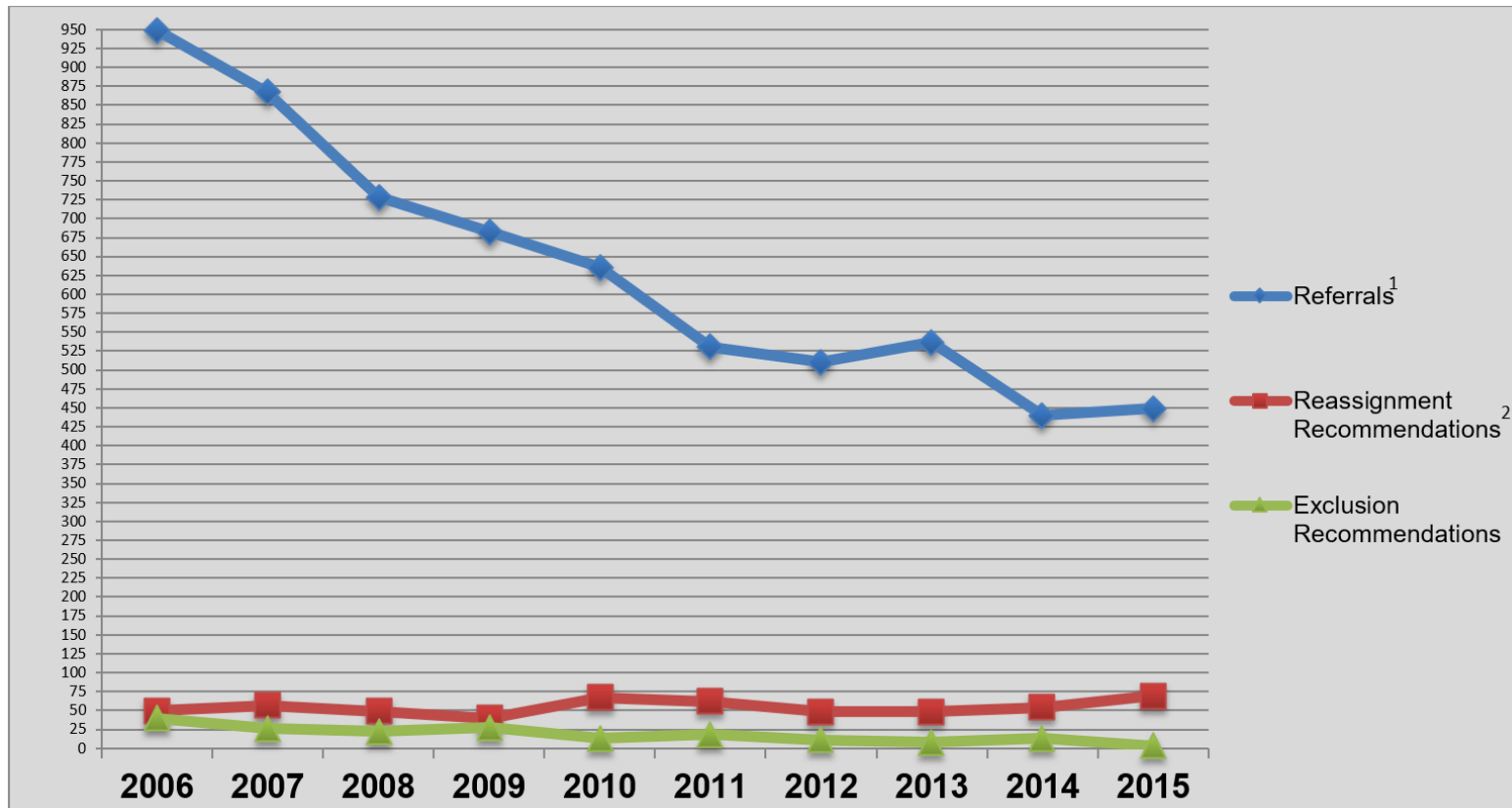
Total Hearings 2006-2015

Total hearings to consider disciplinary referrals and recommendations conducted by the Hearings Office for the 2005-2006 school year through the 2014-2015 school year.



Total Hearings 2006-2015

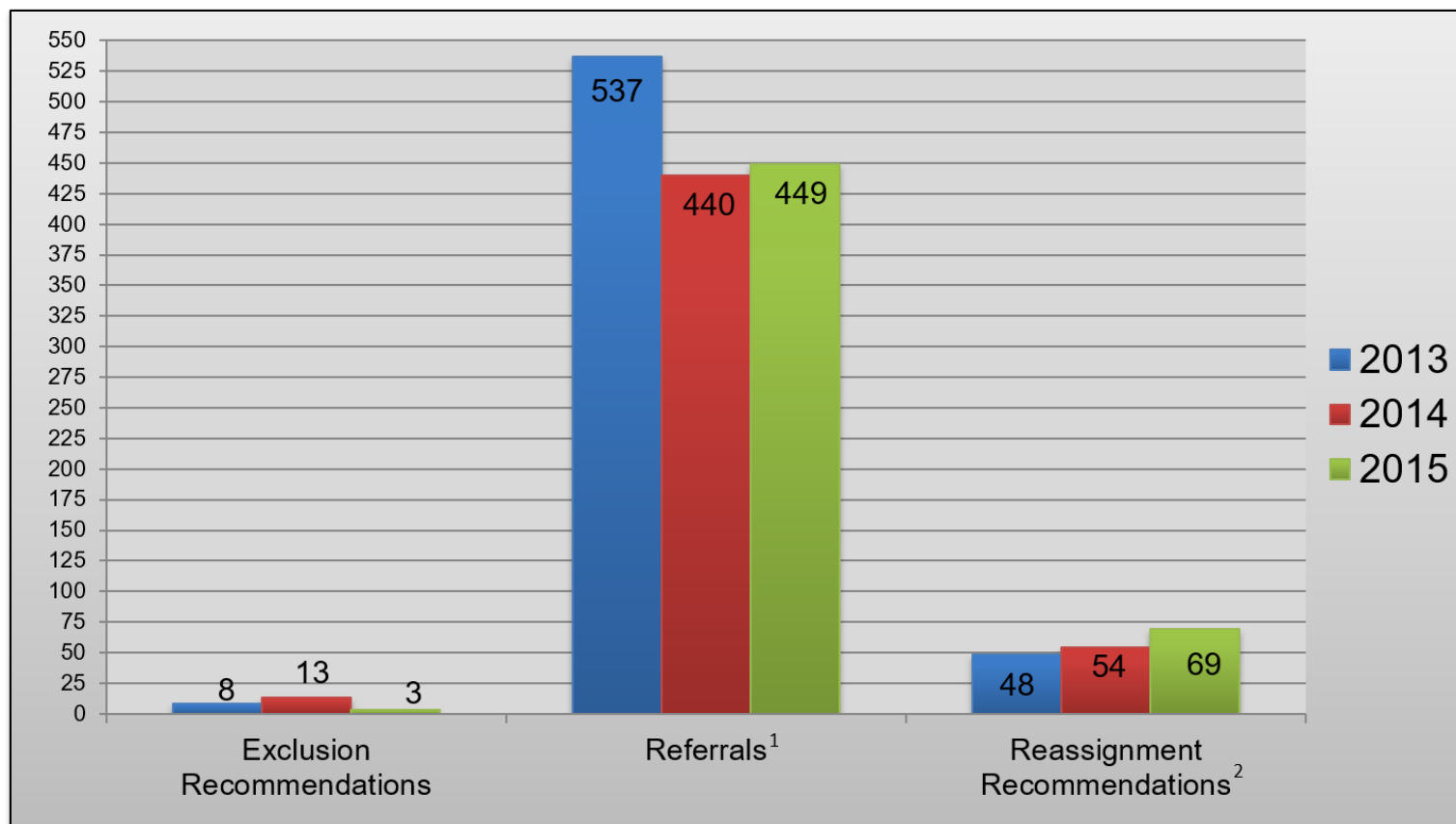
Total hearings to consider disciplinary referrals and recommendations conducted by the Hearings Office for the 2005-2006 school year through the 2014-2015 school year, disaggregated by case type.



- ¹. For school years 2006 – 2013, 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 the 2015 school year, this line represents referrals to the Division Superintendent.
- ². For all school years, this line represents recommendations for reassignment as the result of criminal charges related to alleged community-based crimes.

Total Hearings 2013-2015

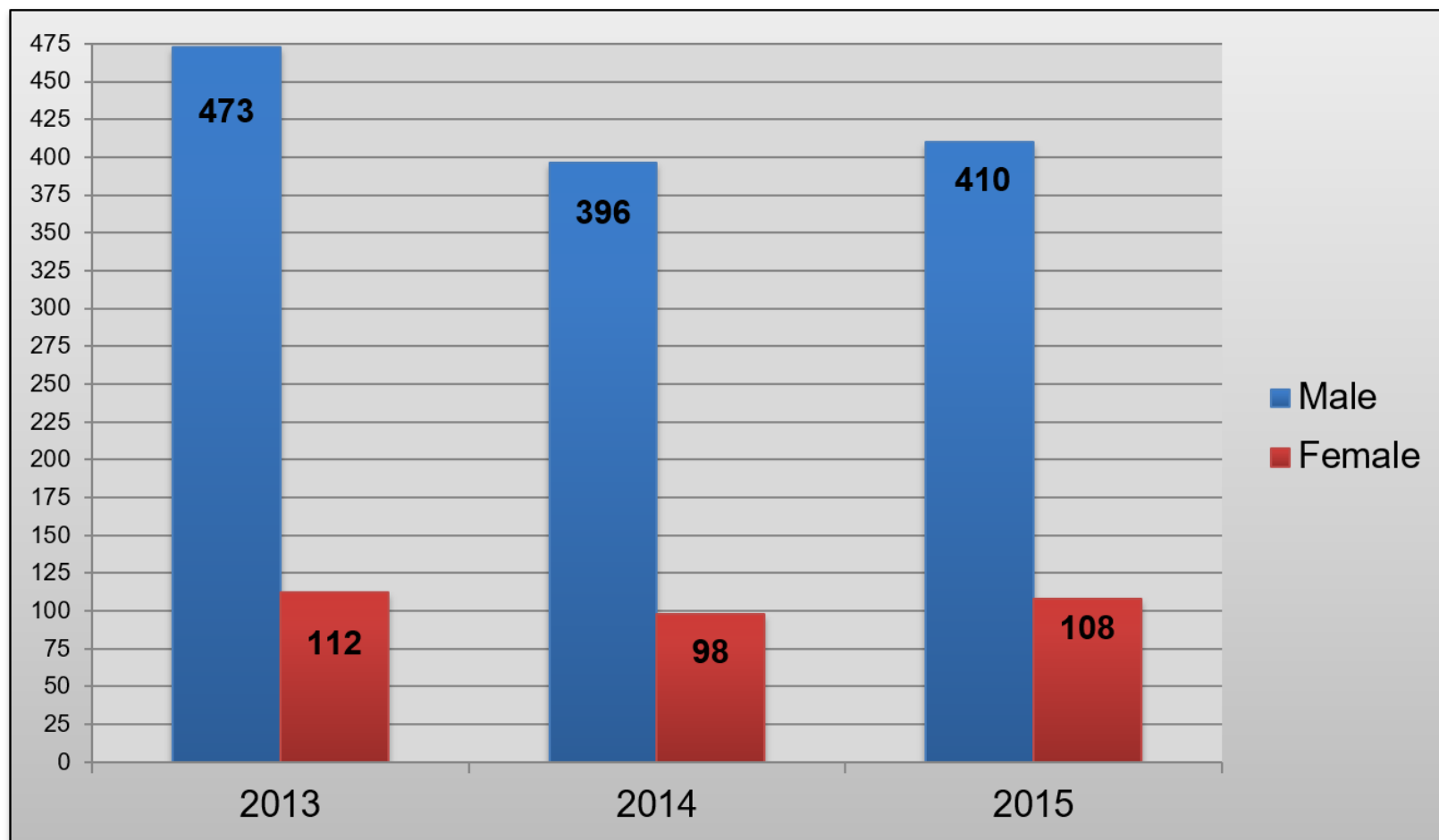
Total hearings to consider disciplinary referrals and recommendations conducted by the Hearings Office for the 2012-2013 school year through the 2014-2015 school year, disaggregated by case type.



1. For school year 2013, this bar represents recommendations for expulsion. For the 2014 school year, this bar represents recommendations for expulsion and recommendations for reassignment for serious violations of School Board policy. For the 2015 school year, this bar represents referrals to the Division Superintendent.
2. For all school years, these bars represent recommendations for reassignment as the result of criminal charges related to alleged community-based crimes.

Gender

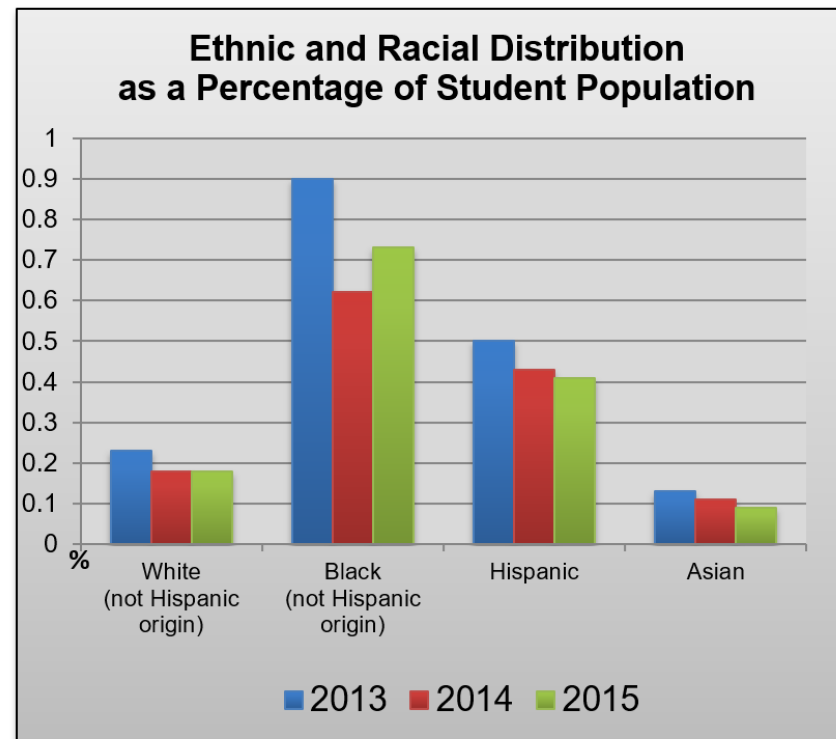
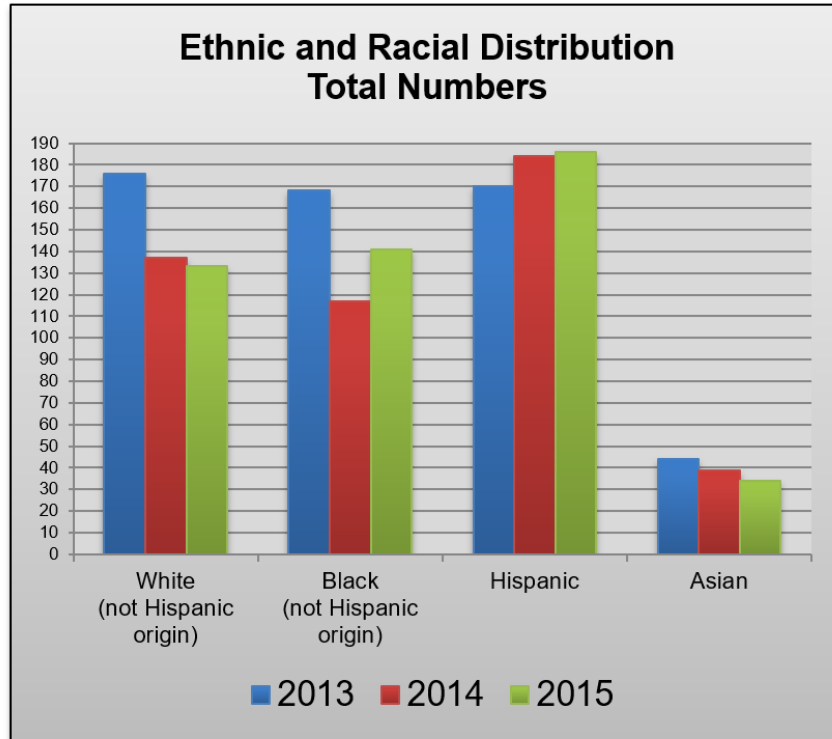
Gender distribution for referrals to the Division Superintendent and reassignment recommendations considered by the Hearings Office during the 2014-2015 school year is illustrated below with the two prior years for comparison.



Note: The graph represents a male/female distribution of 80.9%/19.1% (2013), 80.2%/19.8% (2014), and 79.2%/20.8% (2015).

Ethnicity and Race

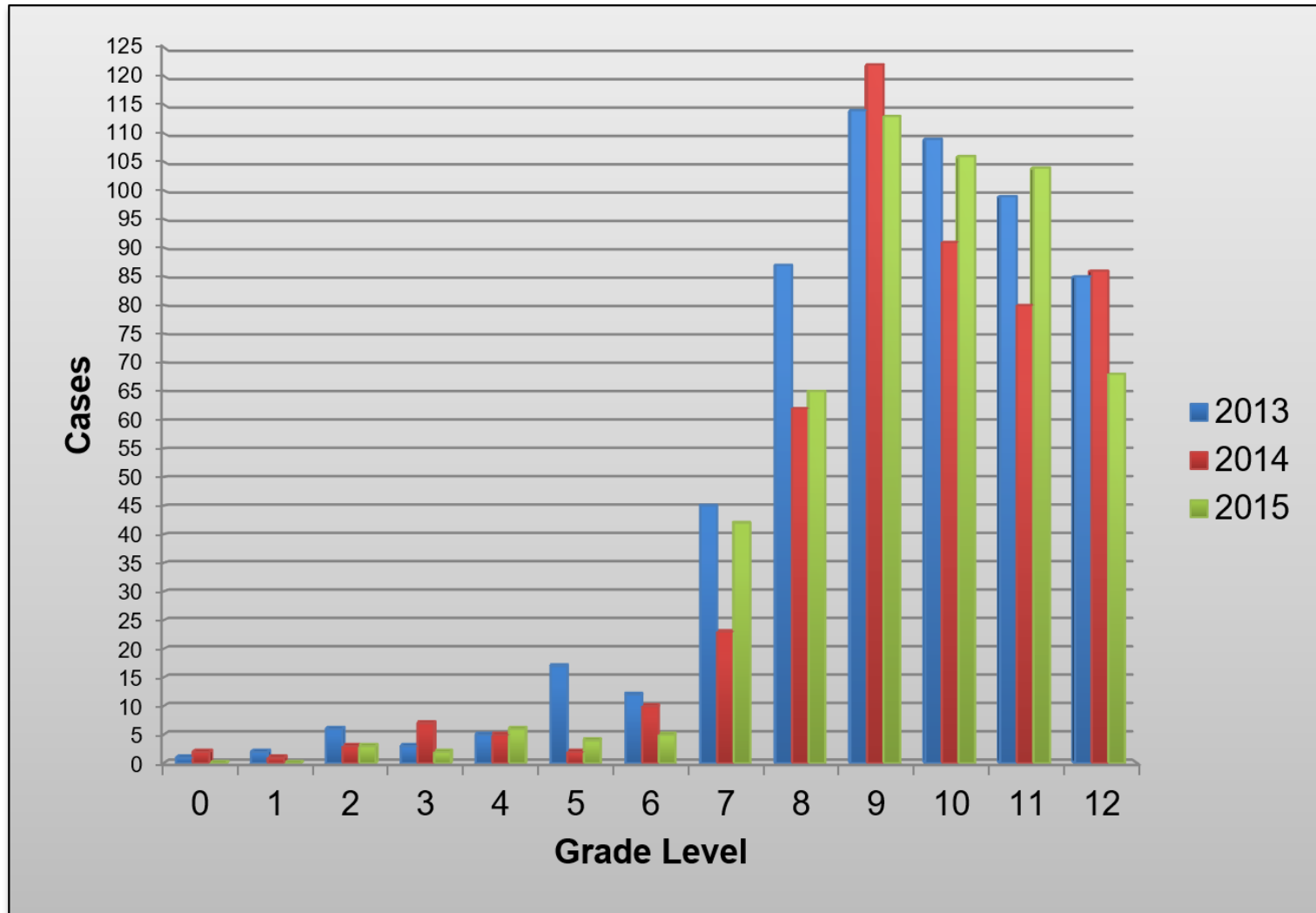
Less than one percent of students in each ethnic or racial subgroup was referred to the Division Superintendent or recommended for reassignment during the 2014-2015 school year. Ethnic/racial distribution for such cases considered by the Hearings Office during the 2014-2015 school year is illustrated below with the two prior years for comparison.



Note: The student ethnic/racial population for the 2014-2015 school year is based upon Fairfax County Public Schools published statistical reports as of September 30, 2014.

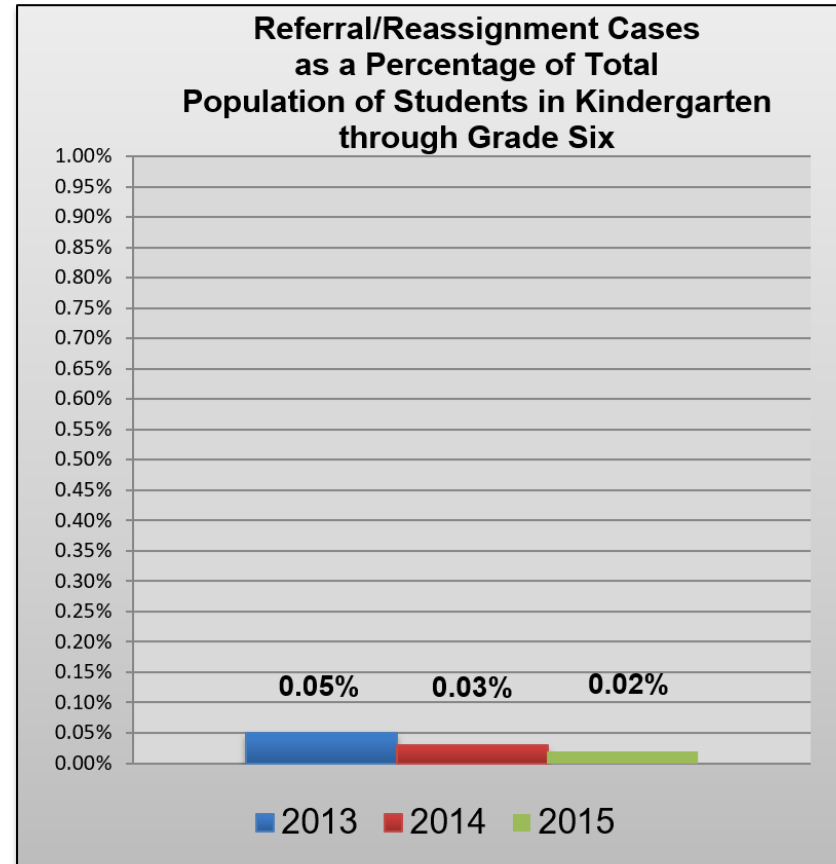
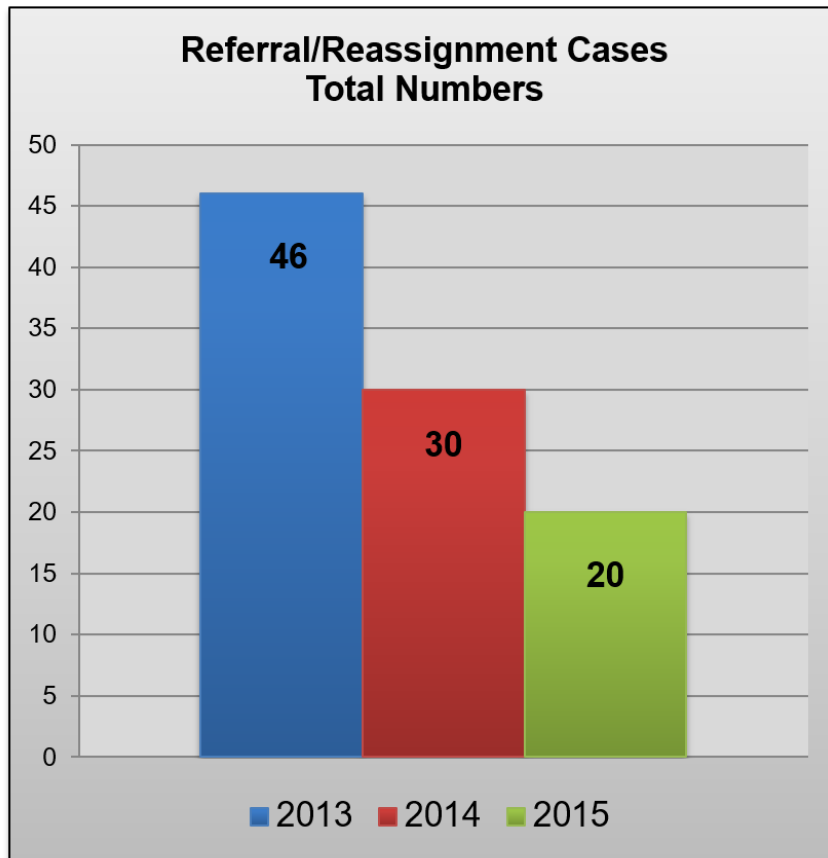
Grade

Grade distribution for the referrals to the Division Superintendent and reassignment recommendations considered by the Hearings Office during the 2014-2015 school year is illustrated below with the two prior years for comparison.



Kindergarten through Grade 6

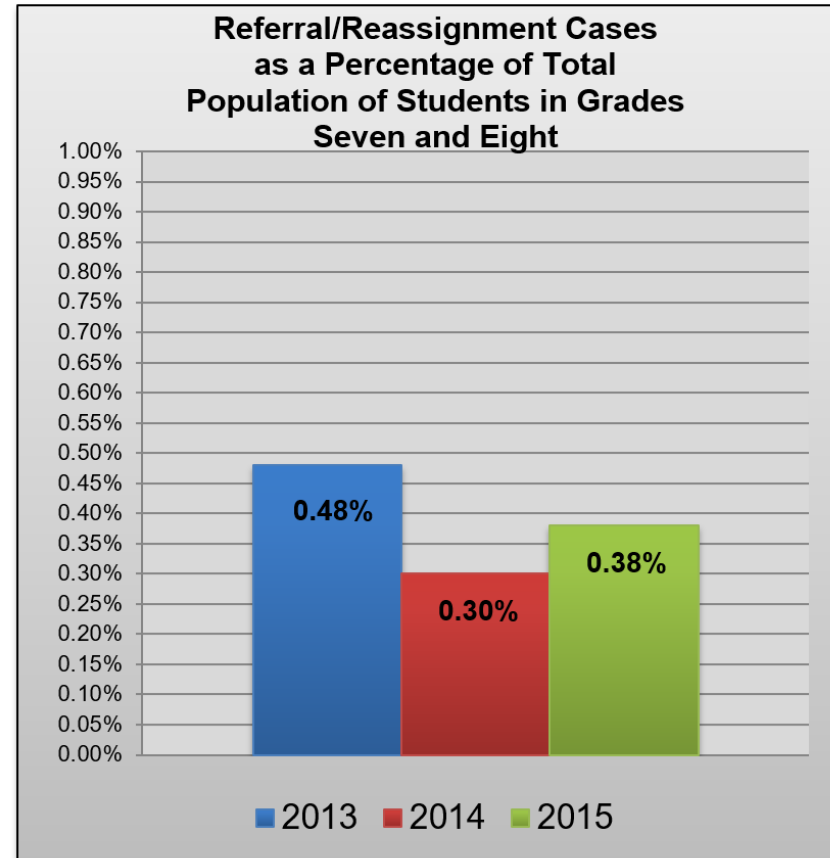
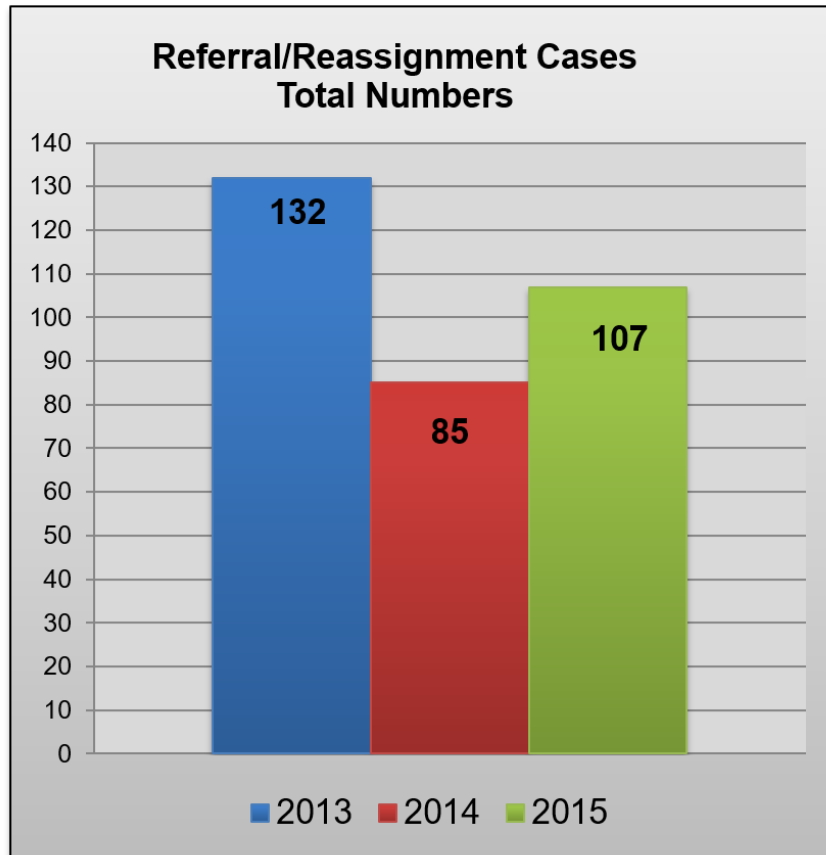
Illustrated below (with two prior years for comparison) is the total number of students in Kindergarten through grade six that was referred to the Division Superintendent or recommended for reassignment during the 2014-2015 school year. Also illustrated is the percentage of students in Kindergarten through 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 2014-2015 school year.

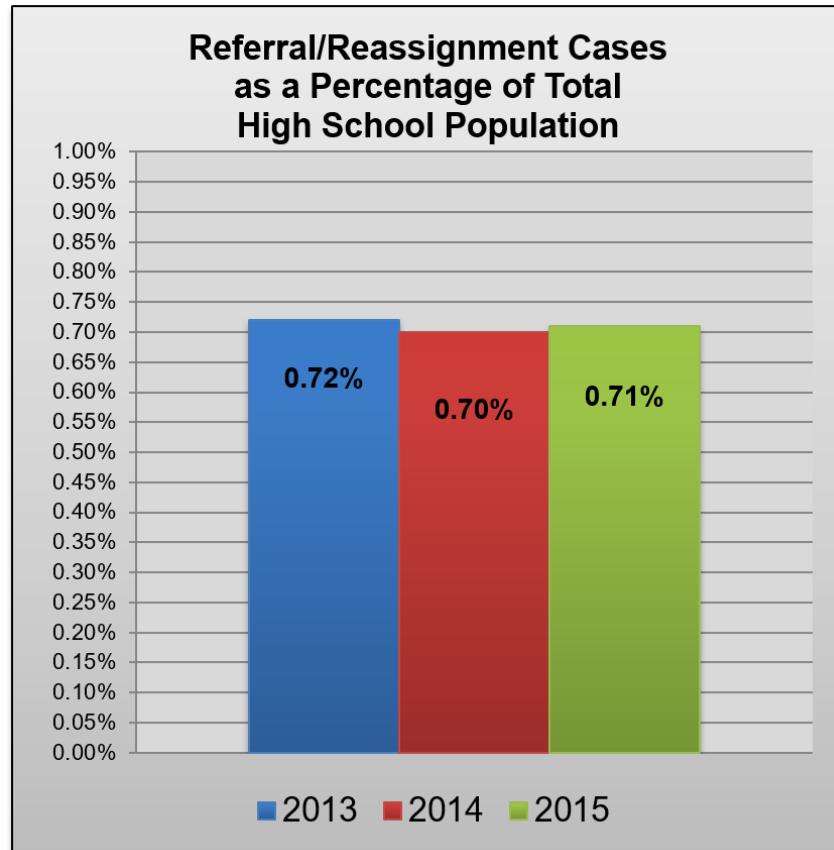
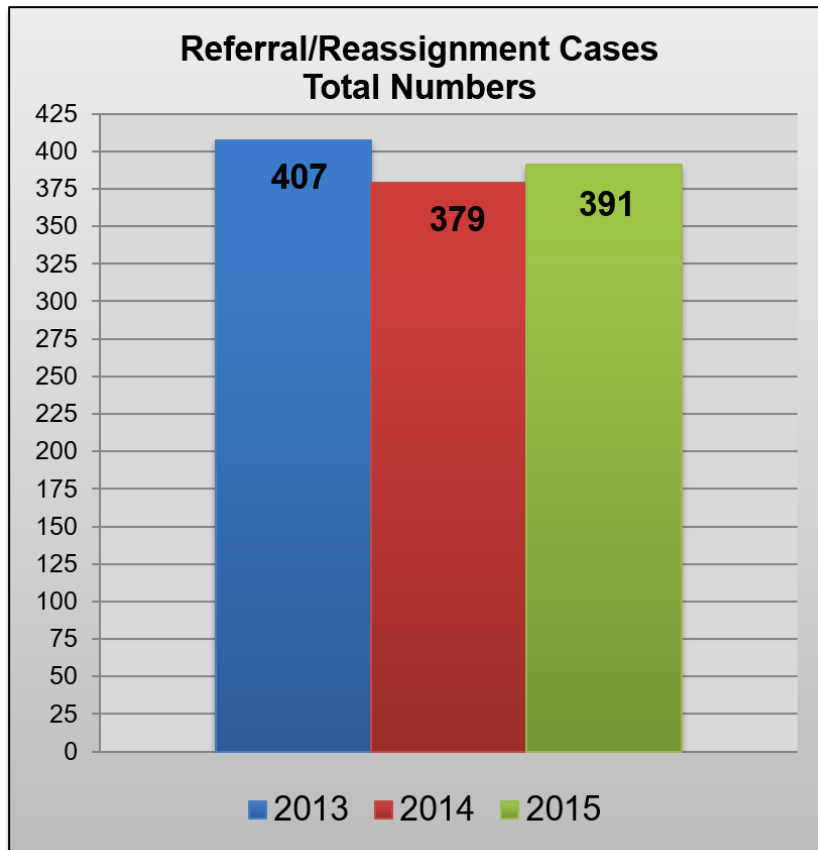
Grades 7 and 8

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 2014-2015 school year. Also illustrated is the percentage of students in grades seven and eight considered by the Hearings Office, which was less than one-half of one percent in each of the last three school years.



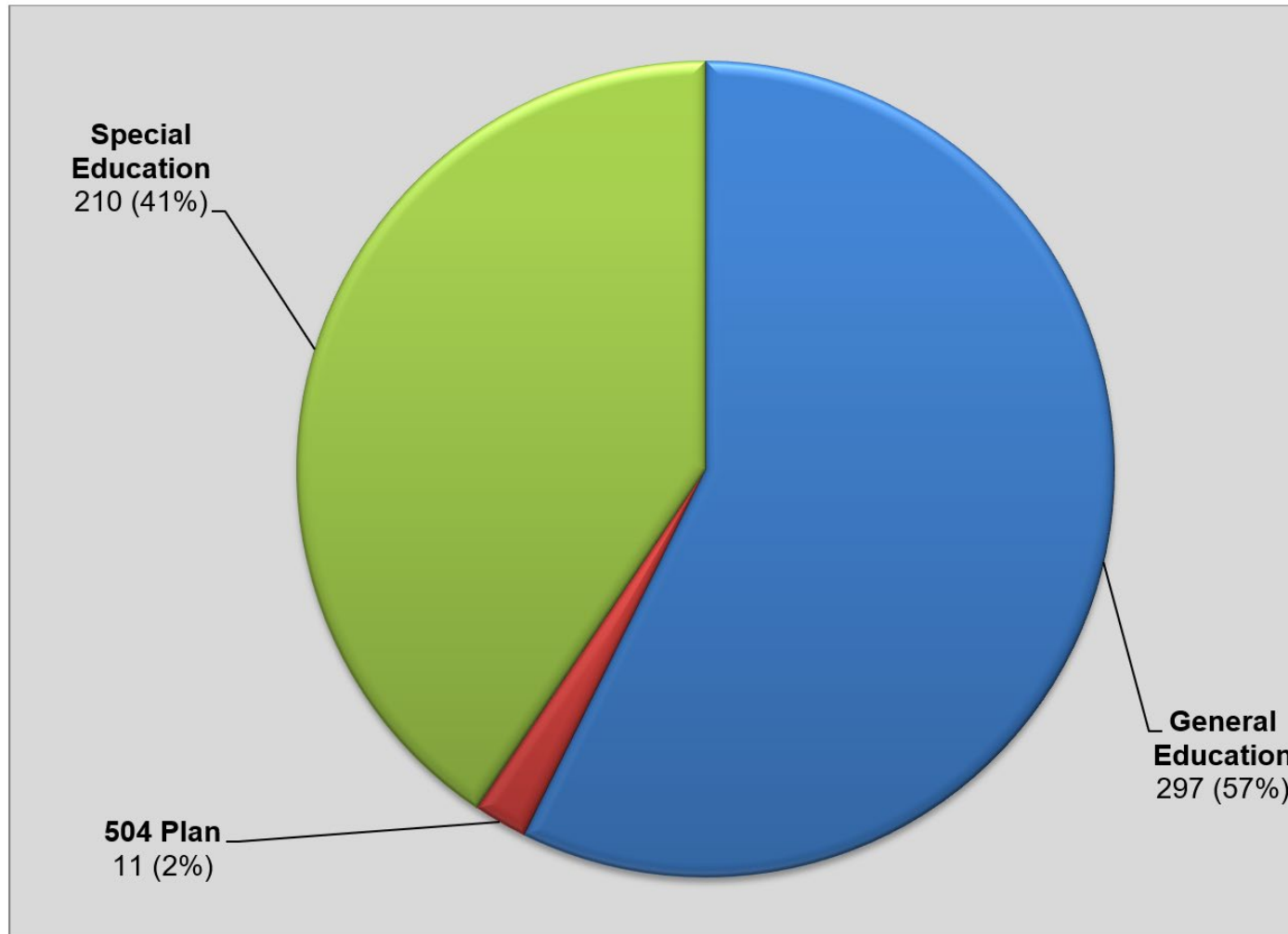
High School

Illustrated below (with two prior years for comparison) is the total number of students in grades nine through 12 that was referred to the Division Superintendent or recommended for reassignment during the 2014-2015 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.



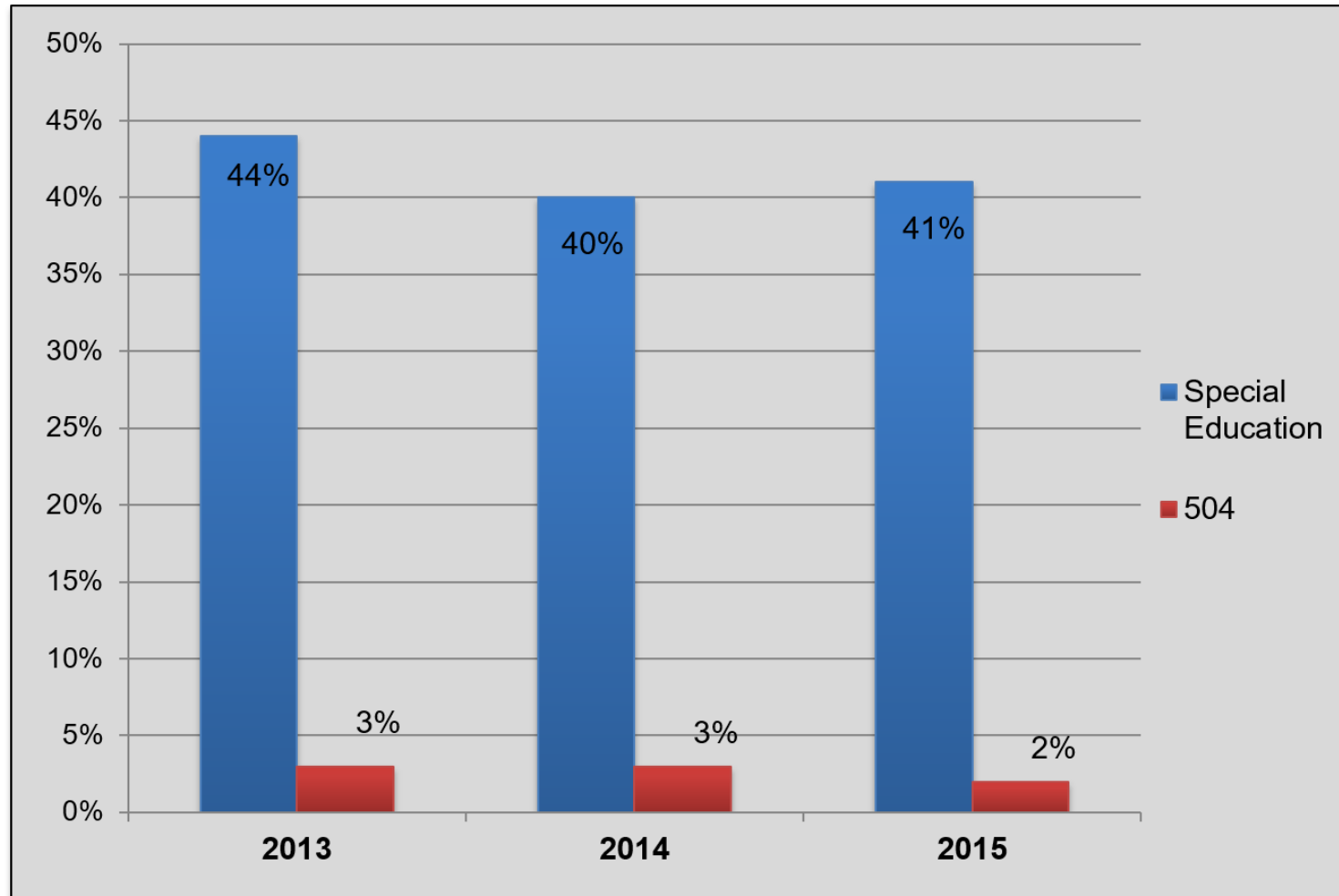
Special Education and General Education

Illustrated below are referrals to the Division Superintendent and recommendations for reassignment considered by the Hearings Office during the 2014-2015 school year for general education students, special education students, and students with active 504 plans.



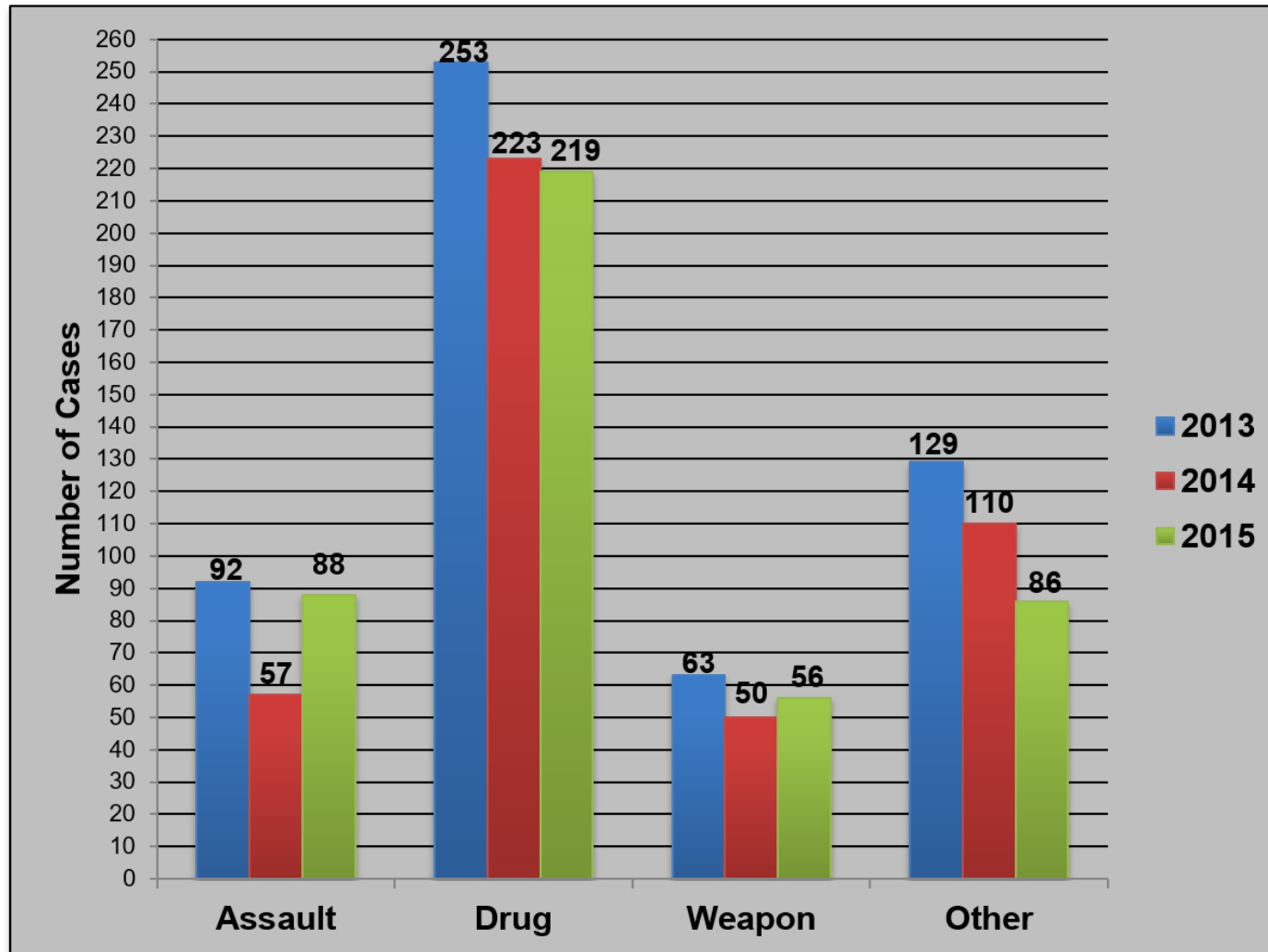
Students with Disabilities

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 2014-2015 school year for students who qualify for special education services or for accommodations or assistance under Section 504 of the Rehabilitation Act.



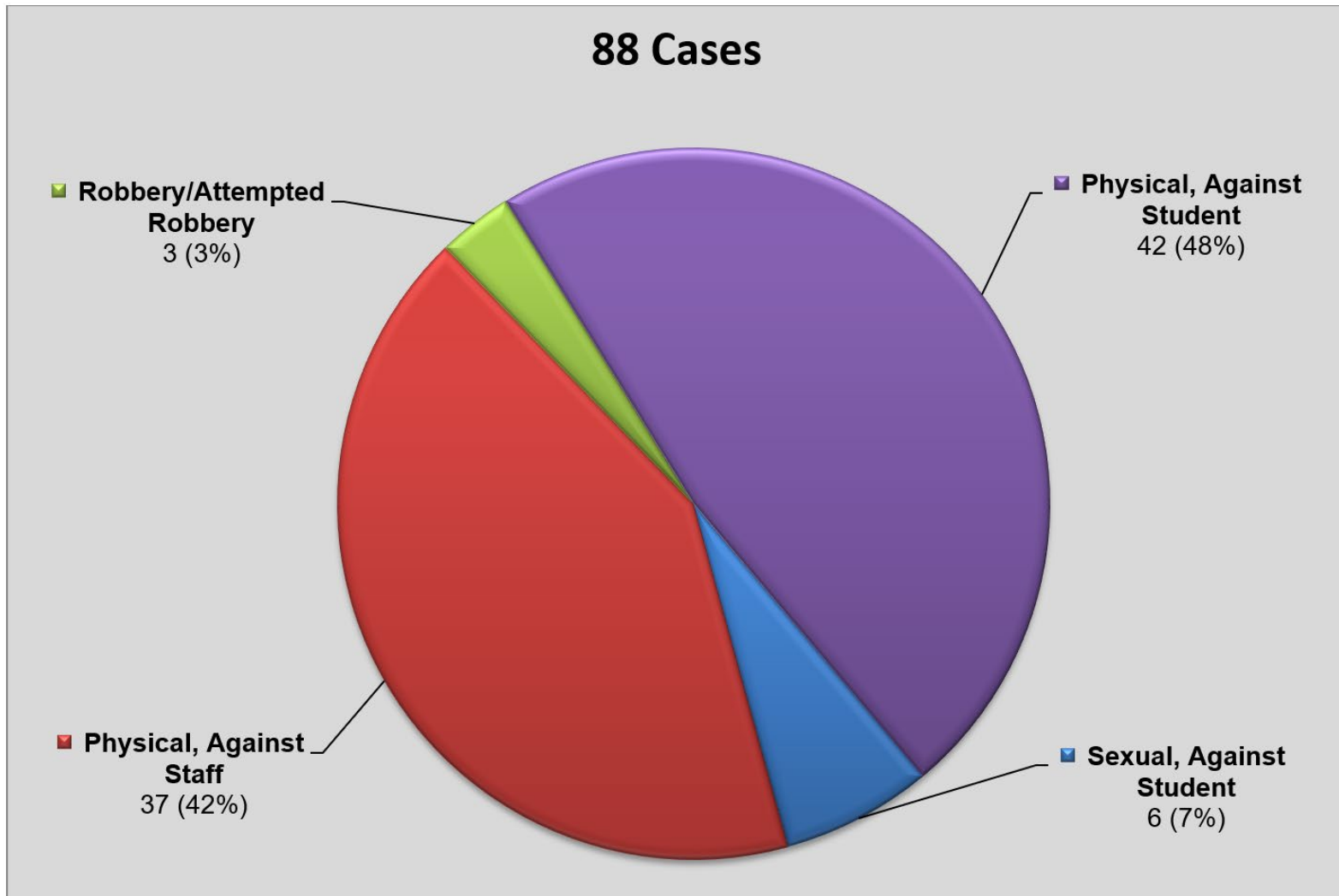
Violations Overview

Violations resulting in referrals to the Division Superintendent that were considered by the Hearings Office during the 2014-2015 school year are illustrated below with the two prior years for comparison.



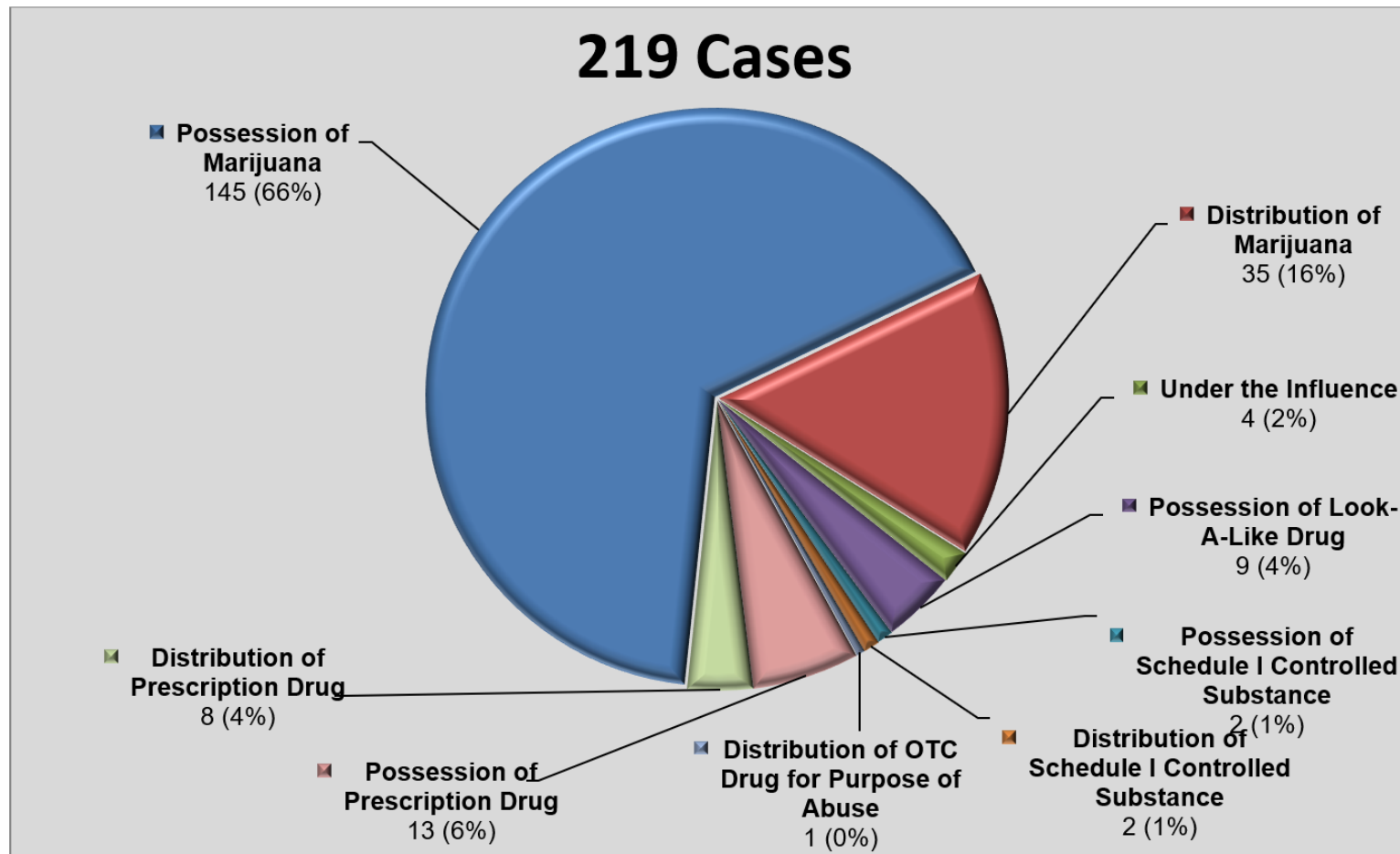
Assault Violations

Illustrated below are the referrals to the Division Superintendent that were considered by the Hearings Office during the 2014-2015 school year in which the primary violation was assault-related.



Drug Violations

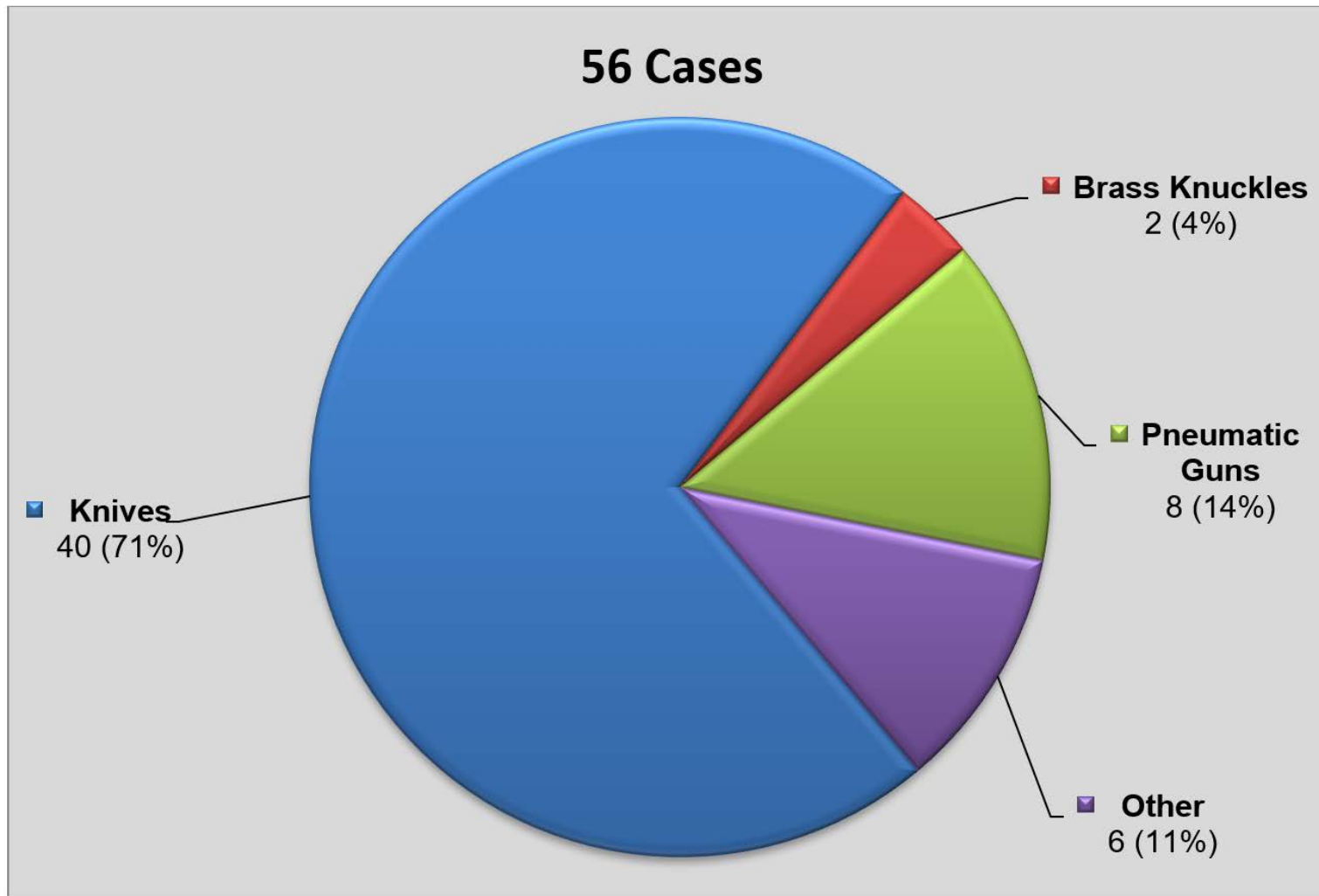
Illustrated below are the referrals to the Division Superintendent that were considered by the Hearings Office during the 2014-2015 school year in which the primary violation was drug-related.



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. For the 2014-2015 school year, all Schedule I controlled substance violations were related to LSD.

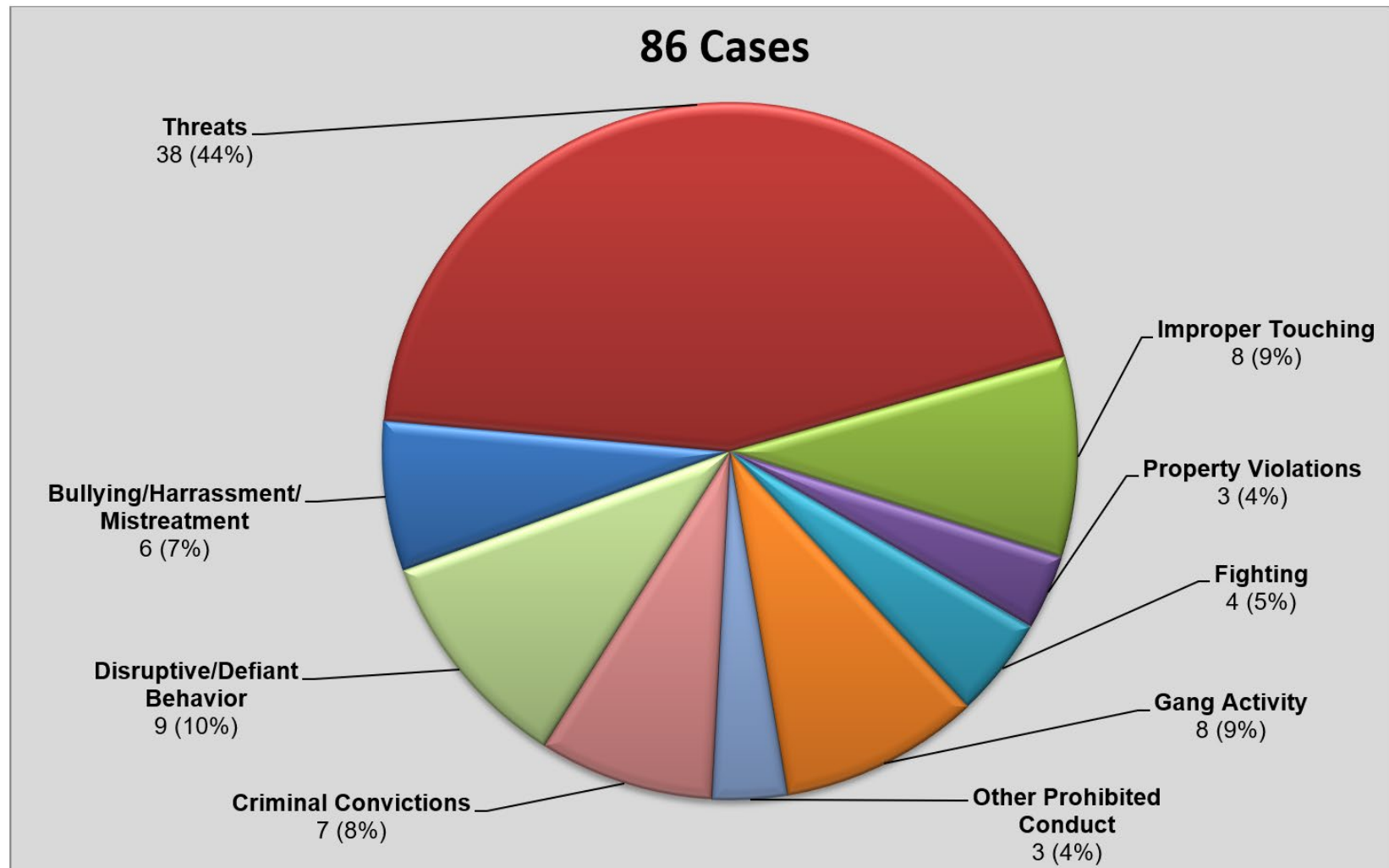
Weapon Violations

Illustrated below are the referrals to the Division Superintendent that were considered by the Hearings Office during the 2014-2015 school year in which the primary violation was weapon-related.

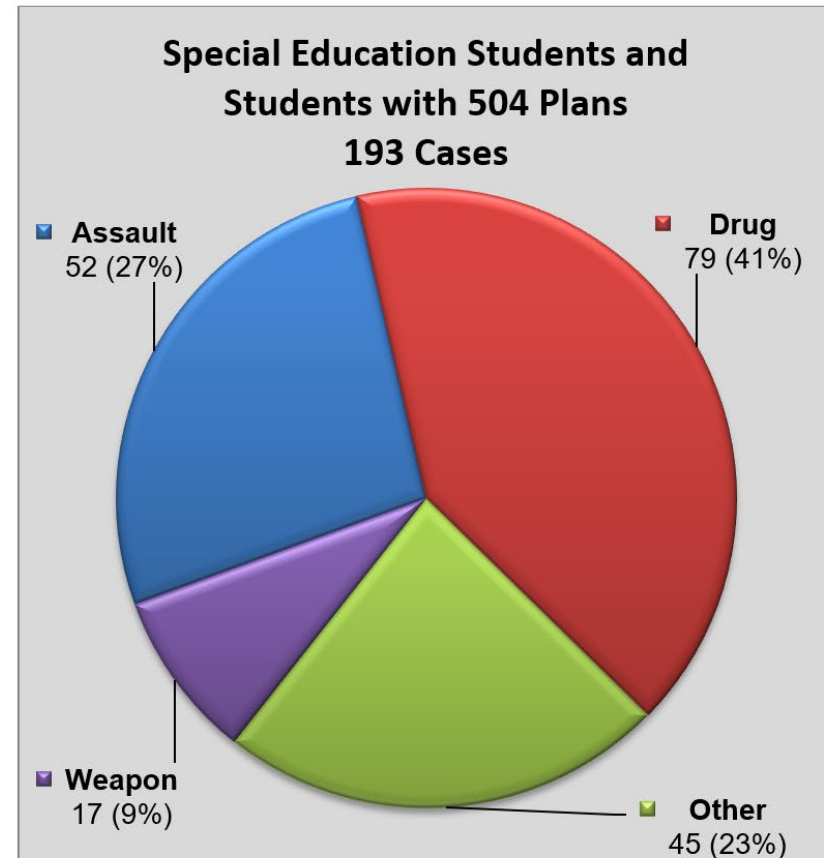
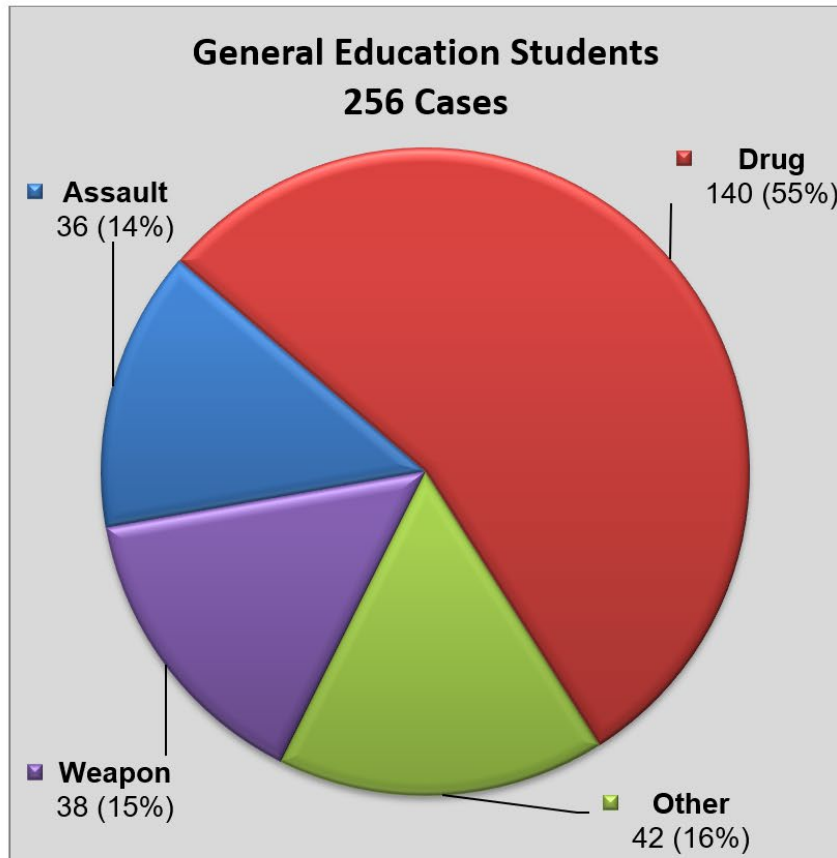


Other Violations

Illustrated below are the referrals to the Division Superintendent that were considered by the Hearings Office during the 2014-2015 school year in which the primary violation was not related to assault, weapons, or drugs.

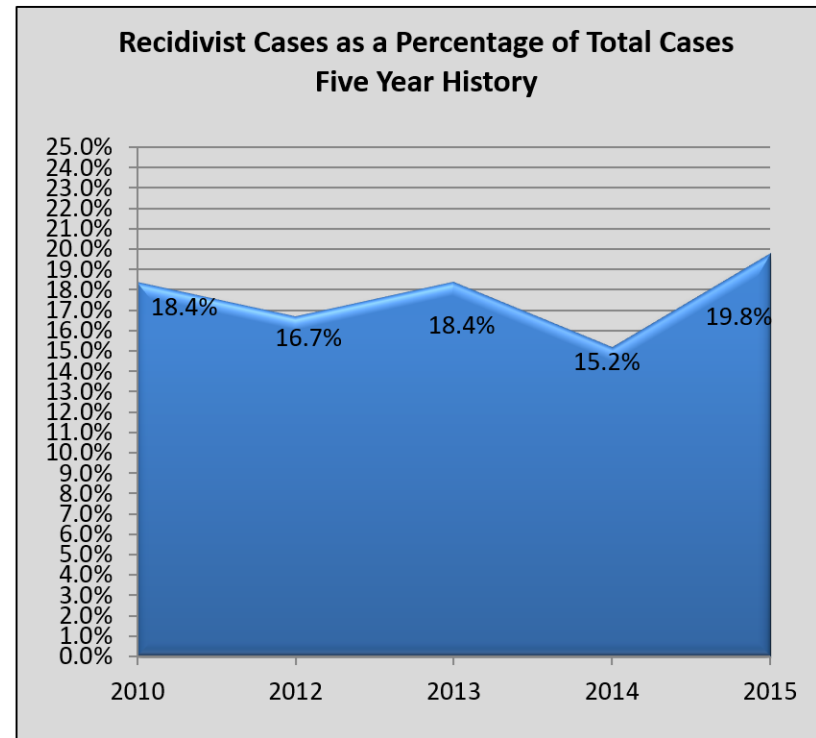
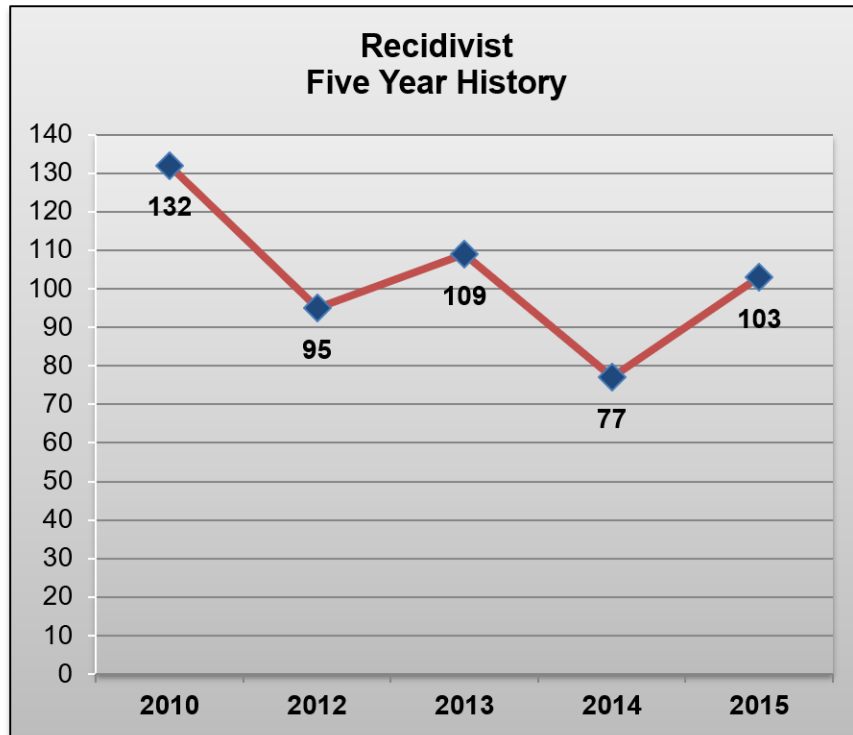


Referrals to the Division Superintendent



Recidivism

One hundred three cases were submitted to the Hearings Office during the 2014-2015 school year for ninety-seven students who had had previous disciplinary hearings.



Case Decisions by Hearings Office

Five hundred and twenty-one (521) disciplinary referrals and recommendations were considered by the Hearings Office during the 2014-2015 school year, resulting in the following dispositions.

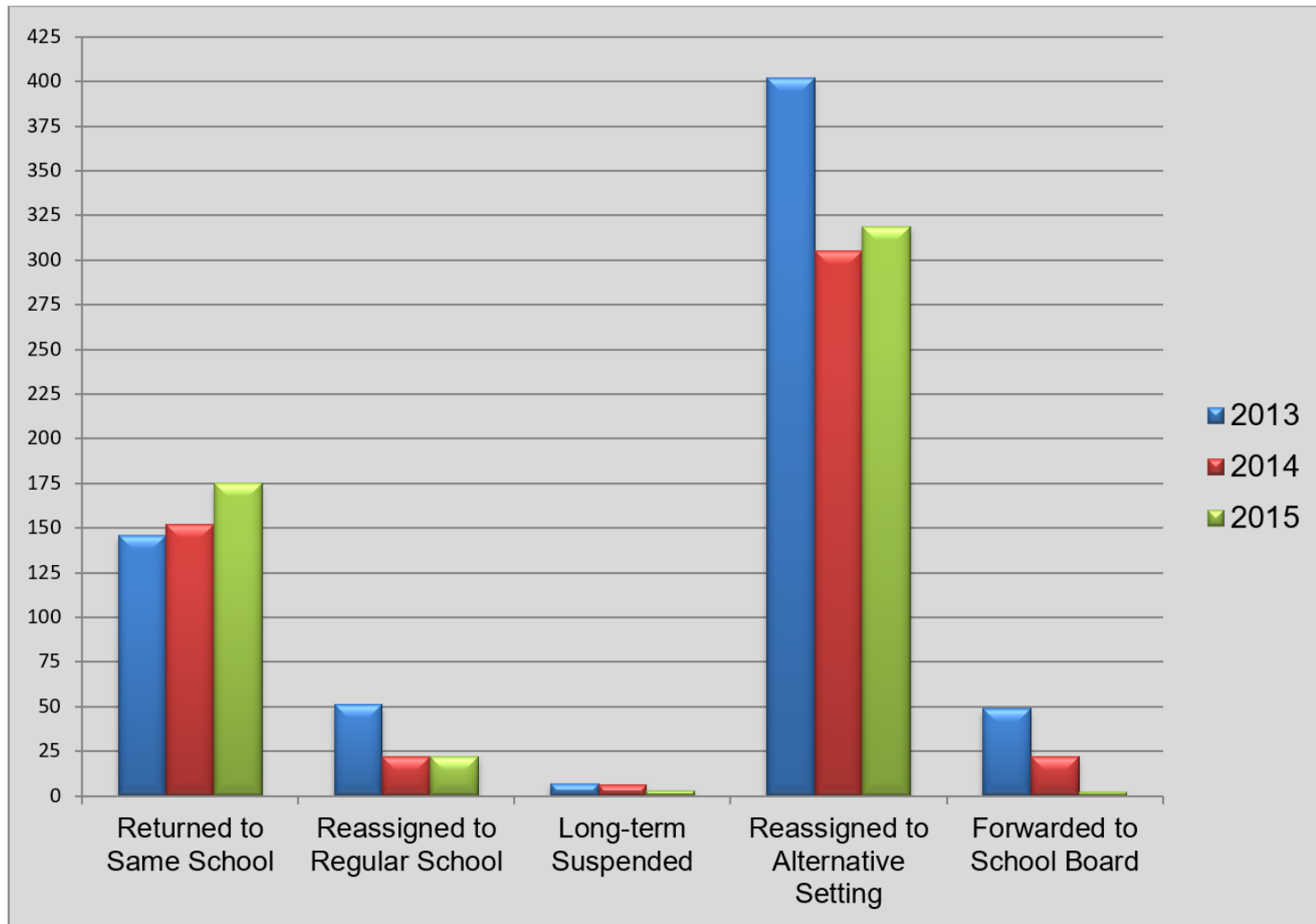
- Returned to Same School: 175
- Reassigned to Regular School: 22
- Reassigned to Alternative Setting: 319
 - Achievement, Integrity, and Maturity: 28
 - Alternative High School: 52
 - Alternative Learning Center: 68
 - Alternative setting by IEP: 120
 - Transition Support Resource Center: 43
 - Unspecified due to withdrawal: 8
- Excluded from FCPS: 0
- Expulsion Imposed: 0
- Forwarded to School Board: 2
 - Letter of Agreement¹(LOA) offered: 1
 - No LOA offered:1
- Long-Term Suspended²: 3
 - Alternative setting, 2016-17: 3

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.

² Student is permitted to complete assignments and earn credits through the end of the school year while on suspension. Student is assigned to an FCPS school or program for 2016-17 school year.

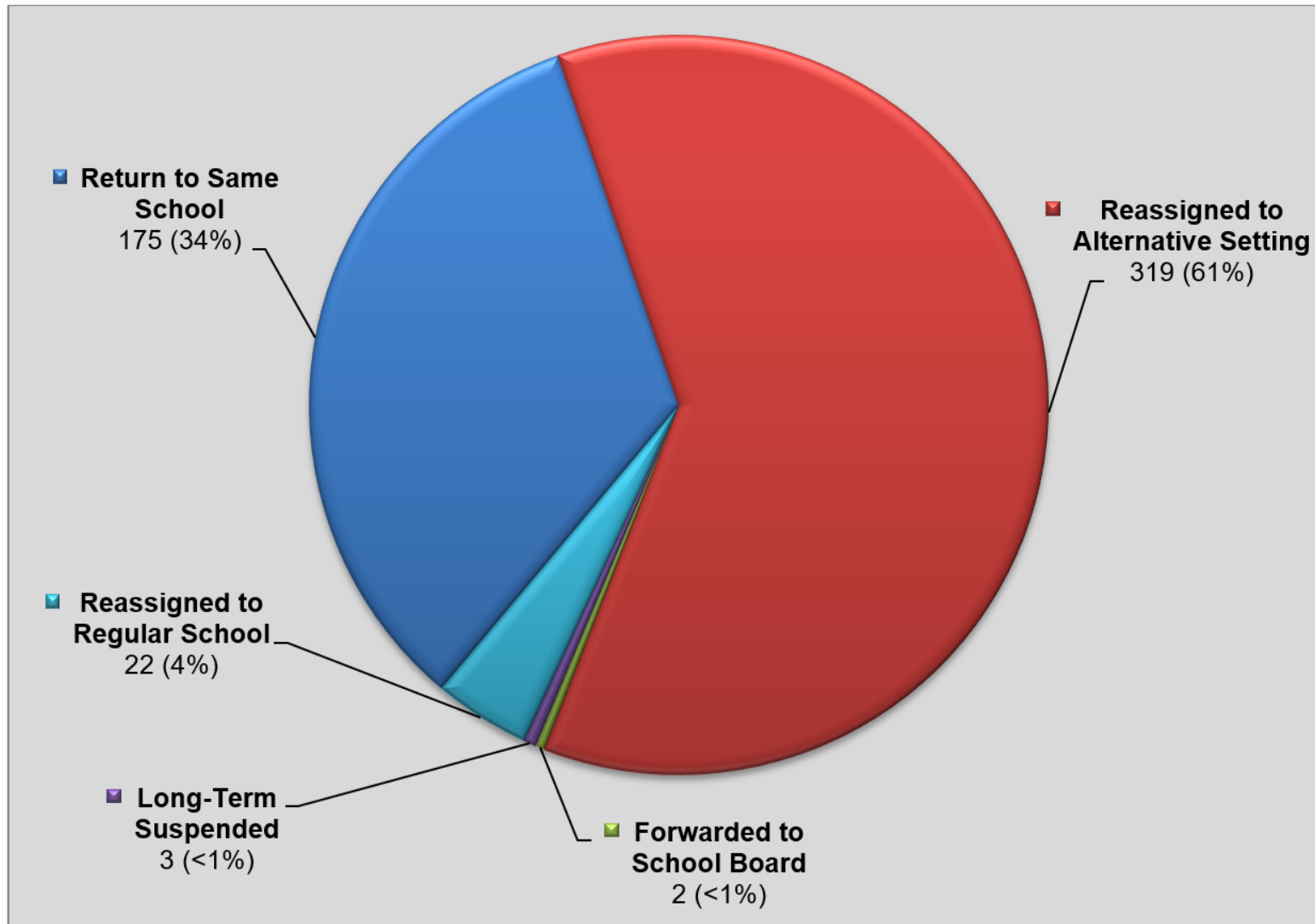
Case Decisions by Hearings Office

The Hearings Office case decisions for the 2014-2015 school year are illustrated below with the two prior years for comparison.



Case Decisions by Hearings Office

The Hearings Office case decisions for the 2014-2015 school year are illustrated below.



School Board Summary

2014 – 2015

School Board Actions: 27

- Full School Board: 27
 - Case forwarded without LOA, not appealed: 1
 - Case forwarded with LOA, neither accepted nor appealed: 1
 - Written record appeal of reassignment decision: 25
- School Board Committees: 0

School Board Decisions

Twenty-seven cases were considered by the School Board during the 2014-2015 school year, resulting in the following dispositions.

- Expelled (No FCPS Services): 1
- Expelled (With FCPS Services): 1
- Returned to Same School: 0
- Reassigned to Regular School: 0
- Long-Term Suspended: 0
- Reassigned to Alternative Setting: 25
 - Alternative High School: 6
 - Alternative Learning Center: 5
 - Alternative setting by IEP: 11
 - Transition Support Resource Center: 3