

Fairfax County Public Schools Hearings Office Annual Report 2015-16 School Year



Executive Summary

Hearings Office Annual Report, 2015-16 School Year

During the 2015-16 school year, school principals and program managers submitted 624 student disciplinary referrals to the Hearings Office, a 20% increase in referrals when compared to the previous school year. An examination of the school-based misconduct resulting in referrals to the Division Superintendent¹ demonstrates that 49% were based primarily upon drug-related violations, 17% upon assault-related violations, 14% upon weapons-related violations, and 20% upon other prohibited conduct. While referrals increased across all violation categories, weapons-related violations increased most significantly, by 34% (from 56 weapons-related violations during the 2014-15 school year, to 75 weapons-related violations during the 2015-16 school year).

An examination of demographic data² revealed that while the number of disciplinary referrals increased across all levels (elementary, middle, and high), only approximately one-third of one percent (0.33%) of all Fairfax County Public Schools students were referred to the Hearings Office for disciplinary action: less than one-twentieth of one percent (0.04%) of all elementary school students, less than one-half of one percent (0.43%) of all middle school students, and less than one percent (0.83%) 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. Furthermore, while Black and Hispanic students continued to be disproportionately referred to the Hearings Office, the number of Black students referred decreased by 25% compared to the previous school year. Likewise, while special education students remain disproportionally referred to the Hearings Office, they compromised 38% of all disciplinary referrals during the 2015-16 school year, compared with 41% the year before.

Following hearings conducted to consider the 624 disciplinary referrals, the Hearings Office permitted 161 students (26%) to return to their schools, reassigned 25 students (4%) to different regular schools, reassigned 427 students (68%) to alternative educational settings, long-term suspended nine students (1%), and forwarded only two students (less than 1%) to the School Board with a recommendation for expulsion. For the second consecutive school year, the School Board expelled only two students from the Fairfax County Public Schools.

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

² Demographic data is based upon FCPS's published membership report for September 2015.

Hearings Office Annual Report 2015-16 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 2015-16 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

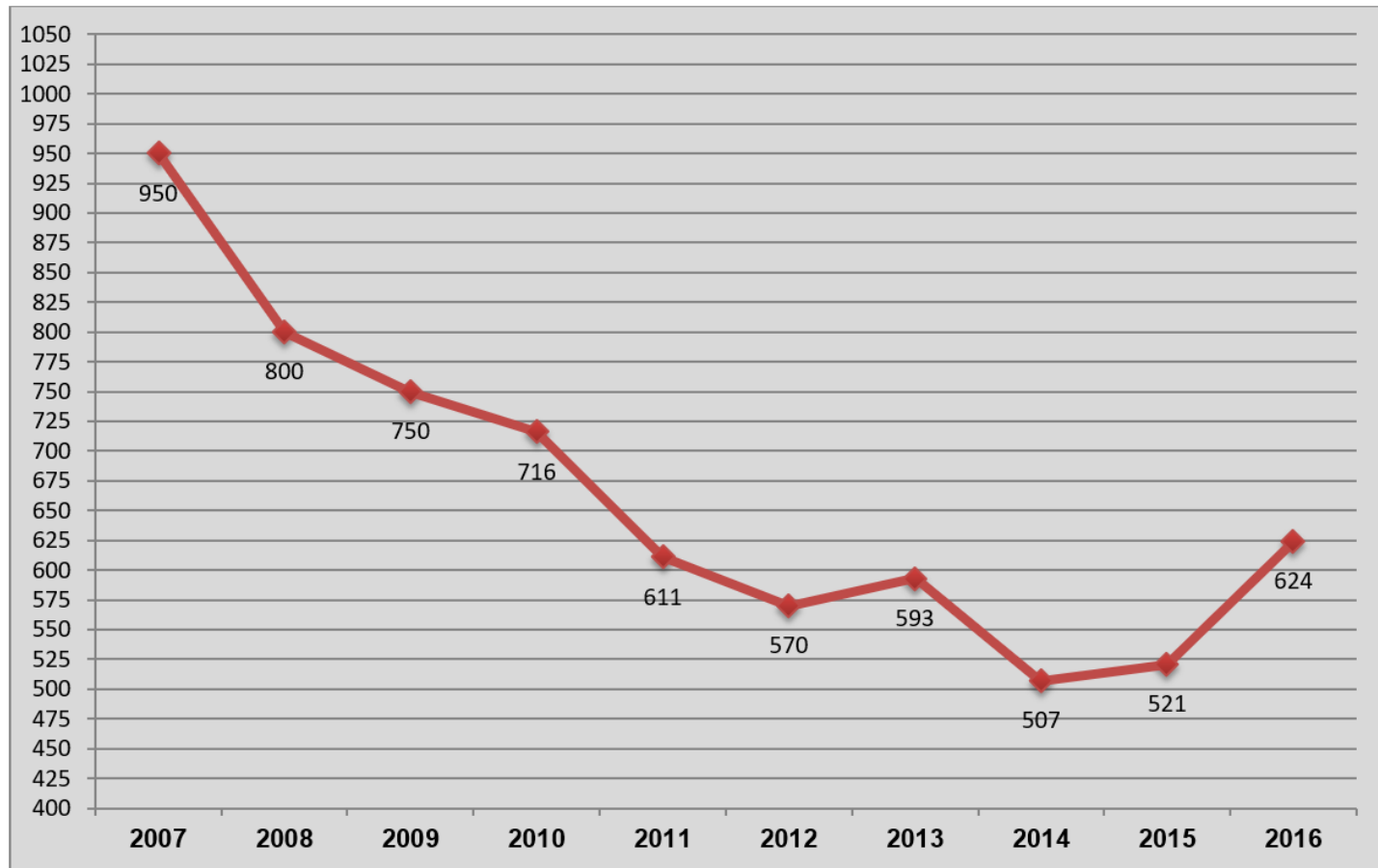
624 hearings were conducted by the Hearings Office during the 2015–16 school year to consider:

- 540 referrals to the Division Superintendent
- 80 reassignment recommendations
- 4 exclusion recommendations

The School Board considered 47 cases.

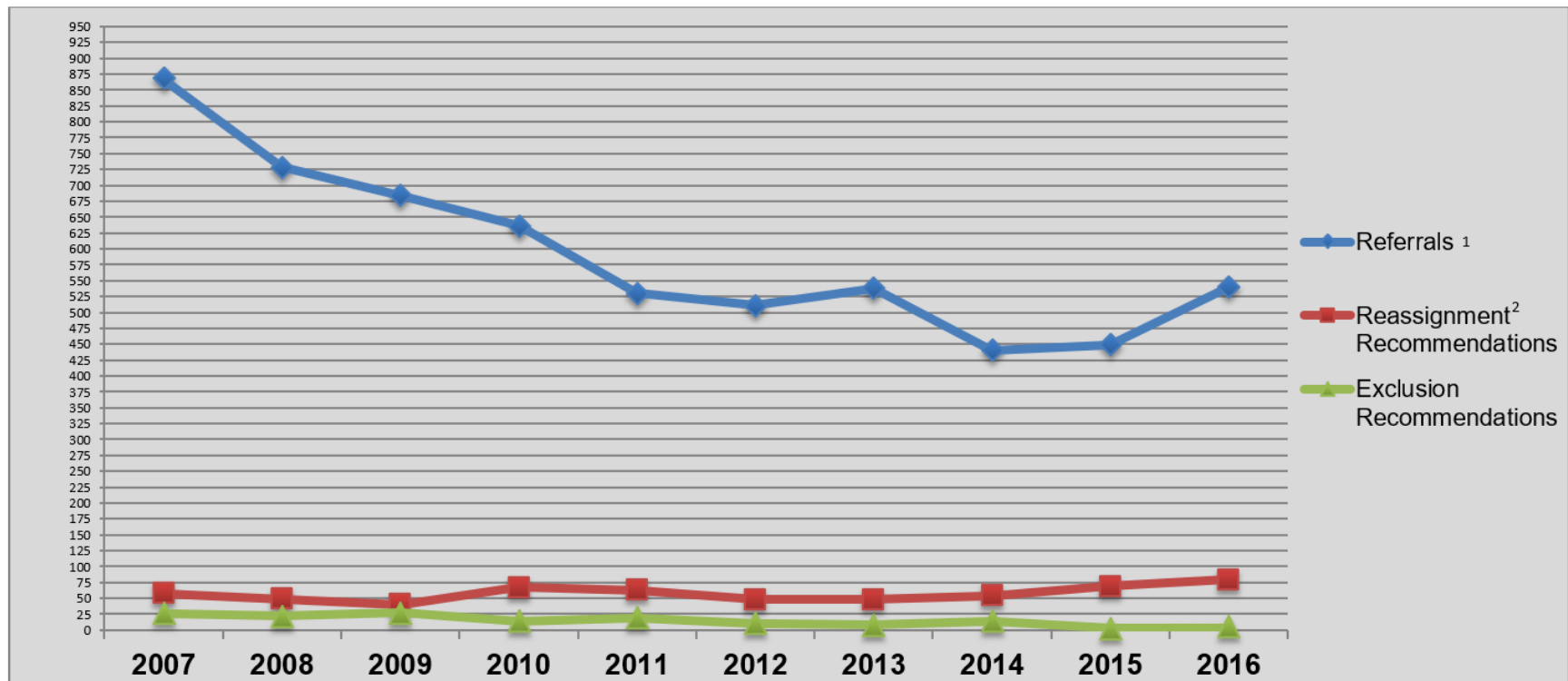
Total Hearings 2007-16

Total hearings to consider disciplinary referrals and recommendations conducted by the Hearings Office for the 2006-07 school year through the 2015-16 school year.



Total Hearings 2007-16

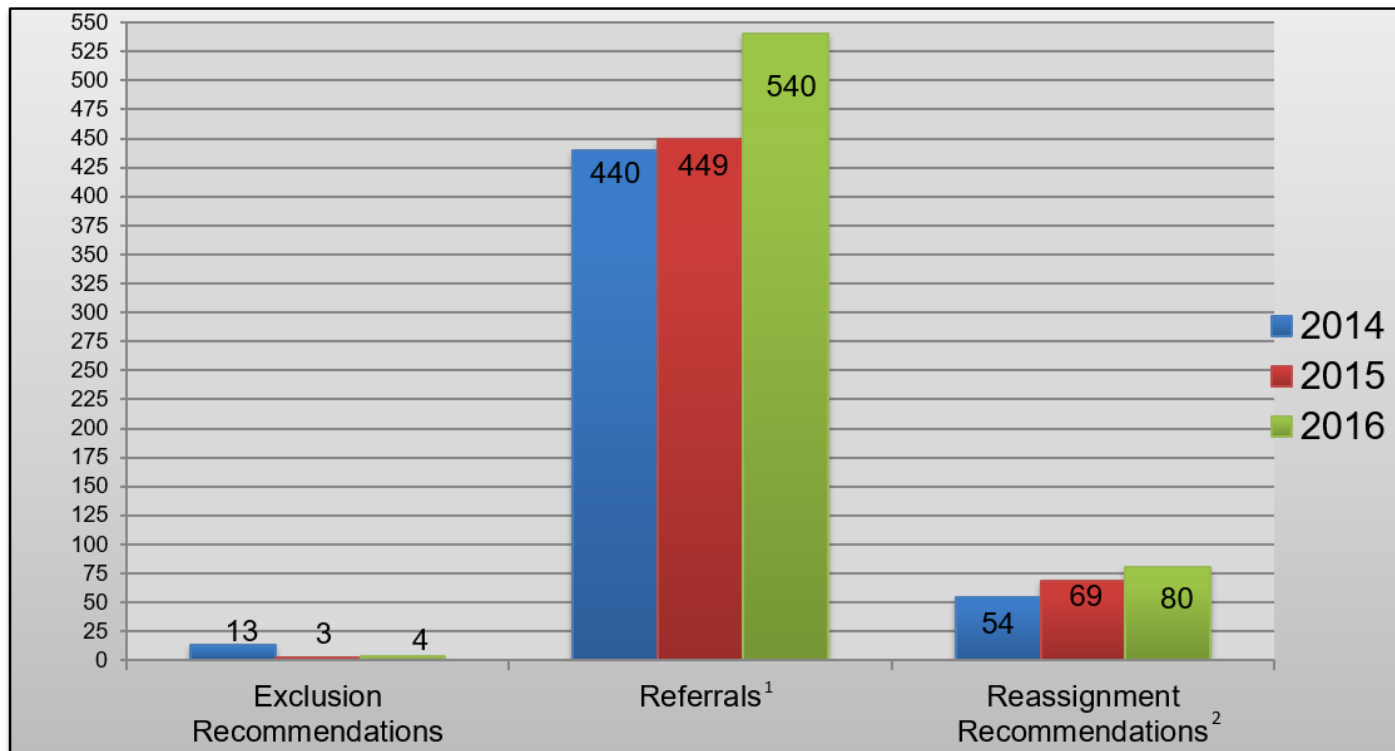
Total hearings to consider disciplinary referrals and recommendations conducted by the Hearings Office for the 2006-07 school year through the 2015-16 school year, disaggregated by case type.



- ¹. For school years 2007–13, 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 and 2016, 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 2014-16

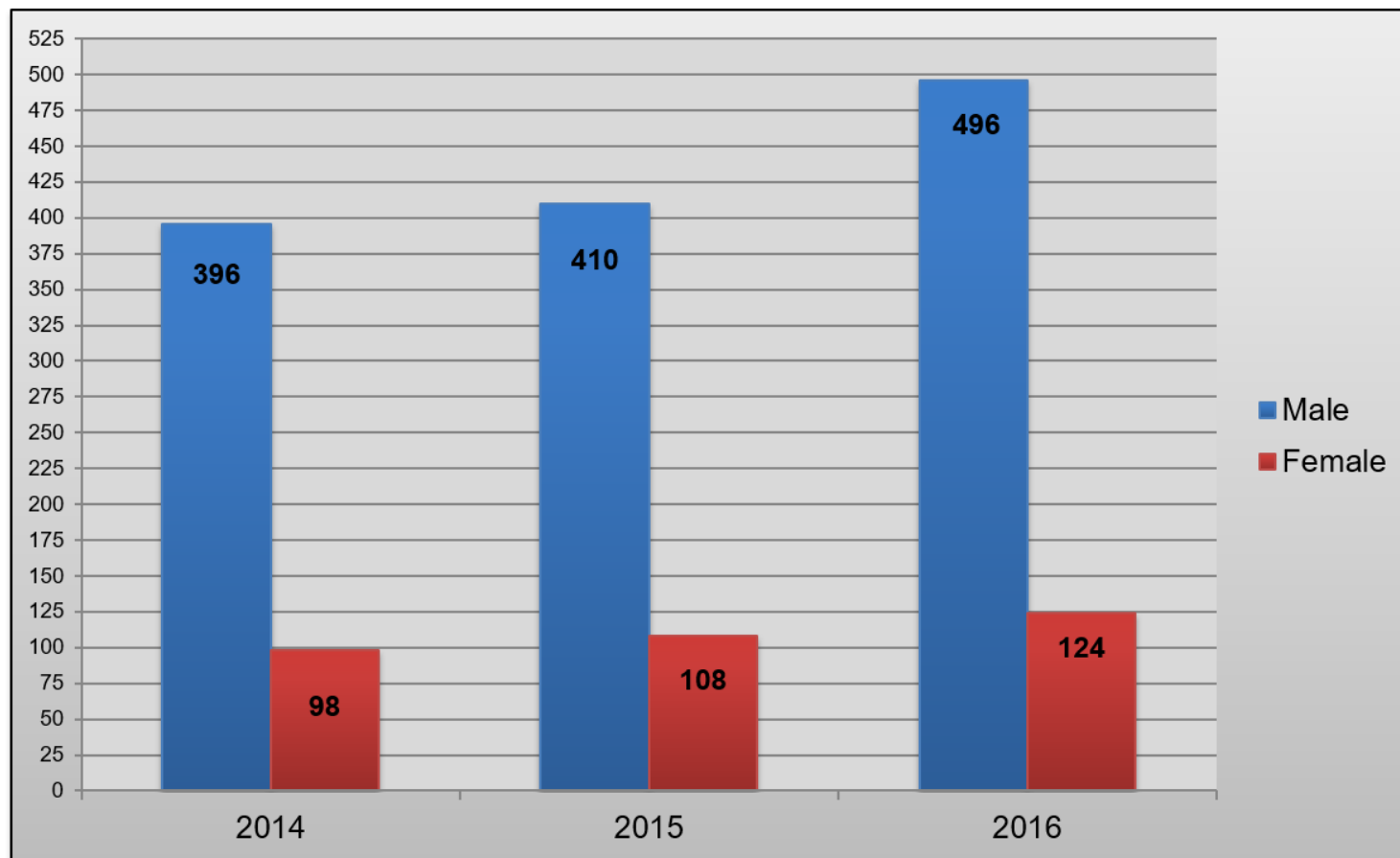
Total hearings to consider disciplinary referrals and recommendations conducted by the Hearings Office for the 2013-14 school year through the 2015-16 school year, disaggregated by case type.



- ¹. For the 2014 school year, this bar represents recommendations for expulsion and recommendations for reassignment for serious violations of School Board policy. For school years 2015 and 2016, these bars represent 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

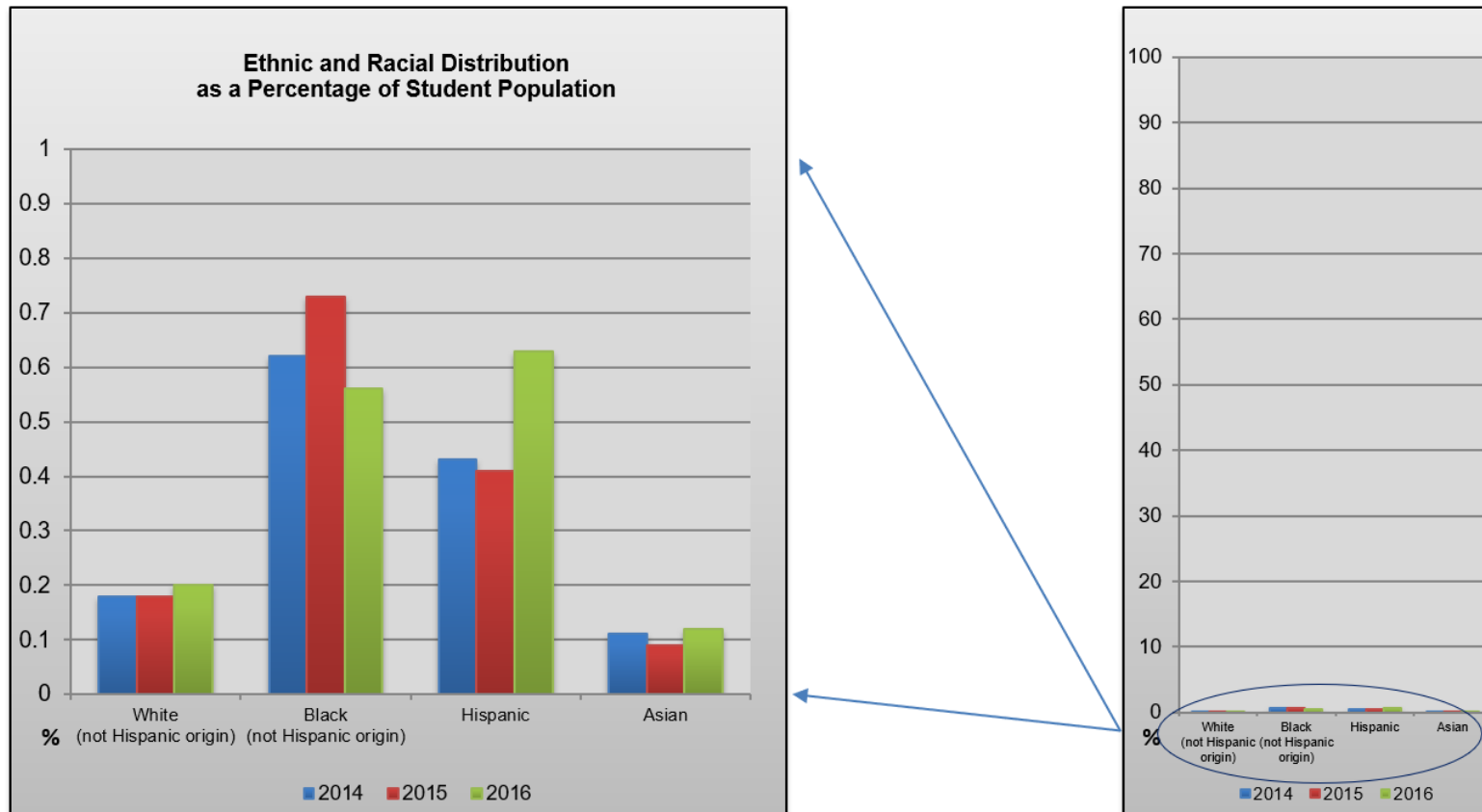
Gender distribution for referrals to the Division Superintendent and reassignment recommendations considered by the Hearings Office during the 2014-15 school year is illustrated below with the two prior years for comparison.



Note: The graph represents a male/female distribution of 80.2%/19.8% (2014), 79.2%/20.8% (2015), and 80.0%/20.0% (2016).

Ethnicity and Race

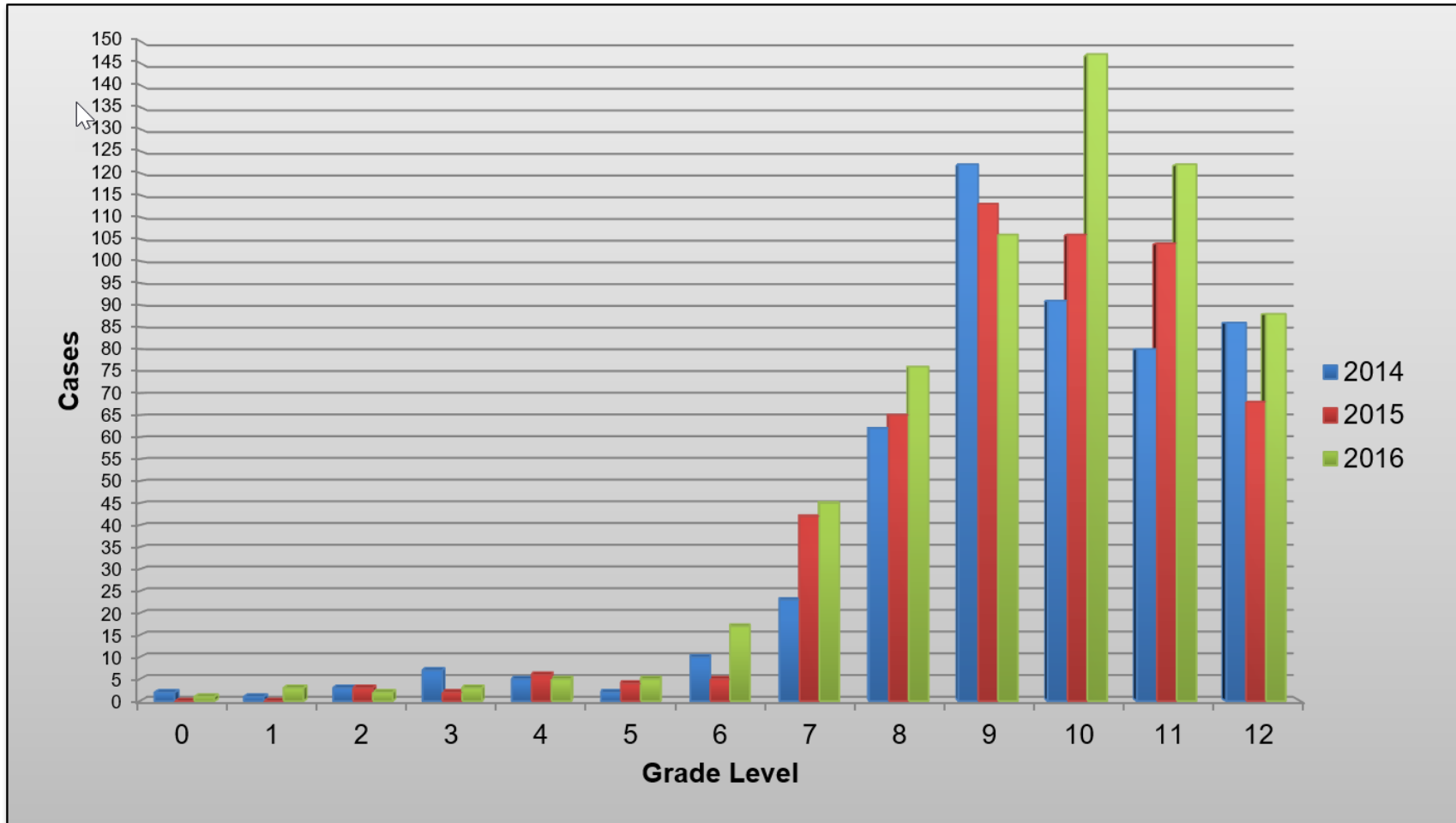
Less than one percent of students in each ethnic or racial subgroup were referred to the Division Superintendent or recommended for reassignment during the 2015-16 school year. Ethnic/racial distribution for such cases considered by the Hearings Office during the 2015-16 school year is illustrated below with the two prior years for comparison.



Note: The student ethnic/racial population for the 2015-16 school year is based upon Fairfax County Public Schools published statistical reports as of September 30, 2015.

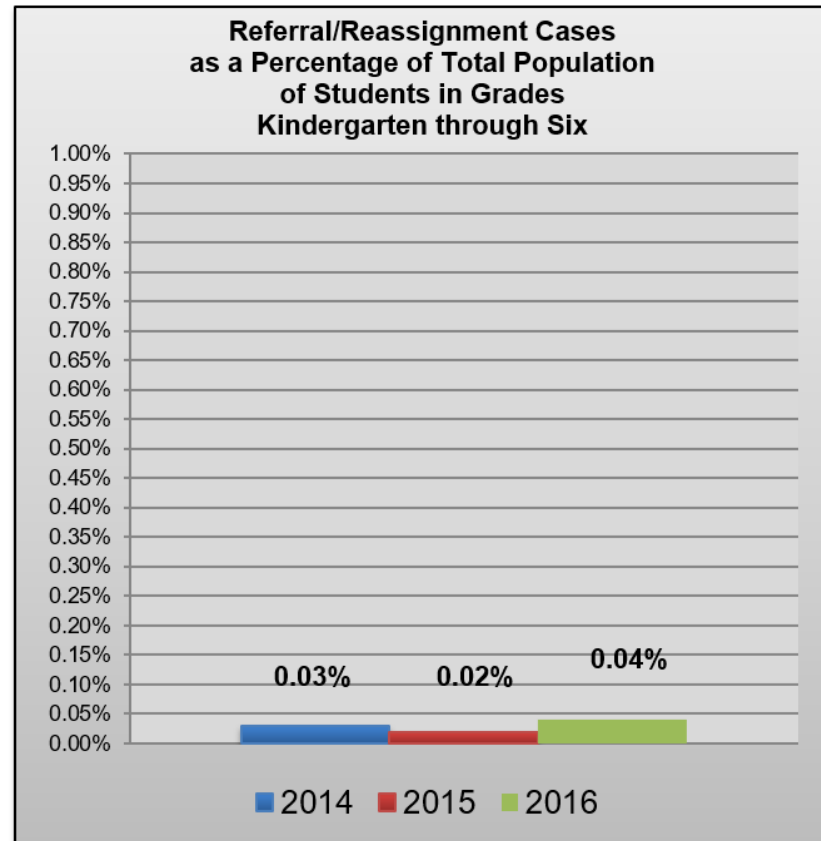
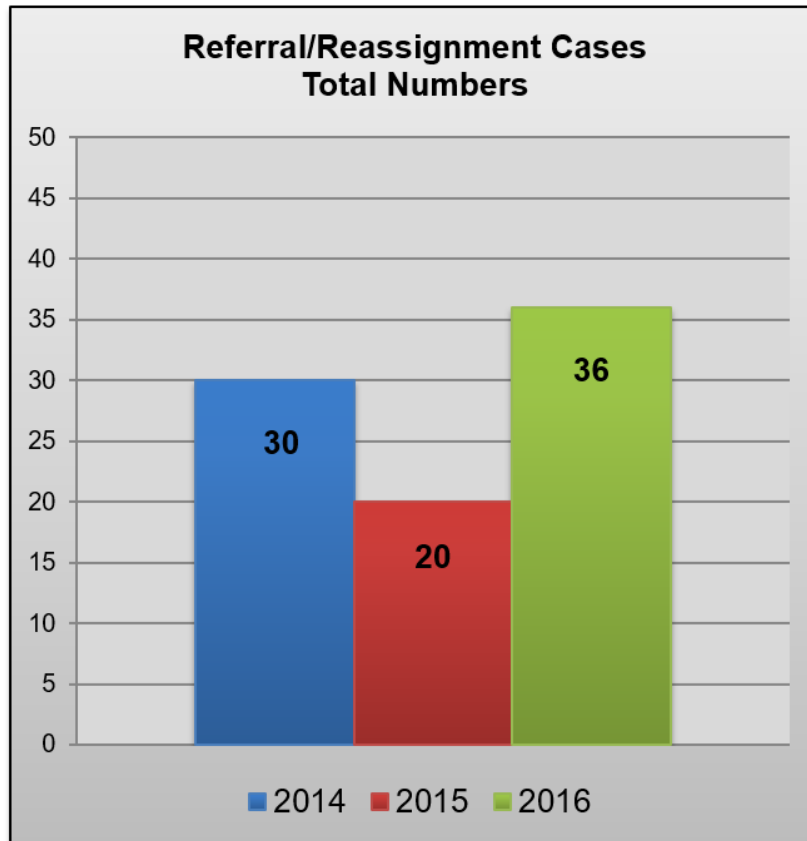
Grade

Grade distribution for referrals to the Division Superintendent and reassignment recommendations considered by the Hearings Office during the 2015-16 school year is illustrated below with the two prior years for comparison.



Kindergarten through Grade 6

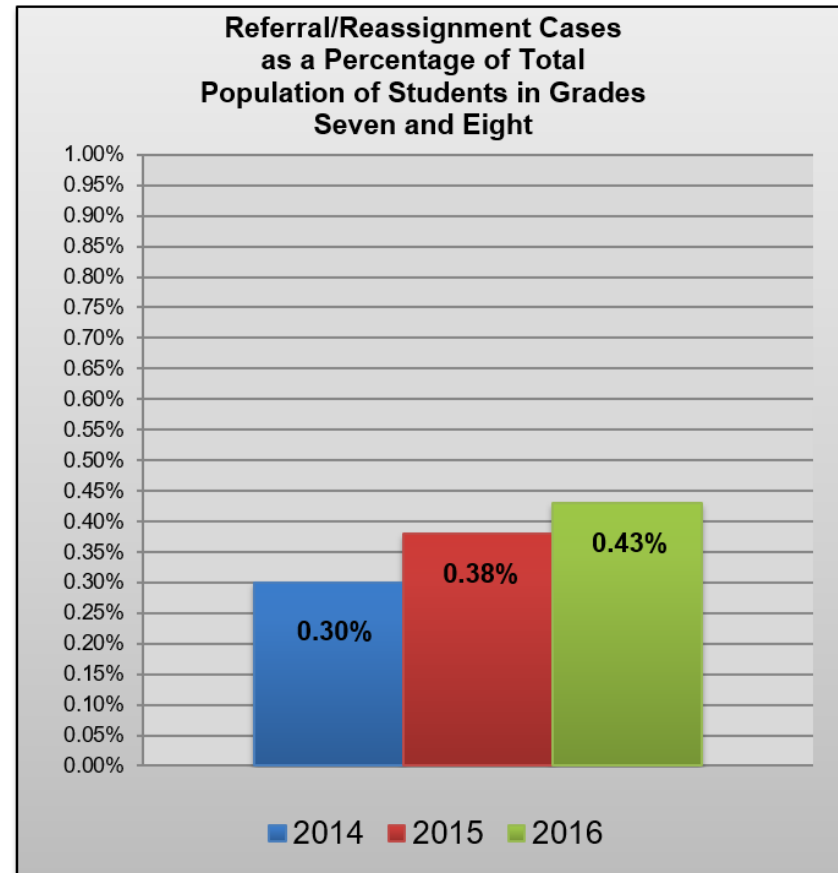
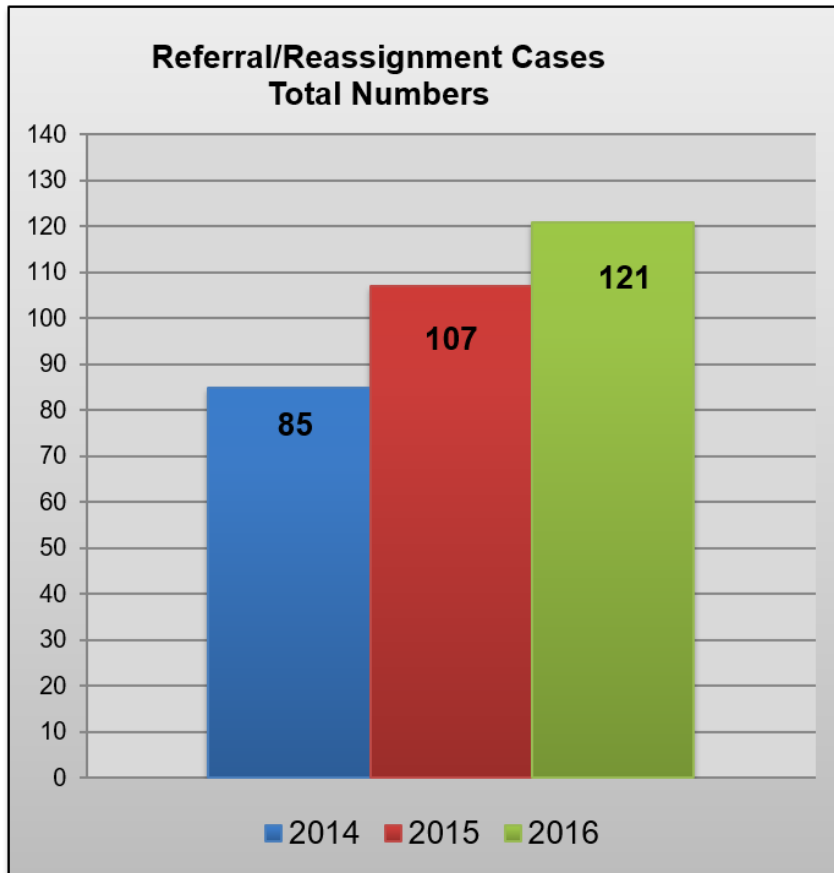
Illustrated below (with two prior years for comparison) is the total number of students in Kindergarten through grade six that was referred to the Division Superintendent or recommended for reassignment during the 2015-16 school year. Also illustrated is the percentage of students in Kindergarten through grade six considered by the Hearings Office, which was less than one-twentieth 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 2014-15 school year.

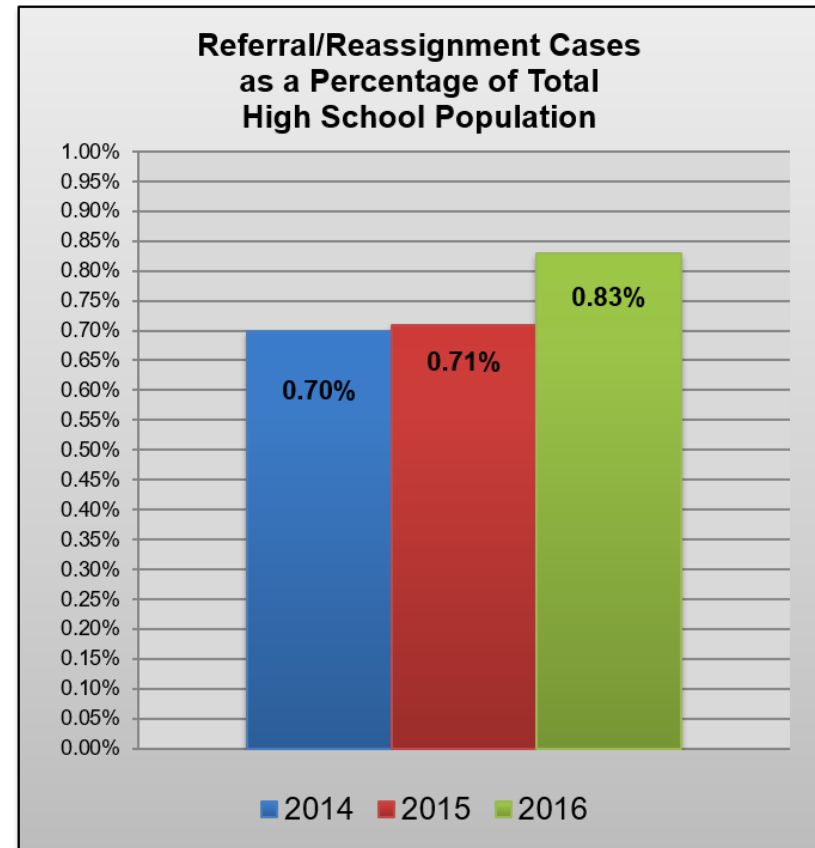
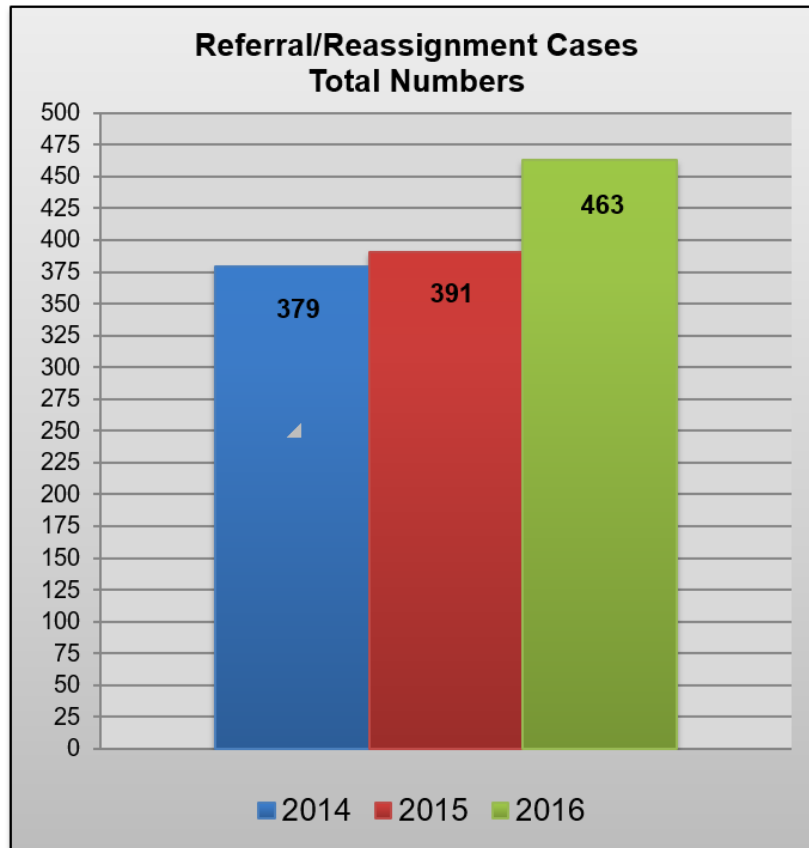
Grades 7 and 8

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 2015-16 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.



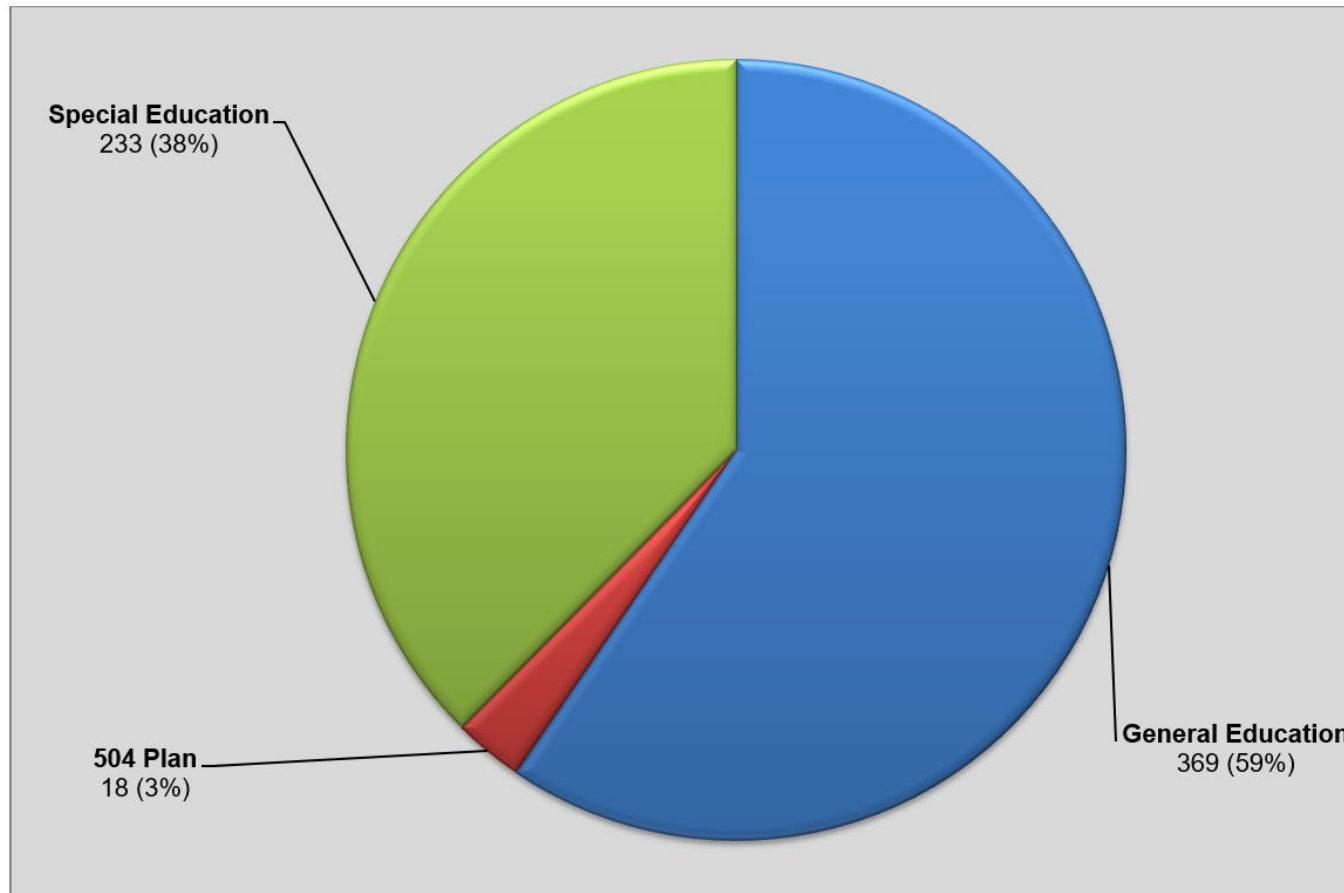
High School

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 2015-16 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.



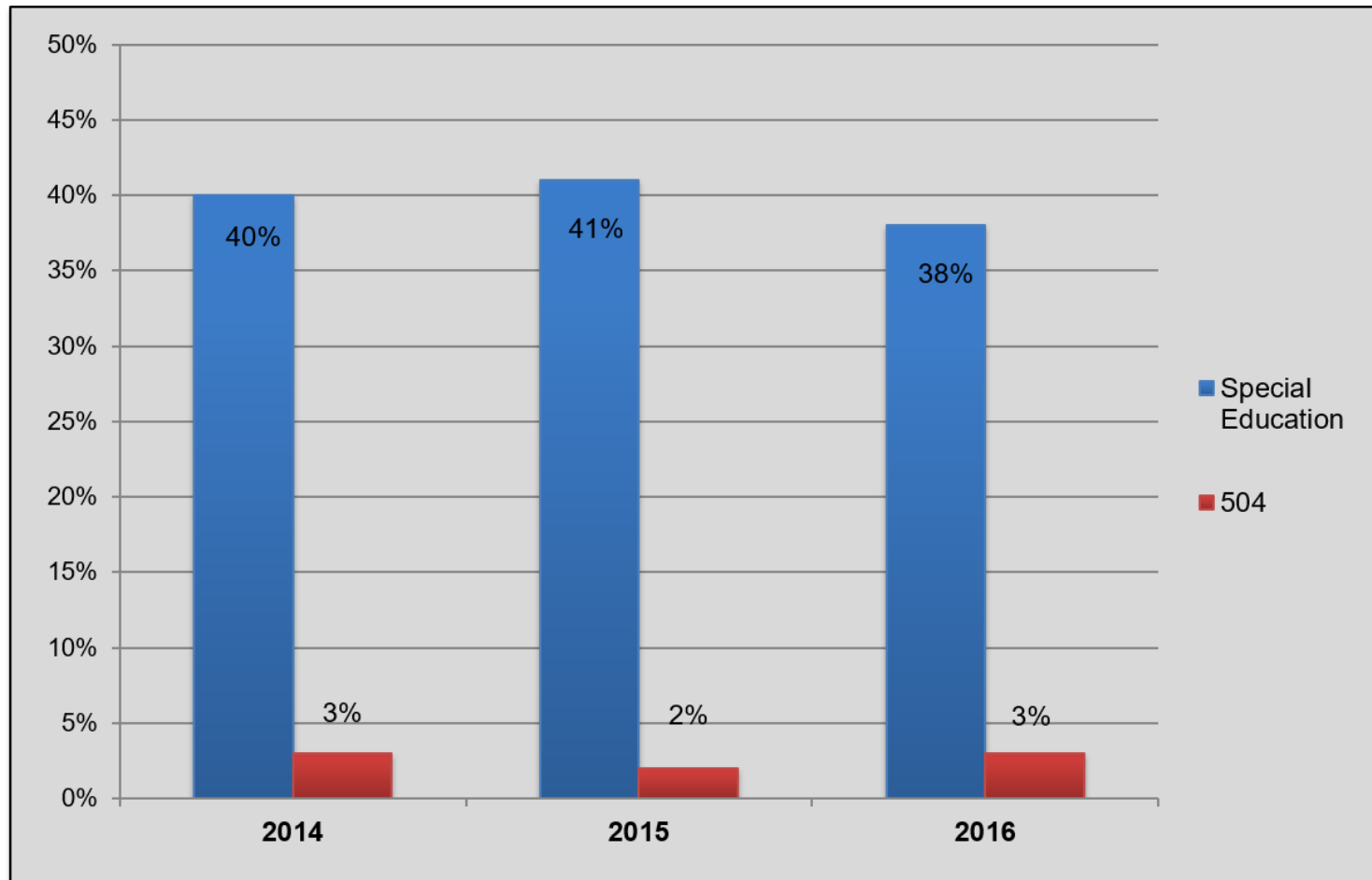
Special Education and General Education

Illustrated below are referrals to the Division Superintendent and recommendations for reassignment considered by the Hearings Office during the 2015-16 school year for general education students, special education students, and students with active 504 plans.



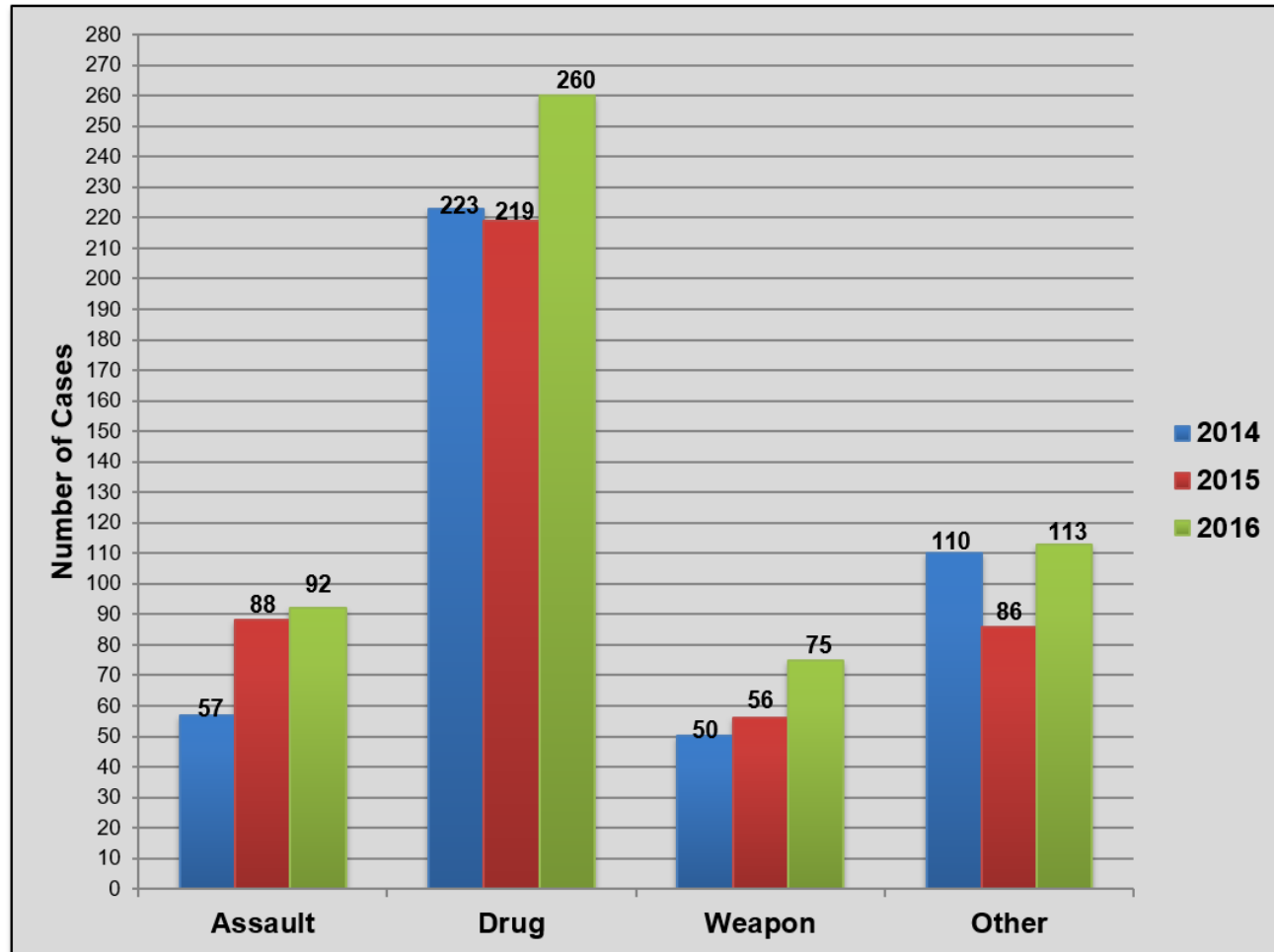
Students with Disabilities

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 2015-16 school year for students who qualify for special education services or for accommodations or assistance under Section 504 of the Rehabilitation Act.



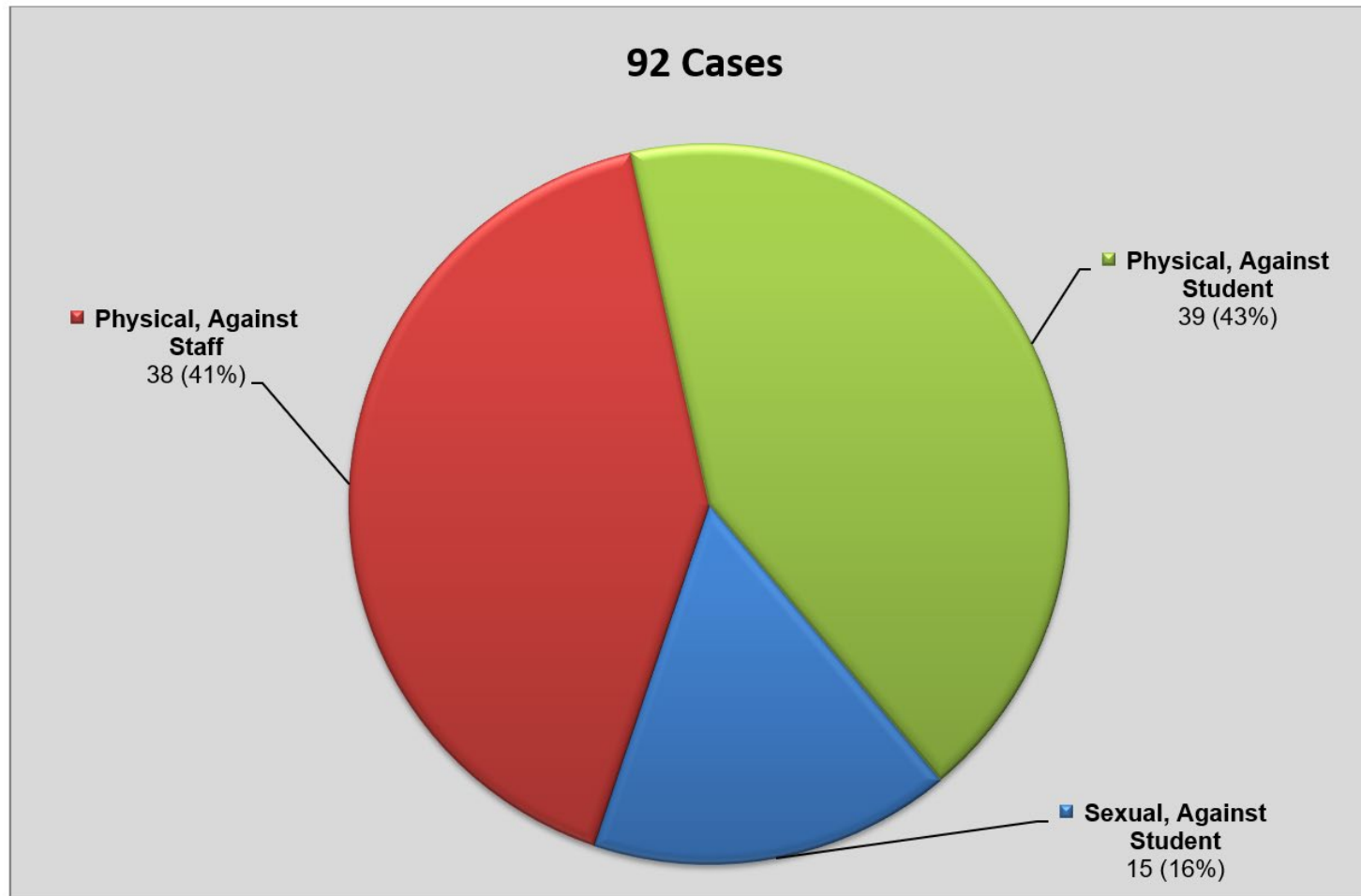
Violations Overview

Violations resulting in referrals to the Division Superintendent that were considered by the Hearings Office during the 2015-16 school year are illustrated below with the two prior years for comparison.



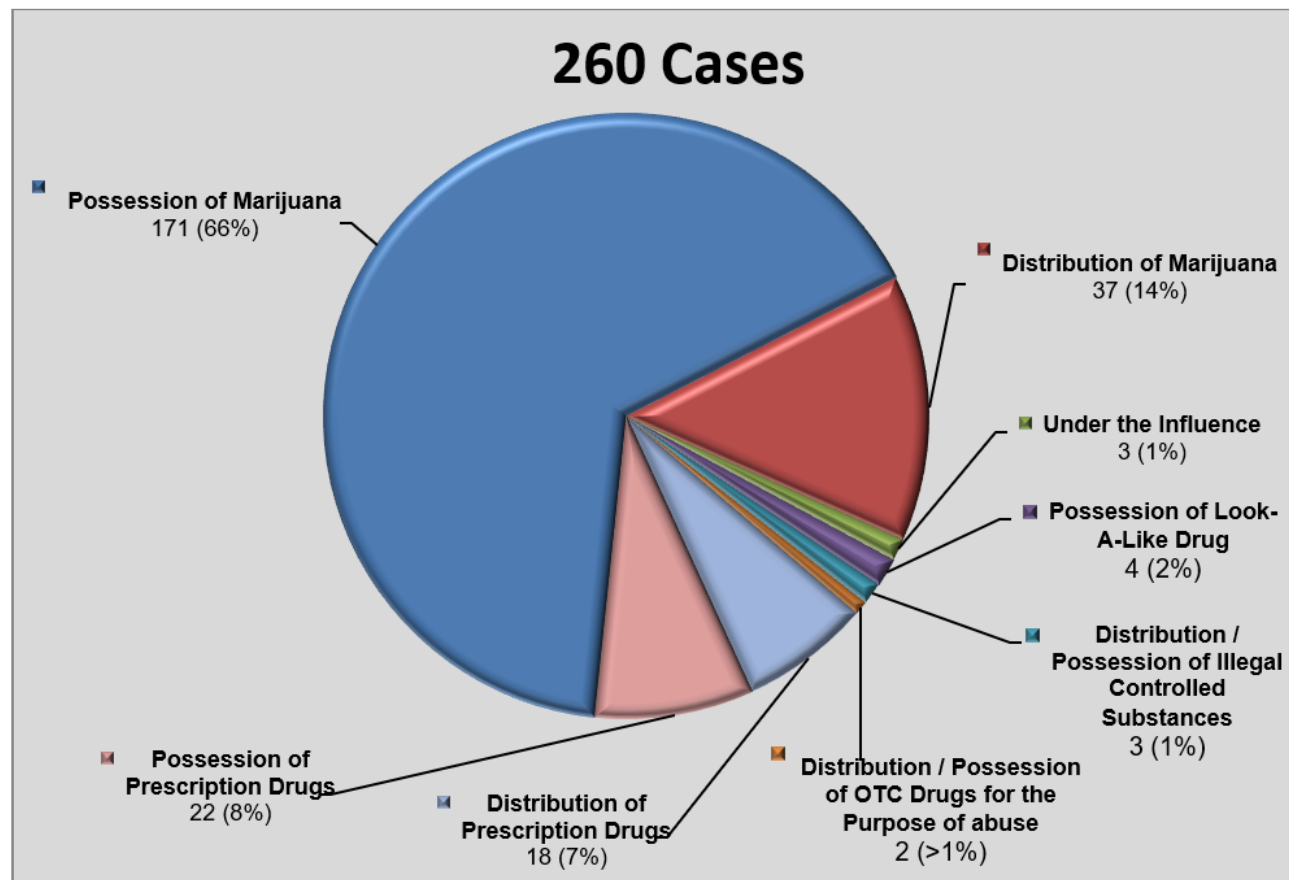
Assault Violations

Illustrated below are the referrals to the Division Superintendent that were considered by the Hearings Office during the 2015-16 school year in which the primary violation was assault-related.



Drug Violations

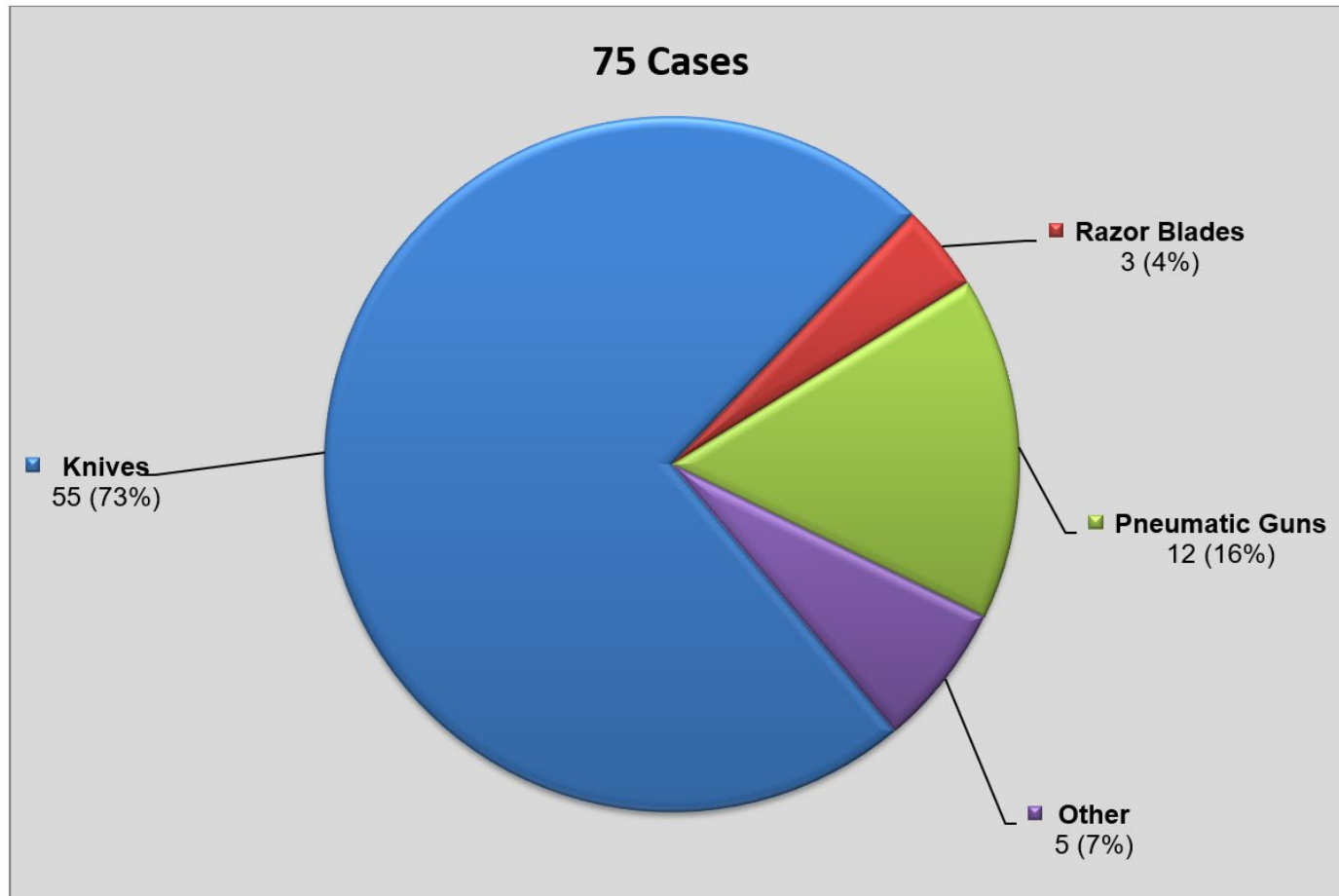
Illustrated below are the referrals to the Division Superintendent that were considered by the Hearings Office during the 2015-16 school year in which the primary violation was drug-related



Note: An illegal controlled substance is any controlled substance that is not a prescription drug. Illegal controlled substances can include, for example, heroin, LSD, and cocaine. As defined by the Drug Control Act of Virginia, these substances have high potential for abuse; further, in most cases, these substances have no accepted medical use in treatment in the United States, or lack accepted safety for use in treatment under medical supervision.

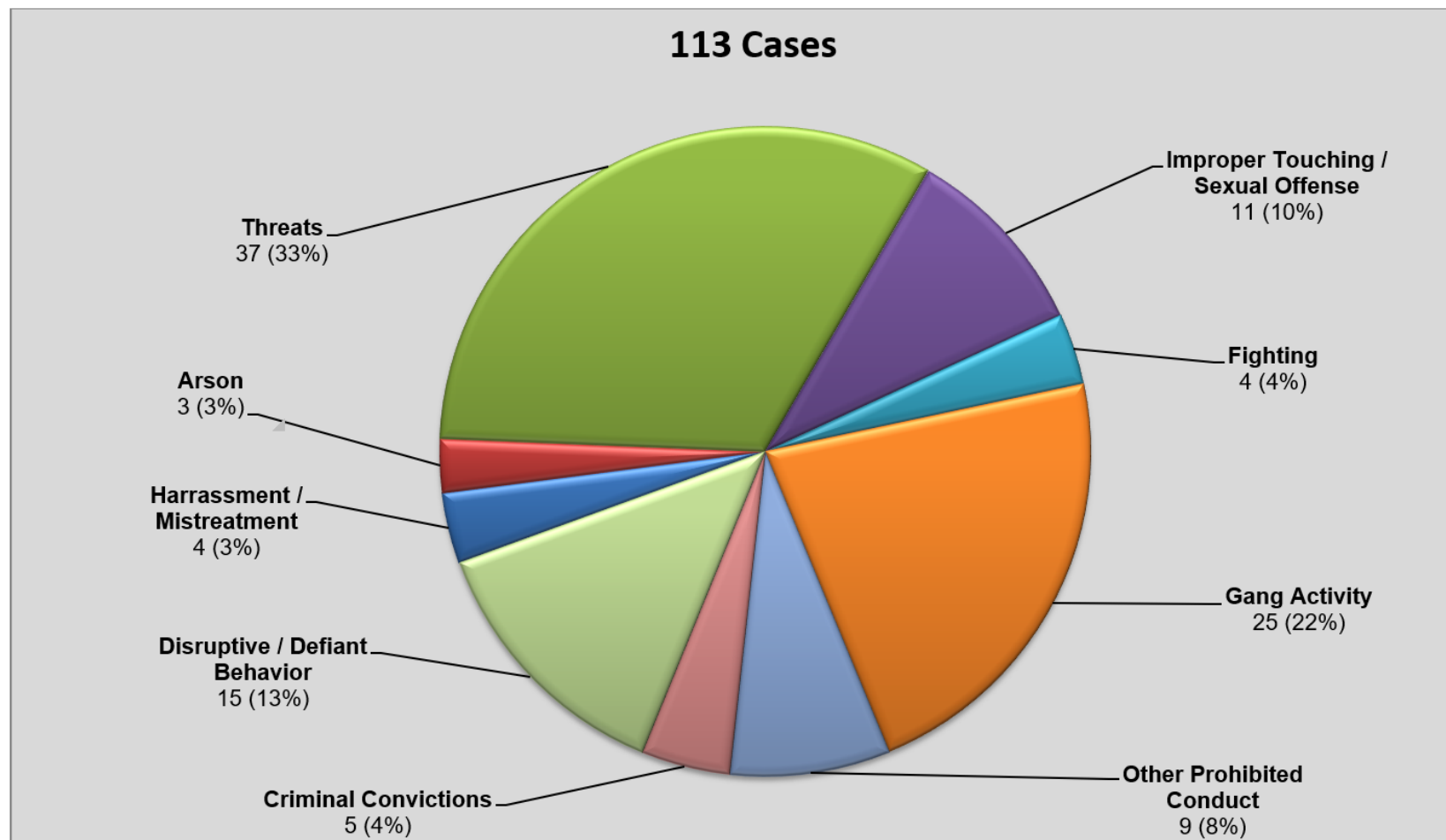
Weapon Violations

Illustrated below are the referrals to the Division Superintendent that were considered by the Hearings Office during the 2015-16 school year in which the primary violation was weapon-related.

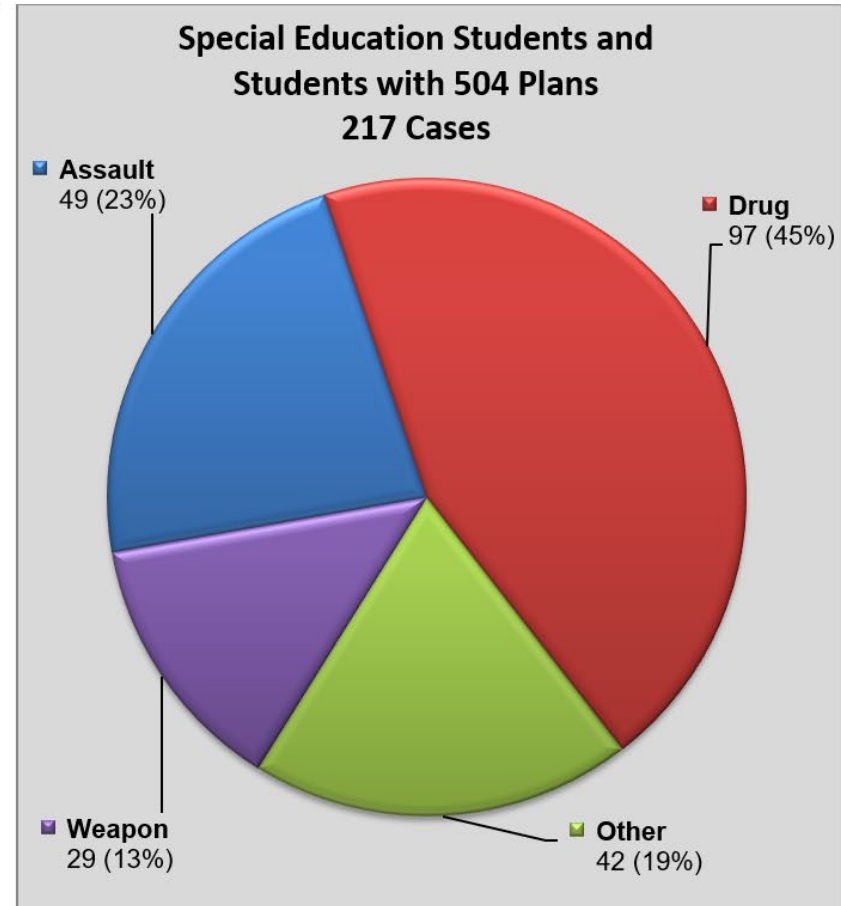
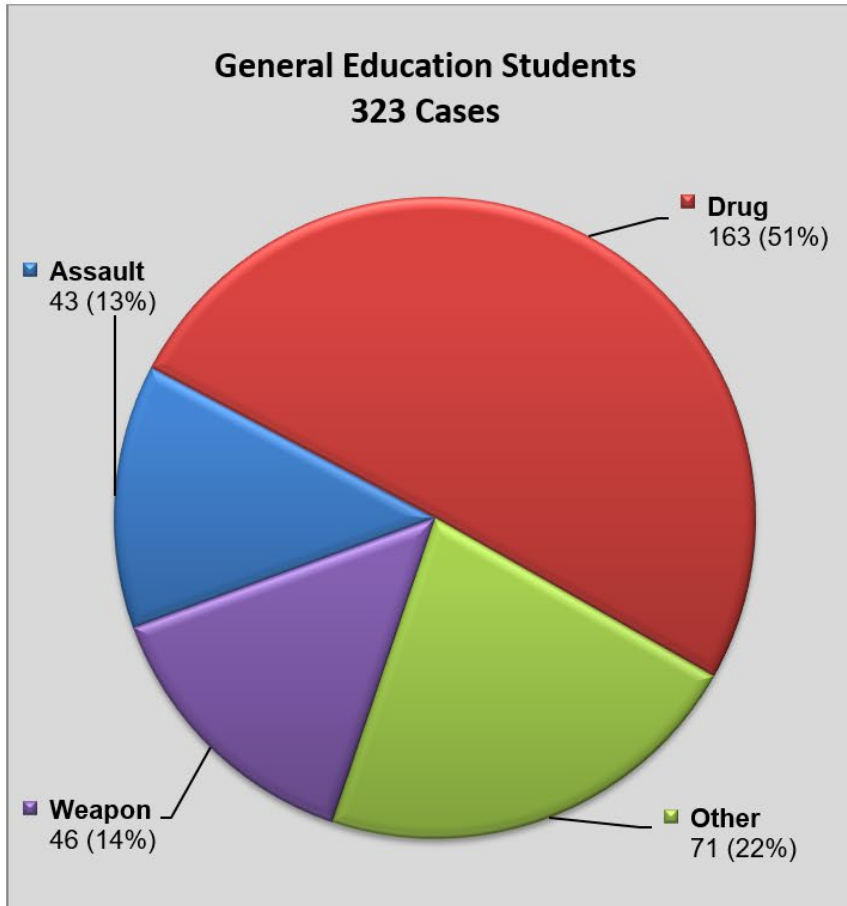


Other Violations

Illustrated below are the referrals to the Division Superintendent that were considered by the Hearings Office during the 2015-16 school year in which the primary violation was not related to assault, weapons, or drugs.

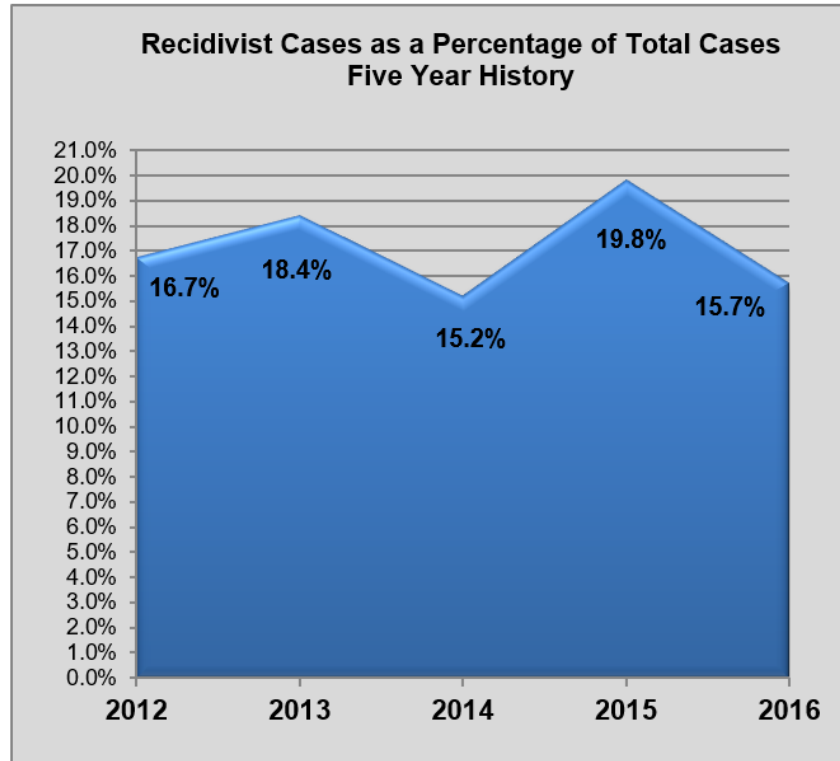
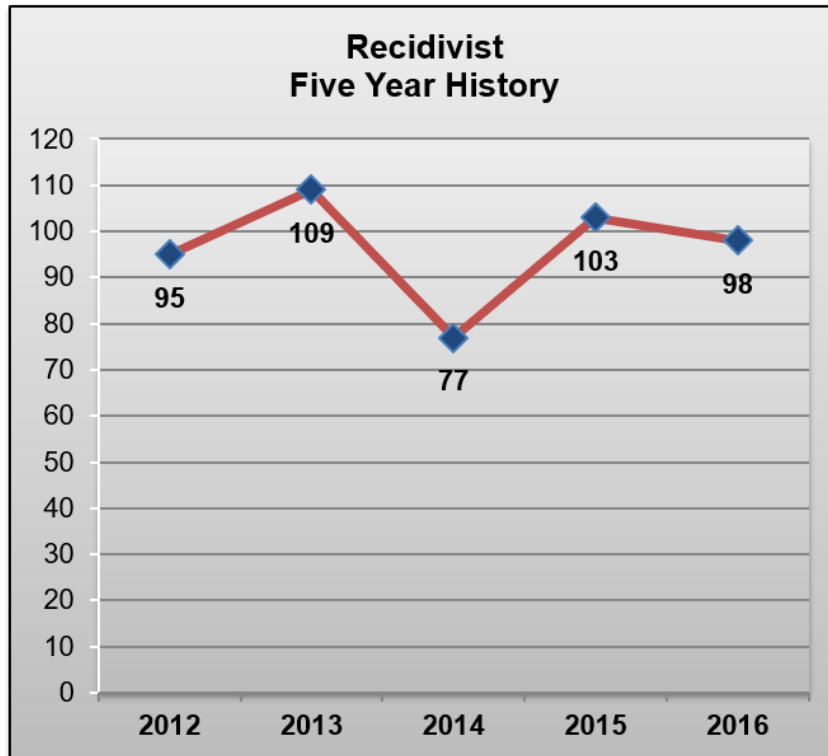


Referrals to the Division Superintendent



Recidivism

Ninety-eight cases were submitted to the Hearings Office during the 2015-16 school year for ninety-four students who had previous disciplinary hearings.



Case Decisions by Hearings Office

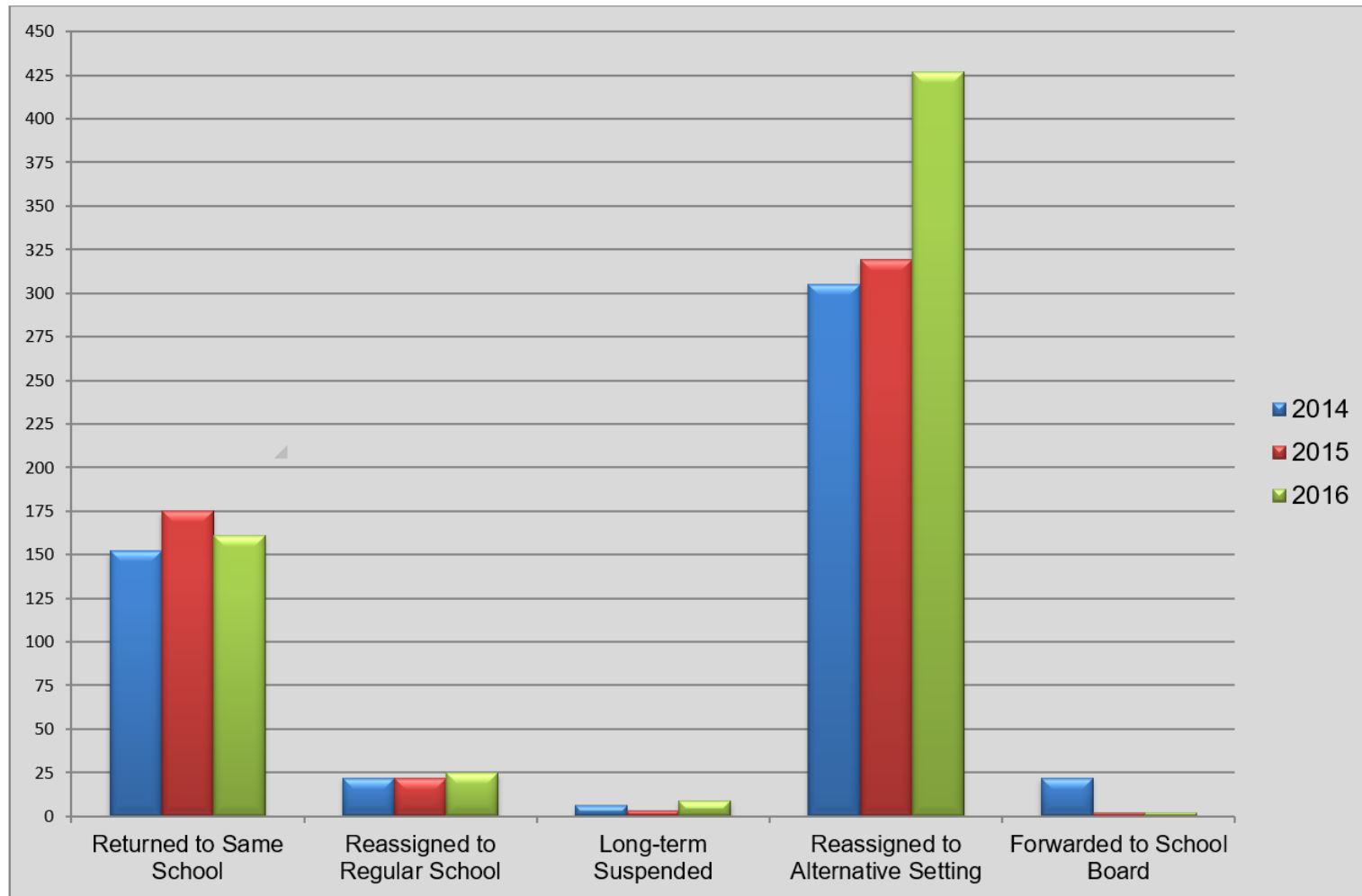
Six hundred and twenty-four (624) disciplinary referrals and recommendations were considered by the Hearings Office during the 2015-16 school year, resulting in the following dispositions.

- Returned to Same School: 161
- Reassigned to Regular School: 25
- Reassigned to Alternative Setting: 427
 - Achievement, Integrity, and Maturity: 60
 - Alternative High School: 97
 - Alternative Learning Center: 65
 - Alternative setting by IEP: 147
 - Transition Support Resource Center: 46
 - Unspecified due to withdrawal: 10
 - Adult High School: 1
 - Home-Based instruction: 1
- Excluded from FCPS: 0
- Expulsion Imposed: 0
- Forwarded to School Board: 2
- Long-Term Suspended¹: 9
 - Alternative setting, 2016-17: 7
 - Permitted to return to school, 2016-17: 1
 - Graduated: 1

¹ 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.

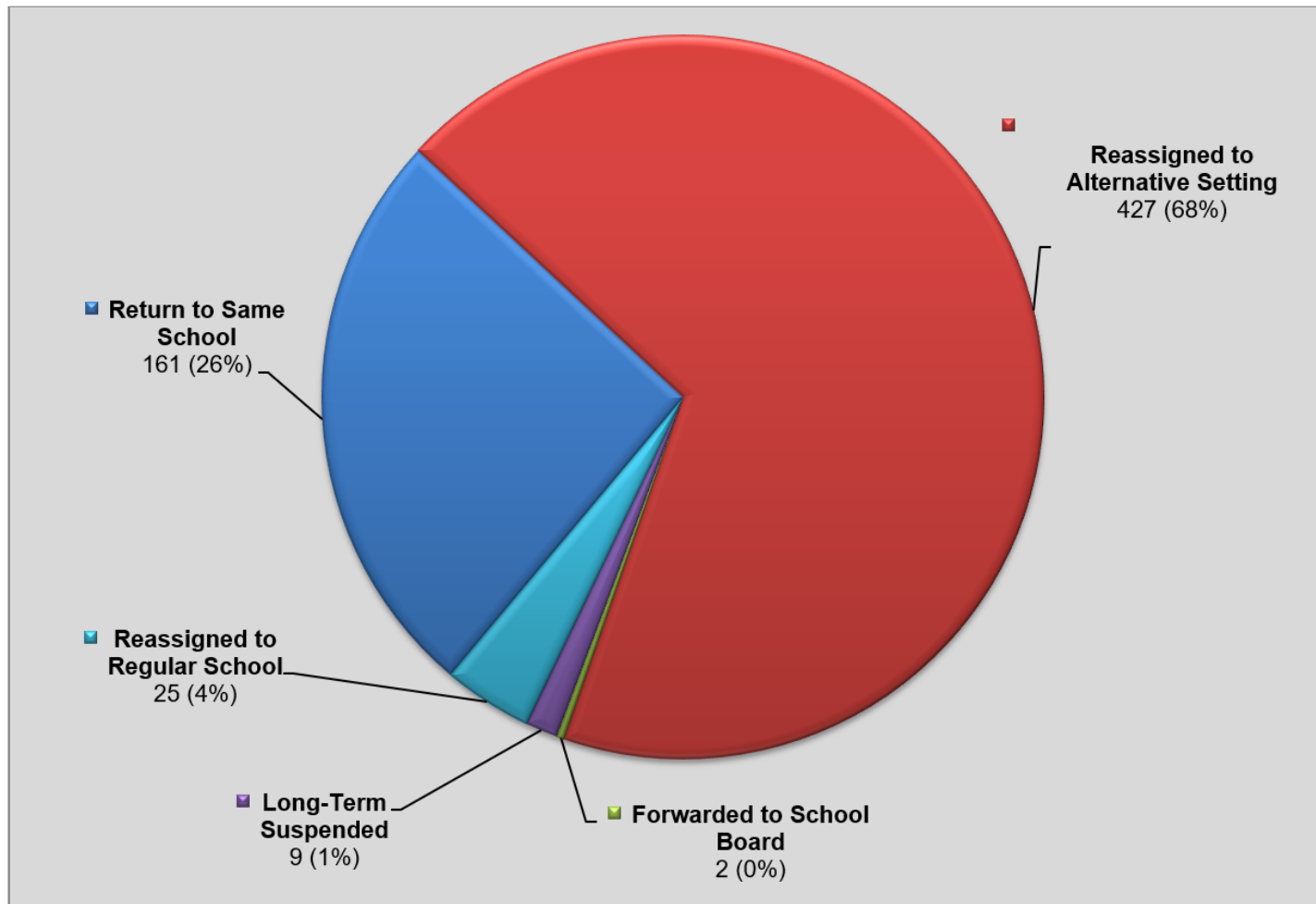
Case Decisions by Hearings Office

The Hearings Office case decisions for the 2015-16 school year are illustrated below with the two prior years for comparison.



Case Decisions by Hearings Office

The Hearings Office case decisions for the 2015-16 school year are illustrated below.



School Board Summary 2015-16

School Board Actions: 47

- Full School Board: 47
 - Written record appeal of reassignment decision: 45
 - Unappealed expulsion recommendation: 2
- School Board Committees: 0

School Board Decisions

Forty-seven cases were considered by the School Board during the 2015-16 school year, resulting in the following dispositions.

- Expelled (No FCPS Services): 2
- Expelled (With FCPS Services): 0
- Returned to Same School: 2
- Reassigned to Regular School: 2
- Long-Term Suspended: 0
- Reassigned to Alternative Setting: 41
 - Achievement, Integrity, and Maturity: 2
 - Alternative High School: 9
 - Alternative Learning Center: 18
 - Alternative setting by IEP: 9
 - Transition Support Resource Center: 3