

DISCIPLINE

- I. **Board of Education Policy JK states:** The Board of Education of Carroll County is committed to providing a safe and secure environment in which all individuals are free to learn. Therefore, the Board will not tolerate any inappropriate behavior. In those instances when the behavior of a student, on or off school property, is disruptive and/or detrimental to the operation of the school, or the safety of students or staff, the student may be disciplined including, but not limited to, suspension and expulsion.

- II. **Discipline Philosophy:** There is a great need in our schools to help students to develop the kinds of social attitudes and values that will lead to the adoption of behaviors acceptable to the moral and legal code of our society. Schools will develop and implement prevention and intervention strategies and programs as a means of resolving and or preventing confrontations. In addition, students will be held accountable for their behaviors and will receive consequences accordingly. Carroll County Public Schools is committed to providing all students will a safe and orderly environment for the promotion of academic and social excellence.
 - A. Suspensions and other disciplinary actions should follow global educational goals. The following principles should be considered in order to provide a focus for a school-wide disciplinary program.
 1. Discipline should be a tool which teaches respect and coping skills. To foster such results, school personnel should model fairness, honesty, and integrity in all interactions with students.
 2. Discipline should be a consequence directly associated with the inappropriate behavior and allow the student to accept responsibility for those behaviors. For example, if a student destroys property, the student should make restitution and possibly repair the damage created. In addition, the student may face criminal charges.
 3. The concept of education should be valued in any disciplinary action. For example, placing a student out of school may devalue and delay the educational process. It may also send a double message to students about the importance of school attendance and education. Therefore, suspensions should be administered only after careful consideration of available options.
 4. Discipline should not be administered as a means of revenge or a release of frustration. Discipline handed out in anger or without full consideration of available options can contribute to increased inappropriate student behavior, non-cooperative parents/legal guardians, and possible legal action. However, consequences should be administered in a timely manner.

 - B. **Pro-Active Approach to Discipline:** Positive behaviors are best achieved through a pro-active, school-wide approach to discipline. Such an approach should establish high expectations and timely consequences in a climate of consistency, firmness, fairness, and creativity. Consequences may be positive or negative, but they must always hold students accountable. Students who follow the rules and regulations may receive privileges such as: driving to school, earning a “gold privilege card,” choice lunchroom seating, a free homework pass, congratulation notes, etc. Students who choose inappropriate behaviors could face negative consequences that have been defined well in advance of any misbehavior. Such ideas promote the concept that privileges are to be earned and must come with responsibility. A pro-active stance also includes a multi-disciplinary approach which involves consultation with parents/legal guardians, teachers, counselors, school psychologists, and Pupil Personnel Workers. More formalized

interventions may include: Student Services Teaming, TAID, Instructional Support Team (IST), individualized and group counseling, school-wide Conflict Resolution programs, Student Assistance Teams (SAT), mentoring programs, and referrals to community resources. A pro-active approach not only improves student behavior, it fosters a better school climate and positive communication between home and school.

C. **Alternatives to Suspensions:** Suspensions in and of themselves should not be utilized to modify inappropriate behaviors. Instead, suspensions should be used as a last option in conjunction with a larger school-wide approach in order to assure a safe and orderly school environment. The following list provides consequences that may be utilized in coordinating a comprehensive plan of discipline:

1. School resources outside the classroom (.ie. support room, time and opportunity room, etc.)
2. Conferences with parent/legal guardian
3. Referral to peer mediation program
4. Consultation with student's counselor/school crisis counselor
5. Participation in group counseling
6. Utilization of peer facilitator
7. Implementation of Conflict Resolution
8. Formation of student contract with specific consequences
9. Referral to Support or Time-Out Room
10. Assignment to detention before school, after school, or during lunch
11. Exclusion from the classroom
12. Participation in Saturday School Programs that deal with:
 - a. Attendance
 - b. Conflict Resolution
 - c. Saturday for Success
13. Participation in the Tobacco Education Group
14. Withdraw of privileges, i.e., driving to school, extra curricular activities
15. Implementation of reparations for misconduct or property damage:
 - a. repair of damaged property
 - b. participation in school community service (summertime included)
 - c. restitution through monetary payment
16. Consultation/referral with School Psychologist or Pupil Personnel Worker
17. Referral to in-school or community mentor
18. Attendance of parent/legal guardian with student to area where student displays inappropriate behavior, i.e., class, lunchroom, bus, etc.
19. Referral to outside agencies such as the Department of Juvenile Services, Junction, Youth Services, Department of Social Services, Community Conferencing, etc.
20. Utilization of a Special Placement pending parent conference
21. Referral for enrollment in alternative programs, i.e., Gateway School, PRIDE, Flexible Student Support, CLASS, etc.

D. **Time-out/In-school Detention (ISD)**

Assignment to the time-out or in-school detention room (or other similar school setting) , where students complete classroom assignments while being excluded from their regular classroom(s), does not constitute suspension as defined by 7-304 of the Annotated Code of Maryland. In such cases, official suspension forms will not be issued and it is not necessary to inform Student Services. Note: However, if a special education student is removed to time

out/ISD for more than half a school day, this is considered a removal (suspension for a special education student).

These guidelines should be followed:

1. Assignment to the time-out/ISD room will be made by an administrator and/or designee.
2. Notification will be provided to parents/legal guardians in the case of students assigned to the time-out/ISD room for a half-day or more.
3. Classroom assignments and regular classroom work will be completed by students assigned to the time-out/ISD room.
4. Accurate records are to be maintained. Each school should keep a log of students assigned to time-out/ISD by student name and the number of periods of the student is assigned to the room.
5. With regard to the use of time-out/ISD rooms for special education students, special guidelines have been written and are available in the Special Education Handbook.
6. Students that are placed in time out/ISD or are excluded from the classroom shall be marked present.

- E. Conferring with Teachers:** When a student is referred to an administrator for a disciplinary problem, prior to that student being returned to that teacher's classroom, the administrator or administrator's designee shall confer with that student's teacher and/or other appropriate school personnel. Such conferring may be in person, by phone, by e-mail, or letter, so long as the method chosen provides opportunity for the teacher to respond before the student is returned to the classroom.

III. Suspension and Expulsion Section 7-305, COMAR 13A.08.01.11 Board of Education Policy JDG

Although suspending students from school is sometimes necessary, suspension, nonetheless, interferes with the student's education and should only be invoked under the gravest circumstances. Therefore, overall disciplinary goals, actions, and a range of interventions should be considered.

A. Suspension and Expulsion

1. In those instances when the behavior of a pupil is disruptive and detrimental to the operation of the school, the pupil may be suspended or expelled in accordance with the procedures set forth in Education Article, Section 7-305.
2. Before any case of suspension, a student shall receive oral or written notice of the charges against him/her. If the pupil denies the charges, he/she shall have the right to an explanation of the evidence supporting the charges and an opportunity to present his/her side of the story. A pupil whose presence in school poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process may be removed immediately from school, provided that the notice and hearing required by this subsection is provided as soon as possible.

B. Short-term Suspension - Suspension for not longer than 10 school days

In accordance with the rules and regulations of the county board, each principal of a public school may suspend for cause, for not more than 10 school days, any student in the school who is under the direction of the principal. The student or his/her parent/legal guardian promptly shall be given a conference with the principal and any other appropriate personnel during the suspension period.

Note: If the student receives Special Education or 504 services, read Section IV. Discipline/Suspension of Students with Disabilities for further instructions.

Guidelines for Processing a Student Suspension

1. The principal prepares a "Notice of Suspension;" A copy is placed in the student's cumulative record. Guidelines for completing a student suspension form are found in the Student Suspension System Users Manual (<http://128.128.99.249/suspension>).
2. The principal must make every reasonable effort to notify the parent/legal guardian of the student's suspension and of the reason for it.
3. A letter should be mailed to the parent/legal guardian explaining the suspension and the reason for it. Where telephone contact has been made to the parent/legal guardian, this letter may be sent home via the student on the day of suspension.
4. If the parent/legal guardian cannot be reached by telephone or in person on the day of suspension, the suspension shall become effective at the end of that school day. In the meantime, the student may be excluded from class but must remain at school under the supervision of the principal.
5. The pupil and parents/legal guardians must be provided a conference promptly (within ten school days) with the principal and appropriate personnel after the suspension is initiated.
6. Should the parent/legal guardian fail to arrange or to have a conference within the specific time, Student Services should be notified so the Pupil Personnel Worker can contact the home as soon as possible.
7. Under conditions mutually agreed upon during the conference, the pupil is immediately readmitted to school unless the length of suspension has been specified in advance.
8. A suspended student is not to be on school property (except to attend the parent conference mentioned in F. above) unless with prior approval of the Principal.
9. A suspended student is not eligible to participate in any extracurricular activity during the term of the suspension.
10. A suspended student is eligible to make up missed class work. The student's parent/legal guardian should be notified by the administrator that their child may complete make-up work. However, the student's parent/legal guardian is responsible for requesting and arranging for the pick-up of assignments missed.
11. When a student has been suspended or placed on extended suspension, the administrator or administrator's designee shall confer with the student's teachers and other appropriate school personnel prior to the student's return to his/her classroom. Such conferring may be in person, by telephone, or in writing*.
12. If there has been a successful parent conference the day of the infraction, the administration in consultation with the Director of Student Services, may decide that no out-of-school suspension is warranted. In such cases the "Notice of Suspension" form should **NOT** be completed. Documentation of this incident should occur in the student's normal discipline record for that year.
13. In all cases when a student is suspended, placed on extended suspension, or expelled, the student and his/her parents/legal guardians will be provided a list of community resources and contact numbers.

* *This same conferring procedure shall be followed when a student is sent to the office by a teacher and a suspension is not invoked.*

Appeal of Disciplinary Action

When a student is disciplined, the student will be given notice of the charge against him/her and the opportunity to explain the alleged incident. If the issue is not resolved at this level, it may then be appealed, in writing, to the Principal within three (3) school days. The Principal shall render a decision in writing to all parties involved within five (5) school days of such an appeal. If the student is not satisfied by the Principal's decision, he/she may then appeal the decision, in writing, to the Superintendent of Schools within five (5) school days of the Principal's decision. The appeal will be processed according to the provisions of section 4-205(c) of the Education Article. A decision shall be rendered by the Superintendent, or designee, within fifteen (15) school days of such an appeal. The decision of the Superintendent may be appealed to the Board of Education, if taken in writing within thirty (30) days after the decision of the Superintendent. The decision may be further appealed to the State Board if taken in writing within thirty (30) days after the decision of the County Board of Education or other individual or entity which issued the decision on appeal. The 30 days shall run from the later of the date of the order or opinion issued reflecting the decision.

Appeals Procedure Steps

- Student Appeals to
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- Principal
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- Superintendent of Schools
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- Board of Education of Carroll County
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- Maryland State Board of Education

C. Long-term Suspension - Suspension for more than 10 school days and expulsion

1. At the request of a principal, a county superintendent may suspend a student for more than 10 school days or expel him/her. If a principal finds that a suspension of more than 10 school days or expulsion is warranted, he/she immediately shall report the matter in writing to the county Superintendent. The county Superintendent or the designated representative promptly shall make a thorough investigation of the matter. If, after the investigation, the county Superintendent finds that a longer suspension or expulsion is warranted, he or she or the designated representative shall promptly arrange a conference with the student and his/her parent/legal guardian. If after the conference, the county Superintendent or the designated representative finds that a suspension of more than 10 school days or expulsion is warranted, the student or his parent/legal guardian may appeal to the county board within 10 days after the determination; be heard before the county board or its designated committee or hearing officer; and bring counsel and witnesses to the hearing. Unless a public hearing is requested by the parent/legal guardian of the student, a hearing shall be held out of the presence of all individuals except those whose presence is considered necessary or desirable by the board. The appeal to the county board does not stay the decision of the county Superintendent. The decision of the county board is final.

Note: If the student receives Special Education or 504 services, read Section IV. Discipline/Suspension of Students with Disabilities for further instructions.

Guidelines for Processing a Request for an Extended Suspension or Expulsion from School:

- a. The principal will follow the procedures for suspension outlined in Section III. B1-13. All requests for extended suspension or expulsion should be discussed with the appropriate Director at the Elementary, Middle or High school level and the Director of Student Services.
- b. The Principal must submit a written recommendation to the Superintendent of schools that the student's suspension be extended or that the student be expelled. The recommendation should include the student's name, date of birth and a brief explanation of the reason for the request. In the case of an extended suspension, the recommended length should be stated.
- c. As soon as the written recommendation for extended suspension has been sent to the Superintendent, the following information should be sent to the Superintendent of Schools (see checklist at the end of this section).
 - Letter to Superintendent and copy of letter to Parent
 - Copies of all Suspension Notices including current notice
 - Copy of 504 Plan/IEP and manifestation worksheet if applicable
 - Functional Behavior Assessment (FBA) and Behavior Intervention Plan (BIP), if applicable
 - Written Description of Incident
 - Copy of Discipline Record (SASI, Rediker, SWIS), copy of Behavior Contract if applicable
 - Copy of Attendance, copy of attendance contract, if applicable
 - Copy of report card and current class grades
 - Copy of electronic transcript (high school credits) and course history
 - Copy of Student Record Cards – (SRC 1, 2, 4, 5)
 - Copy of Emergency Card
 - Copy of proof of birth and proof of immunizations
- d. The Superintendent of schools or the designated representative promptly makes a thorough investigation of the matter.
- e. If, as a result of this investigation, the Superintendent or designee decides that a longer suspension or expulsion is not educationally sound, he/she will notify the Principal of the decision and arrange for a conference to have the pupil readmitted under certain conditions.
- f. If the investigation indicates a longer suspension (more than 10 days) or expulsion is warranted, the Superintendent or the designated representative promptly arranges a conference with the pupil and the parent/legal guardian.
- g. If the Superintendent or designee decides, after the conference, that a suspension of more than 10 days or expulsion is in order, the superintendent or the designated representative will notify the Principal and the parents/legal guardians.

Appeal of Disciplinary Action

The parents/legal guardian will be informed that they may appeal the Superintendent's or designee's decision to the Board of Education. This appeal must be made in writing within 10 days after the Superintendent's or designee's decision. An appeal to the Board of Education shall not operate as a stay to the Superintendent's or designee's decision; thus, the student will remain on suspension. The parents/legal guardians should be made aware that they have the right to counsel for this final appeal and may also call witnesses. The decision of the Board of Education will be final.

Note: In the case of discipline situations which result in the principal recommending a suspension beyond 10 school days or an expulsion, the Superintendent, or designee will schedule a conference with the student and parent(s)/legal guardian(s) within 10 school days of the date of the suspension notice. The student will be given notice of the charges against him/her and the opportunity to explain the alleged incident. The first appeal of a suspension for more than 10 days or an expulsion is to the county Board of Education under section 7-305 of the Education Article.

C. Expelled Students

An expelled student is not to be on any Carroll County school property and is not to attend any school-sponsored event until age 21. A letter requesting re-admittance to the Carroll County School System may be submitted to the Board of Education twelve (12) months or more after the expulsion. Twelve months or more after expulsion, on an event by event basis, an expelled student may request of the Director of Student Services permission to attend non-school sponsored events, such as SAT testing or community sponsored activities.

D. Out-of-County or Out-of-State Students

The Superintendent may deny attendance to any student who is currently expelled or on extended suspension from another school system for a length of time equal to the suspension or expulsion.

IV. Discipline/Suspension of Students with Disabilities (Bylaw 13A.08.01.11F), IDEA04 Amendments (PL108-446) (See flow chart at the end of this section for additional explanation.)

Students who have been identified with a disability may be suspended from school no more than ten days in a school year. Upon exceeding ten cumulative days of suspension, an IEP team must determine if the behavior leading to suspension is a manifestation of a student's disability. If the behavior is not a manifestation of a student's disability, the student may be suspended like any other student, as long as educational services are provided. If the behavior is a manifestation of a student's disability, the IEP team must follow certain procedures to review the IEP. In addition, a special education student may be removed to a 45 day interim alternative educational setting when possessing drugs, a weapon, or causing serious bodily harm. Please see the following procedures/guidelines when proceeding with a suspension for a student with a disability.

A. Definition of a Student with a Disability:

A student with a disability includes any student identified by IDEA or Section 504 of the Rehabilitation Act.

Students who have not been determined eligible for special education and who have engaged in a behavior that violates any rule or code of conduct may assert any of the protections provided, if the school had knowledge that the student had a disability before the behavior occurred. Schools have knowledge if, before the behavior resulting in the disciplinary action occurred:

- the parents expressed concern in writing, that their child needs special education and related services, to supervisory or administrative personnel of the school, or a teacher of the student;
- the parents requested an evaluation; or
- the student's teacher or other school personnel have expressed a specific concern about a pattern of behavior demonstrated by the student, directly to the Director of special education or other supervisory personnel at the school.

Schools are not considered to have knowledge of a disability if:

- the parents refused to allow the school to evaluate their student;
- the parents refused to allow the school to provide special education services; or
- the student has been evaluated and it was determined that he/she was not a student with a disability under IDEA.
- a parent has revoked consent for special education services

If the school does not have knowledge that a student has a disability prior to taking disciplinary action, the student may be subject to the same disciplinary measures as a student without disabilities who engages in comparable behaviors.

If a parent made a request for an evaluation, during the time frame in which their child is subject to disciplinary measures, the evaluation must be expedited. Pending the results, the student remains in the educational placement determined by school authorities. If, based on the school's evaluation and information provided by the parents, the student is determined to be a student with a disability, the school is to provide special education and related services. In addition, all of the procedural safeguards regarding discipline of students with disabilities shall apply.

B. Authority of School Personnel:

School personnel may remove a student with a disability who violates the code of conduct from the current educational placement for not more than 10 school days at a time in accordance with the discipline policy used for all students, unless it is determined that the removal constitutes a change in placement from the current educational placement to:

- an interim alternative educational setting (IAES);
- another educational setting or
- a suspension of 10 days or more

When removals (10 days or less at one time) accumulate to more than 10 days in a school year, the student's IEP team shall determine the extent of services needed to enable the student to participate in the general curriculum and toward his/her IEP goals.

C. Change in Placement:

Change of placement includes removal for more than 10 consecutive days or a series of removals that accumulate to more than 10 days in a school year. School Personnel may consider unique circumstances on a case-by-case basis whether a change in placement is appropriate for a student with a disability who violates the code of conduct. Upon a change in placement (a removal for more than ten consecutive school days or for more than ten days in a school year), a manifestation meeting must be held. (See below for details). When a student is removed for more than 10 days, that results in a change in placement, whether or not the behavior is a manifestation of the disability, or when a student is removed to an interim alternative educational setting, (IAES) for drugs, weapons, or serious bodily injury, the student continues to receive services to enable him/her to continue to participate in the

general education curriculum although in another setting to progress toward meeting the goals set out in his/her IEP. The student must also receive, as appropriate, a functional behavioral assessment (FBA) and behavior intervention services and modifications designed to address the behavior violation so that it does not reoccur. The IEP team determines appropriate services and the location in which the services will be provided.

Note: Bus Suspensions

If a special education student, who has bus transportation written in his/her IEP, is suspended from the bus and does not attend school that counts as a day of removal/suspension from school. If the student does not have bus transportation written in his/her IEP, the bus suspension does not count as a removal/suspension from school.

D. Manifestation Determination:

Within 10 school days of any disciplinary action that results in a change of placement because of a violation of the code of conduct, the student's IEP team must review all relevant information in the student's file, including his/her IEP, any teacher observations and any relevant information provided by the parent, to determine if the conduct in question was:

- Caused by or had a direct and substantial relationship to the student's disability; or was,
- The direct result of the school's failure to implement the student's IEP.

If the IEP team determines that either of the above statements is applicable, the conduct shall be **determined to be a manifestation** of the student's disability. If the conduct was a manifestation of the student's disability, the IEP team must:

- Conduct a functional behavioral assessment and implement a behavioral intervention plan for the student, if the school had not previously done so (FBA and BIP templates can be found in the Forms section of the Special Education Handbook);
- Review the student's behavior intervention plan if he/she already has such a plan and modify it, as necessary to address the behavior; and
- Return the student to the placement from which he/she was removed, unless the parents and school agree to a change of placement as part of modifying the student's behavioral intervention plan, except when the student has been removed to an interim alternative educational setting for drugs, weapons, or serious bodily injury.

If the behavior is **not a manifestation of the student's disability**, school personnel may discipline the student in the same manner as other students, except appropriate educational services must continue.

E. Change of Placement to an Interim Alternative Education Setting (IAES):

School personnel may remove a student to an interim alternative educational setting for up to 45 school days without regard to whether the behavior is determined to be a manifestation of the student's disability, in cases where the student:

- Carries a weapon to or possesses a weapon at school, on school premises, or at a school function under the jurisdiction of a State or local education agency.

(Weapon has the meaning given the term “dangerous weapon” under paragraph (2) of the first subsection (g) of section 930 of title 18, United States Code).

- Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of a State or local education agency. (Controlled substance means a drug or other substance identified under schedules I, II, III, IV, or V in section 202 (c) of the Controlled Substances Act (21 U.S.C. 812 (c)). Illegal drug means a controlled substance, but does not include a substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the IDEA or under any other provision of federal law).
- Has inflicted serious bodily injury upon another person while at a school, on school premises, or at a school function under the jurisdiction of a State or local education agency.

Procedures for removing a student to an interim alternative educational setting (IAES):

1. The School Principal or his designee determines that the behavior warrants suspension.
2. The Principal consults with the Director of Student Services for approval to pursue an IAES.
3. The principal instructs the school based IEP team to immediately convene an IEP meeting to hold a manifestation determination, identify/recommend appropriate alternative educational settings and the services to be provided. (A manifestation determination does not impact the outcome of a 45 day IAES.)
Note: A parent/legal guardian shall be invited to the IEP meeting, however a 10 day notice of the IEP meeting is not required.
Note: If the IEP team meeting is held the same day, no suspension days may be used. If the IEP team does not meet the same day, the student must either be returned to school pending the outcome of the meeting, or shall be suspended if deemed a danger to self or others.
4. The IEP team identifies/recommends appropriate alternative education settings.
5. The Principal submits an alternative program referral packet to the Director of Student Services, to be forwarded to the identified alternative program Principal.
6. The Director of Student Services reviews the IEP team recommendations chooses the placement, and notifies the Principal of the decision.
7. The IEP team initiates the change in placement.
8. Prior to the end of the 45 school day placement, the home school IEP team shall convene to determine a transition plan for the student to return to the home school on the forty-sixth (46th) school day, or request a collaborative IEP meeting to be held before the 46th school day.

Appeal of Disciplinary Action:

If parents disagree with a decision regarding a manifestation determination or with any decision regarding placement for disciplinary reasons, the parents may file a due process complaint with the Office of Administrative Hearings (OAH) and Carroll County Public Schools (CCPS). If CCPS believes that maintaining the current placement of the student is substantially likely to result in injury to the student or others, CCPS may file a due process complaint with OAH and the parents.

An Administrative Law Judge (ALJ) following the procedures described in Resolving Disagreements in the Special Education Manual, with the following exception, conducts the due process hearing. The hearing shall occur within 20 school days of the date of the hearing request and shall result in a determination in 10 school days after the hearing.

In making a determination in a disciplinary appeal, the ALJ may:

- Return the student to the placement from which he/she was removed; or
- Order a change of placement of the student to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of the student is substantially likely to result in injury to the student or others.

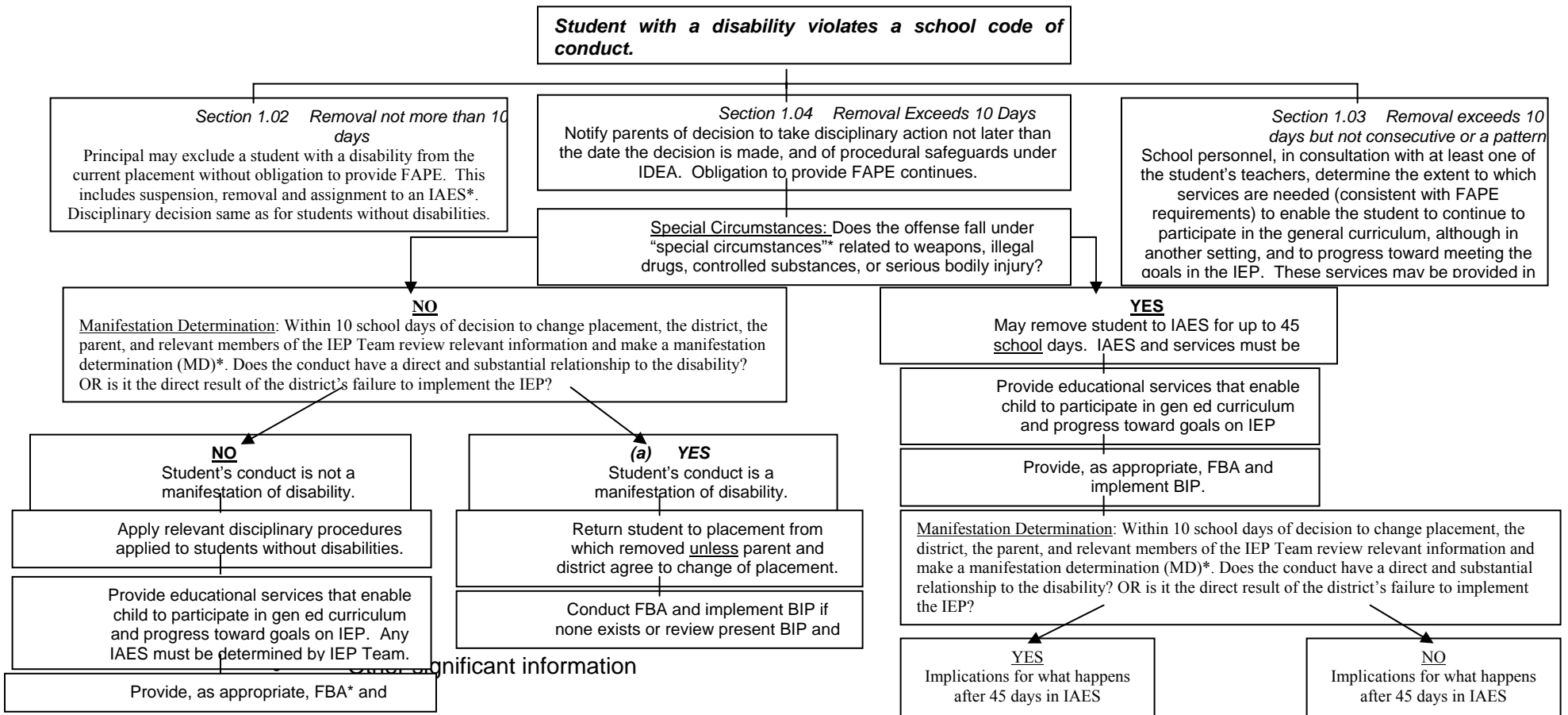
When a due process complaint is requested by either the parents or school, the student remains in the interim alternative educational setting pending the decision of the ALJ or until the expiration of the time period provided (no more than 45 school days), whichever comes first, unless the parents and school agree otherwise.

Referral to and Action by Law Enforcement and Judicial Authorities: IDEA does not prohibit public agencies from reporting a crime to appropriate authorities and law enforcement. Judicial authorities may exercise their responsibilities in applying federal and State law to crimes committed by a student with a disability. Any agency reporting a crime shall supply copies of the student's special education and disciplinary records to the appropriate authorities to the extent allowed by COMAR 13A.08.02, Student Records, with parental consent, or in accordance with exceptions to parent consent specified in the policy.

Placement in Disciplinary Procedures

Under IDEA 2004: Section 615(k)

A Principal may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a student with a disability who, after a disciplinary hearing, has been found to have violated a school code of conduct consistent with those rules.



V. Maryland State Department of Education: Student Suspension System Codes

A. Suspension Offenses

- **Suspension Offenses & Reporting Codes**

Attendance

- 101 Class Cutting
- 102 Tardiness
- 103 Truancy

Dangerous Substances

- 201 Alcohol
- 202 Inhalants
- 203 Drugs
- 204 Tobacco

Weapons

- 301 Firearms (including starter pistol)
 - 302 Other Guns (i.e. BBguns, paint ball guns)
 - 303 Other Weapons (i.e. knives, nunchakus, box cutters)
- Note: See Weapons/Explosives Chart for additional information

Attack/Threats/Fighting

- 401 Physical Attack - Teacher/Staff
- 402 Physical Attack - Student
- 403 Verbal or Physical Threat – Teacher/Staff
- 404 Verbal or Physical Threat – Student
- 405 Fighting
- 406 Extortion
- 407 Bullying
- 408 Serious Bodily Injury

Arson/Fire/Explosives

- 501 Arson/Fire
- 502 False Alarm/Bomb Threat
- 503 Explosives (eg. Bullets, firecrackers)

Sex Offenses

- 601 Sexual Assault
- 602 Sexual Harassment
- 603 Sexual Activity

Disrespect/Insubordination/Disruption

- 701 Disrespect
- 702 Insubordination
- 703 Harassment
- 704 Classroom Disruption
- 705 Inciting/Participating in Disturbance

Other

- 801 Academic Dishonesty/Cheating
- 802 Portable Communication Devices
- 803 Theft
- 804 Trespassing
- 805 Unauthorized Sale or Distribution (excluding dangerous substances)
- 806 Vandalism/Destruction of Property
- 807 Refusal to Obey School Policies

Handicapped Students Only

- 891 Sells or Solicits Sale of Controlled Substance (except alcohol or tobacco)
- 892 Possesses or Uses Illegal Drugs (except alcohol or tobacco)
- 893 Having brought a weapon to school or in possession of a weapon in school or at a school function. (Weapon must be capable of serious bodily injury. If it is a knife, the blade must exceed 2½". The 2½" designation applies only to special education students not to regular education students.)

B. Health Related Exclusions & Reporting Codes

- 001 Immunizations Failure of the parent or guardian to abide by health regulations regarding immunization schedules, or failure to provide evidence of appropriate immunizations.
- 002 Personal Health Conditions that present a clear and direct health risk to others. Examples include head lice, active, untreated tuberculosis, or measles. Determination for exclusion is made by the health officer or carried out by the school principal or other appropriate school official.

C. Disposition Codes:

Only one disposition code is to be reported for each incident in which a student is involved. Students with disabilities may be included in any of these categories, but disposition codes 912, 920, and 930 may **only** be used for special education students.

- 910 Out-of-school Suspension (COMAR 13A.08.01.11B) no education services are provided.
- 911 Out-of-school Suspension with educational services provided excluding 45 day unilateral removal of students with disabilities and hearing officer removal [COMAR 13A.08.01 12-1A(1)]
- 912* Out-of-school Suspension for a student with disabilities for which it was subsequently determined that the misconduct was related to the student's disability. The student was immediately returned to school. In the past, such suspensions were expunged from the student's record. However, such suspension will no longer be expunged due to the requirement to track this data. The actual number of school days the student was removed from the current placement prior to the manifestation determination meeting shall be reported as days suspended.
- 913 Out-of-school suspension – education services offered and rejected by the student.

- 920* 45-Day Unilateral Removal - School Administrators, not the IEP team, order the removal of a student with disabilities from his/her current educational placement to an appropriate interim alternative educational setting for the same amount of time that children without disabilities would be subject to discipline, but for not more that 45 school days if the student carries a weapon to or possesses a weapon at school, on school premises, or at a school function under the jurisdiction of a State or local education agency; knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of a State or local education agency; or has inflicted serious bodily injury upon another person while at a school, on school premises, or at a school function under the jurisdiction of a State or local education agency.

- 930* Hearing Officer Removal - Those instances in which an impartial hearing officer (administrative law judge or court order) orders the removal of children with disabilities from their current educational placement to an appropriate alternative educational setting for not more than 45 days based on the hearing officer's determination that the public agency has demonstrated by substantial evidence that maintaining the child's current placement is substantially likely to result in injury to the child and youth or to others.

- 940 Extended Suspension/Expulsion - alternative educational services provided (excluding 45-day unilateral removal of students with disabilities and hearing officer removal.)

- 941 Extended Suspension/Expulsion - parents/students did not avail themselves of recommended educational services (student is withdrawn from school).

- 942 Expulsion - the expulsion process has taken place and no alternative educational services provided (student is withdrawn from school). Not a valid code for students with disabilities.

- 950 Returning to school after a health exclusion.

- 960 In-School Suspension – the exclusion within a school building of a student from the student's regular education program for disciplinary reasons not to exceed 10 school days.

* *Valid codes for students with disabilities only*

Revised 5/06, 7/09

Suspensions from Maryland Public Schools for Weapons and Explosives

01	302	303	503
Firearms	Other Guns	Other Weapons	Explosives
<ul style="list-style-type: none"> • Handgun • Rifle • Shotgun • Starter Pistol • .32 Caliber Gun • .22 Semi Automatic • 9mm Gun • Bomb • Grenade • Missile • Rocket <p>Reminder: Federal Report has 3 categories:</p> <ol style="list-style-type: none"> 1) Handguns 2) Rifles/Shotguns 3) Other Firearms: (i.e. Bombs, Grenades, Rockets, Starter Pistols) 	<ul style="list-style-type: none"> • BB Gun • Flare Gun • Look-Alike Gun (i.e. cap gun, water gun) • Nail Gun • Paint Ball Gun • Pellet Gun 	<ul style="list-style-type: none"> • Awl • Bowie Knife • Brass/Metal Knuckles • Chemicals • Dart • Exacto Knife/Box Cutter type knife • Hammer • Hypodermic Needle • Knife • Laser Pointer • Metal Pole • Nunchakus • Pepper Spray • Pocket Knife (2 ½ " or longer blade) • Pocket Knife (smaller than 2 ½ " blade) • Poison • Razor/Razor Blade • Scissors • Screwdriver • Sling Shot • Steak Knife • Switchblade • Throwing Star 	<ul style="list-style-type: none"> • Bullet • Cherry Bomb • Dry Ice in Bottle • Exploding Pen • Firecrackers • Gas Odor Bomb • Gun Shells • Lighter • M-80 • Model Rocket Fuel • Molotov Cocktail • Poppers • Shotgun Shell • Smoke Bomb • Stink Bomb

*See HandicappedStudents Only for codes that should be utilized for special education students. Rev. 8 /03, 8/04, 9/04

D. Suspension Offense Definitions

The following are definitions that may result in suspension. These offenses might occur in school, on school property, at school sponsored activities, or on school-provided transportation.

Academic Dishonesty / Cheating	Academic dishonesty through cheating, copying, forging signature of teacher and/or parent/legal guardian, plagiarizing, altering records, or assisting another in such actions.
Alcohol	Possession, use or showing evidence of use, sale, or distribution of any alcoholic substances. See Substance Abuse Policy.
Arson / Fire	Attempting to, aiding in, or setting fire to a building or other property. See Arson.
Attack	See Physical Attack.
Bomb	See False Alarm/Bomb Threat.
Bullying/Harassment/ Intimidation	Intentional conduct, including verbal, physical, or written conduct or an intentional electronic communication that creates a hostile educational environment by substantially interfering with a student's educational benefits, opportunities, or performance, or with a student's physical or psychological well being.
Cheating	See Academic Dishonesty/Cheating.
Class Cutting	Unlawfully absent from a class or a school activity.
Classroom Disruption	Behavior which interferes with the learning of others in a classroom, or other learning environment.
Destruction	See Vandalism/Destruction of Property.
Disrespect	Inappropriate comments or physical gestures to teachers, staff members, or others.
Distribution	See Drugs or Unauthorized Sale.
Dress Code Violation	Failure to comply with policy and regulations governing attire, set by the local Board of Education.
Drugs	Possession, use or showing use, sale, or distribution of controlled dangerous substances including prescription drugs, over-the-counter medicines, look-alike drugs, and substances represented as controlled substances or drug paraphernalia. See Substance Abuse Policy
Explosives	Possession, sale, distribution, detonation, or threat of

detonation of an incendiary or explosive material or device including firecrackers, smoke bombs, flares or any combustible or explosive substance or articles, other than a firearm as defined by federal code (18 USC 921). See Explosive Devices - Fireworks - Ammunition.

Extortion	The process of obtaining property from another, with or without threatening or aggressive language or gestures directed toward another student with or without that person's consent, by a wrongful use of force, fear or threat.
False Alarm / Bomb Threat	The conveyance of threats or false information concerning the placement of explosive or destructive substances. Initiating a report warning of a fire or other catastrophe without cause, in person or by phone. Misuse of 911. Discharging a fire extinguisher. See Bomb Threats, False Fire Alarms, and False Statements Regarding Fire Bombs.
Fighting	A physical confrontation involving two or more students. See Fights Involving Police.
Fire	See Arson / Fire.
Firearms	Possession of a firearm as defined in 18 USC 921 of the federal code. Examples include handguns, rifles, shotguns, and bombs. Refer to the federal code for the complete definition. See Violent Acts Including Firearms and Other Weapons.
Guns	See firearms and look-alike firearms.
Harassment	Unwanted and inappropriate verbal, written, or physical conduct, other than sexual harassment, directed toward others.
Hazing	Doing or causing any activity, which recklessly or intentionally subjects a student to the risk of bodily injury or humiliation for the purpose of initiating into a student group or organization; to harass, by exacting unnecessary or demeaning physical or mental work or activity by way of intimidation. Fraternities and Sororities - Hazing.
Inciting / Participating in Disturbance	Disturbing, preventing orderly conduct, or otherwise causing a disruption to the atmosphere of order and discipline in the school necessary for effective learning, other than classroom disruption. See Disturbing Activities.
Inhalants	Possession, use or showing evidence of use, sale, or distribution of any inhalants or other intoxicants. See Substance Abuse Policy.
Insubordination	Refusing to follow directions of teachers, staff, or administration.

Look-alike Firearms / Other Guns	Possession of any gun, of any kind, loaded or unloaded, operable or inoperable, including, any object which is a look-alike of a gun, other than a firearm. See Violent Acts Including Firearms
Pagers	See Portable Communication Devices.
Physical Attack (Student)	Physically pushing, hitting or otherwise attacking another student. See Violent Acts.
Physical Attack (Teacher / Staff)	Physically attacking an employee of the school system or other adult, including striking a staff member who is intervening in a fight or other disruptive activity. See Violent Acts.
Portable Communication Devices	Possession or use of any electronic device which is carried, worn, or transported by a student to receive or communicate messages. See Use of Cell Phones and Pagers
Refusal to Obey School Policies	Failure to comply with school rules, regulations, policies, and/or procedures, not otherwise defined in the suspension codes.
Sale	See Unauthorized Sale or Distribution.
Sexual Activity	Inappropriate behavior of a sexual nature, including indecent exposure, consensual sex, and other sexual activity not identified as sexual assault or harassment.
Sexual Assault	Physical sexual attack on school system staff or another student. See Rape and Sexual Assault
Sexual Harassment	Unwelcome sexual advances, requests for sexual favors, and/or other inappropriate verbal, written, or physical conduct of a sexual nature, directed toward others. See Sexual Harassment of Students
Serious Bodily Injury	(IDEA at 20 U.S.C. § 1415 (k)(7)(D) references the definition for "serious bodily injury" from 18 U.S.C. § 1365 (h)(3) means bodily injury which involves (a) substantial risk of death; (b) extreme physical pain; (c) protracted and obvious disfigurement; or (d) protracted loss or impairment of a function of a bodily member, organ or mental faculty.
Tardiness	Late to school or class.
Theft	Taking or obtaining property of another without permission and/or knowledge of the owner.
Threat	See Verbal or Physical Threat.
Tobacco	Possession, use, sale or distribution of tobacco or tobacco products. See Tobacco on School Premises

Trespassing	Unauthorized presence on school property, including while on suspension. See Trespass Law
Truancy	Unlawfully absent from school or classes for a school day or a portion of the school day. A student shall not be suspended from school for truancy.
Unauthorized Sale or Distribution	Unapproved sale or distribution of items not otherwise defined in the suspension codes.
Vandalism/Destruction of Property	Damage, destruction or defacement of property belonging to the school or others. See Destruction of School Property
Verbal or Physical Threat (Student)	Threatening or aggressive language or gestures directed toward another student. See Violent Acts
Verbal or Physical Threat (Teacher/Staff/Others) Weapons	Threatening or aggressive language or gestures directed toward a staff member or others. See Violent Acts

VI. Student Discipline Records: Discipline records will be maintained in a separate file from the cumulative record.

A new discipline record shall be kept for students each year. Discipline records, including electronic systems and back up files, from previous years will be destroyed, after maintaining them in a separate file for a period of two years, with the exception of drug/alcohol and violence violations. In these cases, violations are cumulative over a student's school career, beginning with the age of responsibility (seven years of age).

A. Records maintained for disciplinary purposes fall into two (2) categories:

1. Suspension Notices (Called Discipline Records by MSDE) - includes information which supports or verifies the out-of-school suspension (for 1 or more days) or expulsion of a student; at a minimum this information must include a description of the student's behavior that resulted in disciplinary action, and a copy of the correspondence sent to the parents/legal guardians informing them of the student's suspension or expulsion. (Note: "reportable offenses" are specifically excluded from being part of the student record.) Discipline information must include suspension and extended suspension and expulsion information.

- a. Suspension notices shall be maintained in the student's cumulative folder.
- b. Suspension notices must be maintained until the student graduates or completes his/her education program or the student becomes 21 years of age

2. Other Disciplinary Information - includes information regarding actions other than suspension or expulsion taken to correct the student's behavior, and information describing the student's behavior that resulted in disciplinary action. This information may include: office referrals, exclusion from the classroom, detentions, etc.

- a. Other disciplinary records, including electronic systems and back up files will be destroyed after maintaining them for two years plus the current year.

B. Drug/Alcohol and violence violations are disciplinary records and these violations are cumulative over a student's school career, beginning with the age of responsibility (seven years of age).

C. Suspension notices must be sent to other schools or other school systems when a student transfers. If other disciplinary information exists in the student record, at the time a transfer request is received, that information should also be transferred.

DESIGNATION OF “ACTING PRINCIPAL” OR HIGHEST AUTHORITY”*

When the Principal of a school is unavailable to the assigned building or site or an area within that building or site, or at any school related function, an Assistant Principal shall be designated to serve as “Acting Principal” to act in his/her absence on all matters involving the safe and orderly operation of the school, student discipline, and interactions with the public. If there is no Assistant Principal available, the Principal shall designate another employee to serve as “Acting Principal.” The Principal may designate an employee to serve as an “Acting Assistant Principal” to act in his/her absence and supervise school related functions that take place away from school.

**Board Policy CI*

8/98

REPORTING TO THE SUPERINTENDENT

Principals shall report to the Superintendent of Schools, in writing, or by e-mail all incidents or issues that are serious or have serious implications such as:

- Police involvement in school matters
- Injury requiring hospital treatment
- Issues that may generate media attention
- Issues concerning large numbers of the school community

Implementation

- A. The Principal shall communicate via e-mail or phone with the Director of Student Services, and the appropriate level Director, Elementary, Middle or High, regarding any incident which requires immediate assistance/advice.
- B. If the incident occurs during non-school hours and requires immediate assistance or advice, the principal shall contact the appropriate Directors via Nextel phone.
- C. All incidents, whether or not requiring immediate assistance or advice, shall be documented in writing and e-mailed or sent to the Superintendent, appropriate Assistant Superintendent, the Director of Student Services and the appropriate level Director, Elementary, Middle, High, as soon as possible.

Revised 8/98, 8/00, 7/01, 3/06

STUDENT CONDUCT ON SCHOOL BUSES - SUSPENSION OF BUS RIDING PRIVILEGES

I. Board of Education Policy EEACC states:

The responsibility for denying a pupil the privilege of riding a school bus rests with the school principal. Parents/Legal Guardians shall be notified by the principal when action to suspend riding privileges is taken.

Drivers shall notify principals of circumstances and details pertaining to problems with pupils on the school bus.

Principals shall exercise their responsibility to warn the pupils or to suspend riding privileges, depending on the severity and the nature of the case.

Drivers may deny a pupil the privilege of riding a bus only when the behavior of the pupil is such that it endangers the safety of the other pupils on the bus. The driver may tell the student he/she cannot ride the next morning. The bus driver shall immediately contact the principal or supervisor of transportation. The principal will contact the parents/legal guardians. Any action taken after that is determined by the principal.

All pupils transported at public expense shall conform with rules and regulations governing such service.

Pupils who have had bus riding privileges suspended are required to attend school regularly.

Additionally, recent Maryland legislation states that "a person may not obstruct, hinder, or interfere with a school bus driver while the school bus driver is engaged in the performance of the school bus driver's official duties. Any person found in violation of this law will be guilty of a misdemeanor and subject to a fine of up to \$1000 and/or imprisonment of up to 90 days."

II. Implementation

Refer to the Pupil Transportation Handbook for procedures to be followed.

APPROVED: 1972
REVISED: 8/79, 11/90, 8/91

SEVERE BEHAVIOR PROBLEMS OVERT ACTS DEMANDING ACTION

- I. Types of severe behaviors include but are not limited to:
 - A. Threats by one student to the safety and welfare of another (Public School Law 26-101)
 - B. Injury inflicted on one student by another
 - C. Fights resulting in injury, disturbing others, or interrupting the normal operations of the school (Policy ADD)
 - D. Vile or abusive language toward teachers or other members of the staff
 - E. Wanton destruction of school property or private property (Public School Law 26-102)
 - F. Molesting or fondling of one student by another (Public School Law 26-101)
 - G. Extortion or theft of any kind
 - H. Assault or battery by students directed toward teachers, staff members, visitors or volunteers (Policy ADD)
 - I. Continuous disruption of the orderly educational process by a student, or students, at any given school (Public School Law 26-101)
 - J. Insubordination
 - K. Possession of weapons (Article 27, Section 36 A. and B.) or look-alike weapons (Policies JFCJ and ADD)
 - L. Use or possession of alcoholic beverages, narcotics, dangerous drugs and/or paraphernalia. (see Substance Abuse Policy)
- II. Procedure to be followed for school behaviors
 - A. Specific incidents shall be cited and documented (complete description of the incident, location, date, time, and people involved) with names and addresses of complainants, witnesses and accused.
 - B. Parents/Legal Guardians of students involved shall be contacted by the school and requested to come to the school where a full explanation of the incident is given by the Principal or the administrator in charge. The parents/legal guardians shall be informed of the steps which the school plans to pursue.*

* *Incidents regarding certain violations, including alcohol/drugs and weapons, have specific regulations that shall be followed. Such regulations are found elsewhere in this manual.*

Where attempts to reach the parents/legal guardians by the end of the day have been unsuccessful, Student Services shall be requested by the principal to contact the parents/legal guardians as soon as possible to arrange a conference at the school. If this conference is unsuccessful in resolving the problem, or if the parents/legal guardians are uncooperative in the arrangement of such conference, the student may be suspended pending further action by the school authorities. If the student's physical presence within the school, after committing such an act, represents a threat to the health and/or safety of others in the judgment of the principal, the student should immediately be removed from the school by the parents/legal guardians, Pupil Personnel Worker or police. If no responsible adult is available at the student's home, other arrangements will be made by the Pupil Personnel Worker. The student should be required to remain at home until such arrangements are completed for resolving the situation.

- C. Once the procedures outlined in A. and B. above have been taken, a full written report shall be given to Student Services within forty-eight (48) hours.
- D. In cases where the delay in investigative procedures takes longer than 10 school days, it shall be the responsibility of the principal, in consultation with Student Services, to take further action. Such action may be to recommend the:
 - 1. extension of the suspension, if the student was suspended, until the case is resolved.
 - 2. withdrawal of the student for the remainder of the year.
 - 3. expulsion of the student.
- E. Involving the police when students fight in school or on school property

When there is an instance of severe fighting, the appropriate police department should be called. In almost all instances, the police will not arrive in time to witness the fight. Therefore, they cannot arrest the student(s). Thus, it becomes necessary for the school administrator to complete a Juvenile Complaint Form. Student(s) should be charged with "affray," "assault," "battery" or "disturbing the peace".

("Affray" is defined as: "Fights resulting in injury, disturbing others, or interrupting the normal operations of the school. This includes the fighting of two or more persons to the disturbance of others, i.e., where two or more persons voluntarily or by agreement engage in any fight, or use any blows or violence towards each other in an angry or quarrelsome manner.")

REPORTABLE OFFENSES

The Student Safety and Support Act enacted by the General Assembly of the State of Maryland in October 1995 requires the reporting of certain crimes, committed in the community, to the local superintendent of schools or his designee. These crimes are: abduction; arson; burglary; kidnapping; manslaughter; murder; rape; robbery (to include carjacking); sexual offenses in the first, second and third degrees; attempts to commit these crimes; use of a handgun in the commission of a felony; carrying a deadly weapon on school property; carrying a concealed deadly weapon; assault with intent to murder, rape, rob (to include carjacking), or commit sexual offenses in the first, second or third degrees; possession of explosives or explosive devices; the possession of a controlled dangerous substance with intent to distribute; first degree assault; and offenses involving gang affiliation.

A. Reportable Offense OFF School Property

1. As the Superintendent's Designee, the Coordinator of School Security will confirm the charge(s) with the appropriate law enforcement agency, obtain supporting documentation, and determine the specifics of the case, including the condition of any victims. Once confirmed, the Coordinator of School Security will notify the Superintendent, the Director of Student Services, the appropriate Pupil Personnel Worker, and the appropriate school administrator.
2. The Coordinator of School Security, in conjunction with the school administrator, Pupil Personnel Worker, and other applicable staff will, within three (3) school days form an assessment team. The Coordinator of School Security will schedule the meeting. (The Pupil Personnel Worker will do so in the absence of the Coordinator) The Pupil Personnel Worker will prepare any pertinent information for the meeting and investigate possible educational programs/placements.

The team will develop an educational placement or program, and related services for the involved student that maintains a safe and secure environment for the individual student as well as all students and school personnel. The administrator will chair this assessment team. The involved student's parents/legal guardians shall be invited to attend the assessment team meeting to share pertinent information; after which, at the discretion of the administrator they may be excused from the meeting prior to a discussion and decision by the assessment team. Whenever appropriate the student should be invited to attend with his/her parents. If the student in question is handicapped, the assessment meeting shall include appropriate staff to convene an IEP/504 meeting simultaneously or subsequently, to determine if the IEP/504 plan needs to be revised to reflect needed services or a change in placement.

3. The Pupil Personnel Worker, in a memo to the Superintendent will summarize the educational placement decision and/or related services as determined by the assessment committee.
4. If the plan results in a change to the student's educational placement or program and related services, and the parents/legal guardians were not part of the assessment team, the principal/designee shall promptly inform the parents/legal guardians of the plan.
5. The Pupil Personnel Worker will provide in writing to the parents/legal guardian, the decision of the assessment team and will facilitate any changes in the student's educational placement or program and related services.

6. The Pupil Personnel Worker will monitor the legal status of the case and will schedule a review as required in the regulations.
 - Immediately upon notification from the State's Attorney of the disposition of the reportable offense, or
 - Every three (3) months, pending notification from the State's Attorney, until the charges are resolved or a safe and secure school environment is established and maintained.
 - When a student is adjudicated and placed in a juvenile facility, the student is withdrawn from Carroll County Public Schools until he/she returns to the community. Upon notice of the student's return and request for re-entry to Carroll County Public Schools, the assessment team will review the student's placement and make appropriate recommendations.
7. Parents/Legal Guardians and students may appeal the decision of the assessment team in writing to the Superintendent of Schools within 10 days of receipt of the notice of the educational placement or program of the student.
8. While a student is incarcerated, Carroll County Public Schools may or may not provide an educational program.

B. Reportable Offense ON School Property

1. The Coordinator of School Security will notify the Director of Student Services and Pupil Personnel Worker of the reportable offense.
2. The Coordinator of School Security and/or Director of Student Services will work with the school administrator to determine if the disciplinary action taken resulted in an appropriate placement or program for the student (including that there is no need for a change in educational placement, program, or related services). If so, the need for no further action by the assessment committee will be documented in a memo to the Superintendent. If not, a full assessment team will be convened as outlined in A.2 above.

NOTE: *If the student charged with committing the severe incident is receiving services through IDEA or 504, an IEP/504 team shall convene to ensure that the IEP/504 accommodations will be provided in the designated educational program/placement.*

If the student who has been arrested is an identified student with disabilities who has been enrolled by the public school system in a non public school program, the local superintendent or designee shall provide the principal of the non public school with the arrest information.

Revised 3/96, 11/96, 8/97, 8/99, 7/00, 8/00, 7/01, 8/04, 7/05, 11/07, 5/08

**CARROLL COUNTY PUBLIC SCHOOLS
ADMINISTRATIVE REGULATIONS**

BOARD POLICY JGA: CORPORAL PUNISHMENT

- I. State Regulations:
 - A. COMAR 13A.08.01.11.A: Each local board of education is required to adopt a set of regulations designed to maintain an atmosphere of order and discipline necessary for effective learning. These regulations should provide for counseling and standards for appropriate disciplinary measures, and may permit suspension, or expulsion.
 - B. COMAR 13A.08.01.11.E: Corporal punishment may not be used to discipline a student in a public school in the State of Maryland.

- II. Carroll County Public Schools' Regulations:

Corporal punishment may not be used to discipline a student in a Carroll County Public School, on Carroll County Public Schools property, or at a Carroll County Public School sponsored activity. Persons of authority who inflict corporal punishment on a student will be:

 - A. Reported to appropriate agencies for investigation of possible child abuse
 - B. Subject to Disciplinary Action

- III. Definitions:
 - A. Person of authority is a Carroll County Public Schools' employee or volunteer.
 - B. Corporal punishment means physical punishment used by a person of authority to correct student misbehavior. Approved behavioral interventions, such as defending one's self from an attack, approved methods of physical restraint, or intervening in student fight or physical struggle are not considered corporal punishment.

- IV. Implementation
 - A. Corporal punishment inflicted:
 - 1. Use of corporal punishment shall be immediately reported to the principal who shall immediately report it to the Director of Student Services and the appropriate elementary, middle, or high school director. The Director of Student Services is responsible for notifying the Director of Human Resources and assistant superintendent(s).

2. The principal will follow the Carroll County Public Schools' staff/student relationship regulations in handling incidents of a Carroll County Public Schools' employee inflicting corporal punishment on a student.
3. In addition, if there is a reason to believe child abuse has occurred, the Carroll County Public Schools' child abuse regulations shall be followed.
4. Employees of Carroll County Public Schools who have knowledge of the infliction of corporal punishment but fail to report it will be disciplined as appropriate.
 - B. If a child is injured as the result of an approved behavioral intervention by a person of authority, school-based administrators should:
 1. Request the teacher to document the incident, including the activities both preceding and following the incident.
 2. Notify the parents of the student who attacked the staff member to inform them of the incident as well as any disciplinary consequences for the student.
 3. Notify the Director of Student Services and the appropriate elementary, middle, or high school director. The Director of Student Services is responsible for notifying the Director of Human Resources of the incident. If the incident occurs during non-school hours, a phone call should be made the next school day unless the situation requires immediate advisement.
 4. Submit a detailed written report of the incident to the Superintendent's office and the Director's office as soon as possible.

STUDENT UNREST

I. In the case of student unrest, the following guidelines are provided for your consideration. In viewing these guidelines, several points should be recognized:

A. Any policy developed should have as its primary goal to return the school to a normal situation as quickly as possible.

Over reaction to the situation may change a minor incident into a major disturbance.

The cause for any demonstration should be ascertained and preventive measures established.

II. The following procedures are recommended for dealing with any student disturbances that have reached such proportions that they cannot be handled through normal disciplinary procedures. As these recommendations are examined, more expedient methods may be more applicable in certain situations. Administrators and faculties are encouraged to improve upon the guide mentioned below.

A. Student involvement only

1. The superintendent of schools and appropriate director should be notified immediately of the disturbance.

- a. Type
- b. Severity

2. When appropriate, the principal will notify faculty/staff, by some prearranged procedure designed not to disturb unaffected students. It will be the responsibility of the teachers to keep all students in the classroom; prepare a list of the names of students in the room and await further instructions. Students are not to congregate in any teacher's room when they are not assigned and should be told to go, or escorted, directly to their assigned area. It may be advisable that teachers be directed to lock doors to keep dissidents out of the classroom. A liaison should be established to keep the teachers aware of the situation. It may not be appropriate to use the intercom in this instance. Principals may want to turn off the bells so students will remain in their present rooms until the unrest is under control.

3. The principal will indicate to the students involved in a disturbance that there are acceptable channels for voicing their grievances and that they will be given (a reasonable amount of) minutes to return to their classes or other assigned areas. If appropriate, a student or students, may be selected by the administration to further discuss the students' grievances while others return to their assigned classes/locations.

4. After the time mentioned in 3., if the students have not returned to their assigned areas, teachers will be assigned to take down names of all students who have not complied.

5. If time permits, every effort will be made to contact the parents/legal guardians of the students involved in the disturbance. Parents/Legal Guardians will be given a reasonable time to confer with their children in an effort to dissolve them from their

activities. Parents/Legal Guardians should be made aware of the offense and possible consequences.

6. Students who return to classes at this time will be dealt with according to the severity of their involvement.
7. Students who leave the building at this time will be considered unlawfully absent. Parents/Legal Guardians will be notified of this truancy and appropriate consequences will result.
8. The principal will once again ask the students to return to their assigned areas. Students who refuse to comply at this time will be suspended and the police will be notified to remove those involved in the disturbance. Those students who must be removed by the police will be subject to possible expulsion by the Board of Education.
9. In the event of physical violence involving the safety of any student or professional, Step 8. will be instituted immediately. Obtain names of students observed involved in violence, vandalism, property damage, and verbal or physical assault. Make written note of time, place, and nature of involvement. This information should be gathered by any professional observing and the data given to the administrator in charge. This information may become useful if an expulsion is warranted and can also be made available for possible court action.
10. A written report should be submitted to the superintendent and the appropriate director immediately following the incident.

B. Non-student involvement - In the event of non-students being involved in disturbances in school, the following course of action is recommended:

1. The school employee who observes a potentially disruptive individual or group should make employee status known and request information and reasons for presence in the building. This right is established by The Public School Laws of Maryland, Section 26-102.
2. If it is determined that the individual has no legitimate business in the building, the person should be asked to leave by the authorized individual or employee.
3. If the non-students agree to leave the building, the employee should accompany them from the school property. (A record should be kept containing names, places, times, and actual disturbances if at all possible.)
4. If the non-students refuse to leave the building, the authorized professional should notify the intruders that they are in violation of The Public School Laws of Maryland, Section 26-102 subject to arrest. If the professional involved at this point is not the school administrator, the school administrator should be notified.
5. When appropriate, the principal will notify faculty/staff, by some prearranged procedure designed not to disturb unaffected students. It will be the responsibility of the teachers to keep all students in the classroom; prepare a list of the names of students in the room and await further instructions. Students are not to congregate in any teacher's room when they are not assigned and should be told to go, or escorted, directly to their

assigned area. It may be advisable that teachers be directed to lock doors to keep dissidents out of the classroom. A liaison should be established to keep the teachers aware of the situation. It may not be appropriate to use the intercom in this instance. Principals may want to turn off the bells so students will remain in their present rooms until the unrest is under control.

6. At this point, the school administrator should call the police. A professional should remain with the non-students until the police arrive. Those responsible for the disturbance should then be removed by the police and are subject to prosecution.
7. In the event of physical violence involving the safety of any student or professional, step 6 will be instituted immediately. Obtain names of non-students observed involved in violence, vandalism, property damage, and verbal or physical assault. Make written note of time, place, and nature of involvement. This information should be gathered by any professional observing and the data given to the administrator in charge. This information may become useful if an arrest is made and can also be made available for possible court action.
8. A written report should be submitted to the superintendent and the appropriate director immediately following the incident.

**CARROLL COUNTY PUBLIC SCHOOLS
ADMINISTRATIVE REGULATIONS**

BOARD POLICY JPA: SUBSTANCE ABUSE

Board of Education of Carroll County policy, as well as, administrative and disciplinary regulations are designed to support the concept that substance abuse is both a health care problem and an illegal act. Violations of alcohol/drug laws will be handled as school disciplinary infractions, as well as, illegal actions. In all cases, parents and students are advised that appropriate law enforcement agencies will be contacted by school system officials immediately upon the discovery of any alcohol/drug use, possession or distribution in school, on any school property or during any school sponsored function.

I. Policies

- IGAD Alcohol and Drug Education Instructional Program
- GBN Drug-Free Workplace Board Policy

II. Discipline Regulations for School Infractions

A. Possession/Use of a Student's Own Prescription and/or Over-the-Counter Drugs/Medication (unless authorized to carry by a health care provider) and Distribution of Over-the-Counter Drugs/Medication Within Proper Dosage

1. Students under the age of responsibility (7 years old) who have not sought school authorization: The Principal will determine appropriate action, taking into consideration the severity of the offense.
2. Students over the age of responsibility (7 years old) who have not sought school authorization:
 - a. First Offense – The Principal will determine appropriate action depending upon the severity of the offense. Examples include:
 - 1) Parent Conference
 - 2) In School Suspension
 - 3) Out of School Suspension: Refusal to cooperate with school policies/regulations (code 807), non-cumulative offense
 - 4) Out of School Suspension: Drugs (code 203), cumulative offense
 - b. Second and Subsequent Offenses
Disciplinary action taken for the first offense shall determine the action to be taken for second and subsequent offenses.
 - 1) If a cumulative drug suspension was assigned for the first offense, then the second and third offense regulations for students who use alcohol/drugs or inhalants (listed in the next section) shall be followed respectively.
 - 2) If a non-cumulative suspension or lesser consequence was assigned for the first offense, then the Principal will determine appropriate action for second and subsequent offenses, taking into consideration the severity of the offense. The Principal may either:
 - a) Apply consequences as listed under “first offense” in this section Or
 - b) Apply first, second, or third offense regulations respectively for students who use alcohol/drugs or inhalants (listed in the next section).

Health issues should be addressed immediately if a student is suspected of drug-induced unconsciousness or illness. Examples include loss of consciousness, severe intoxication, inability to communicate coherently or threat of suicide.

B. Students who use Alcohol/Drugs or Inhalants and Students who Manufacture or Possess Alcohol/Drugs, Inhalants, Drug Paraphernalia or Controlled Paraphernalia (including prescription drugs or over-the-counter drugs/medication if not covered by previous section).

1. Students under the age of responsibility (7 years old): The Principal will determine appropriate action depending upon the severity of the offense.
2. Students over the age of responsibility (7 years old): For all offenses, the following actions shall be taken:
 - a. Contact Coordinator of School Security
 - b. Mandatory referral for alcohol/drug education/treatment program
 - 1) Referrals handled by Junction, Inc. (410-848-6100) or other program with approval of the Director of Student Services
 - 2) Verification that the initial interview has occurred with the referral agency must occur prior to readmission to school
 - 3) Successful completion or continued participation in such a program must occur to remain a student
 - c. Out of School Suspension: Use Cumulative Suspension Code 201 (Alcohol), 202 (Inhalants) or 203 (Drugs)
 - 1) First Offense:
 - a) Suspension from school for five (5) days or
 - b) Suspension from school for ten (10) days and recommendation to the Superintendent for an extended suspension from the assigned school
 - 2) Second Offense: Suspension from school for ten (10) days and recommendation to the Superintendent for an extended suspension from the assigned school.
 - 3) Third Offense: Suspension from school for ten (10) days and recommendation to the Superintendent for expulsion from Carroll County Public Schools.
 - d. Involvement of appropriate law enforcement

Health issues should be addressed immediately if a student is suspected of drug-induced unconsciousness or illness. Examples include loss of consciousness, severe intoxication, inability to communicate coherently or threat of suicide.

C. Students who Attempt to Distribute or Distribute Alcohol/Drugs (including Over-the-Counter Drugs/Medication in Excess of the Recommended Dosage and Any Amount of Prescription Drugs) and Students who Attempt to Distribute or Distribute Drug Paraphernalia, Controlled Paraphernalia or Inhalants

1. Students under the age of responsibility (7 years old): The Principal will determine appropriate action depending upon the severity of the offense.
2. Students over the age of responsibility (7 years old): For all offenses, the following actions shall be taken:
 - a. Contact Coordinator of School Security
 - b. Mandatory referral for alcohol/drug education/treatment program
 - 1) Referrals handled by Junction, Inc. (410-848-6100) or other program with approval of the Director of Student Services
 - 2) Verification that the initial interview has occurred with the referral agency must occur prior to readmission to school
 - 3) Successful completion or continued participation in such a program must occur to remain a student
 - c. Out of School Suspension: Use Cumulative Suspension Code 210 (Alcohol), 202 (Inhalants) or 203 (Drugs)
 - 1) Suspension from school for ten (10) days and a recommendation to the Superintendent for an extended suspension form the assigned school.
 - 2) Suspension from school for ten (10) days and a recommendation to the Superintendent for an expulsion from Carroll County Public Schools

D. Students who solicit the Purchase or Transfer of Drugs, Alcohol, Inhalants, or Paraphernalia

1. Contact Coordinator of School Security
2. Non-Cumulative Suspension from school as appropriate up to three (3) days (suspension code 807/Refusal to Cooperate with School Policies/Regulations)
3. Refer to the Student Assistance Team or offer referral for optional alcohol/drug education/treatment program

E. Students who Possess and/or Use Tobacco on School Premises (See Possession and/or Use of Tobacco on School Premises (Policy JFCG))

F. Deviations from Any of the Above Regulations

In unusual situations for which the Principal feels a deviation from any of the aforementioned regulations may be warranted (more severe, less severe or modified consequences), he/she shall consult with the Director of Student Services or school level Director.

G. Other Guidelines

1. These regulations refer to infractions committed on school property, at school sponsored or related functions, and school sponsored travel.
2. When an educator comes into possession of suspected drugs or suspicious substances, the administrator shall notify the Coordinator of School Security. The item(s) should immediately be placed in an envelope or other container and labeled with the date, time, and circumstances. The item(s) should not be touched or tasted and shall be kept under lock and key by the administrator.
3. Violations of these regulations affect student eligibility for participation in extracurricular activities as described in "High School Eligibility – Extracurricular Activities."
4. Any students under extended suspension or expulsion from another school system for violations of comparable regulations who are seeking enrollment in Carroll County Public Schools should be referred to the appropriate Pupil Personnel Worker to determine eligibility for enrollment.
5. Additional information regarding laws and guidelines for dealing with substance abuse, substance users and other related information is included in the Student Welfare section (IX) of this handbook.

III. Definitions

Alcohol/Drugs:	Any controlled dangerous substance, drug paraphernalia, controlled paraphernalia, look-alike drugs, alcohol, over-the-counter drugs/medications, inhalants, prescription drugs, or any man made or natural occurring substance used for the purpose of altering behaviors, mood, or for changing the brain or nervous system.
Controlled Paraphernalia:	Includes hypodermic syringes, needles, or other instruments used to administer controlled substances, as well as, gelatin capsules, glassine envelopes, and other packaging of equipment intended to be used in the distribution of controlled substances.
Cumulative Suspension:	Suspension offenses coded as 201 (Alcohol), 202 (Drugs), and 203 (Inhalants) carry over from one year to the next, and accumulate for a student's entire school career.
Distribution:	Participating in the transfer, or attempted transfer, of alcohol or drugs, as defined in this section, to another person with or without the exchange of money or other valuables or possessing a quantity of such a substance for use by others as determined by the State's Attorney after investigation by the local or Maryland State Police.
Drug Paraphernalia:	Includes all equipment, products, and materials of any kind which are used, intended for use, or designed for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled dangerous substance.

Inhalant: Any odor, gas, particle, fume or vapor deliberately inhaled for the purpose of altering behavior, mood, or changing the brain or nervous system.

Possession: Having alcohol, drugs, or paraphernalia on one's personal property, or having such substance under one's control.

Constructive Possession: Failing to remove oneself as quickly and safely as possible from a person, area, or situation where alcohol/drugs are illegally possessed.

Revised 5/08

ARSON

I. According to Article 27, Section 7 of the Annotated Code of Maryland:

Any person who willfully and maliciously sets fire to or burns or causes to be burned or who aids, counsels or procures the burning of any...school or other public building shall be guilty of a felony and upon conviction thereof, be sentenced to the penitentiary for not more than twenty years.

II. Implementation

- A. Call the Fire Marshall
- B. Immediate suspension
- C. Report to the Superintendent
- D. Serious instances may indicate a recommendation to the Superintendent for extended suspension or expulsion
- E. Restitution for all damages will be expected

ARSON THREATS

I. Any person who makes an arson threat may be fined \$10,000, given a ten year jail sentence or both, at the judge's discretion. It is a misdemeanor for person to knowingly make false statements regarding arson threats.

- A. Implementation
- B. Call the Fire Marshall
- C. Immediate suspension
- D. Report to the appropriate director
- E. Serious instances may indicate a recommendation to the Superintendent for extended suspension or expulsion

DESTRUCTION OF SCHOOL PROPERTY

If a student violates a state or local law or regulation and during or as a result of the commission of that violation damages, destroys, or substantially decreases the value of school property or property of another who was on school property at the time of the violation, he/she is subject to one or more of the following:

1. As part of a conference on the matter with the student, the student's parent/legal guardian, and any other appropriate person, the principal shall require the student or the student's parent/legal guardian to made restitution. This restitution for damages may be in the form of monetary restitution not to exceed the lesser of the fair market value of the property or \$2,500, or the student may be assigned to a school work project.*
2. Involvement of the appropriate law enforcement agency.
3. Suspension, recommendation for extended suspension or expulsion may be indicated.

* *If the Department of Juvenile Justice is involved, the school may not seek restitution directly. (Article 7-305)*

DISTURBING ACTIVITIES

Article 26, Section 101

I. Disturbing Activities

- A. Willful disturbance of school activities prohibited: A person may not willfully disturb or otherwise willfully prevent the orderly conduct of the activities, administration, or classes of any institution of elementary, secondary or higher education.
- B. Molesting or threatening students or school personnel prohibited: A person may not molest or threaten with bodily harm any student, employee, administrator, agent, or any other individual lawfully on grounds or in the immediate vicinity of any institution of elementary, secondary, or higher education.
- C. Injunction: In addition to the penalties provided in this section or in Article 27, Section 577A of the Code, on application by the governing board of any institution of elementary, secondary, or higher education, the circuit court of the county in which the institution is located may issue an injunction restraining any specific activities that violate this section.
- D. Criminal penalty: Any person who violates any provision of subsection A or B of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1,000, imprisonment no exceeding 6 months, or both.

II. Implementation

- A. This section would apply to the school parking lots and would also be applicable to the streets and roads in the vicinity of the schools.
- B. If any of these violations occur in the presence of a police officer, the officer may arrest the violator without a warrant. However, if the officer is not present to witness the violation, a warrant must be obtained by the appropriate school authority before an arrest can be effected.
 - 1. With non-students
 - a. School employee who observes a potentially disruptive individual or group shall make employee status known and request identification and reasons for presence in the building. The employee then notifies the administrative office at once.
 - b. When it is determined that the individual has no legitimate business in the building, the person is asked to leave by the authorized individual or employee.
 - c. If the non-student intruder agrees to leave the building, the administrator should accompany the person from the school building.
 - d. If the non-student intruder refuses to leave the building, the authorized school employee shall refer to the trespass law (26-101).
 - e. If the non-student intruder refuses to leave, the police shall be called by the school administrator. The administrator or authorized school employee shall remain with the intruder until the police arrive.

- f. The teacher or school administrator shall report the incident to the immediate supervisor by submitting a written report immediately following the incident.

2. With Students

- a. Student or group is reported to the administration in the most expedient way.
- b. The employee(s) or administrator(s) observing the actual or potential disturbance directs the student or group to an area appropriate for dealing with the problem.
- c. The administrator informs the student or group of the applicable law and consequences, including calling the police for assistance.
- d. The administrator secures names of the students or group members.
- e. Parent contact is made by the administration to inform the parents/legal guardians of the student's offense and of the school's action.
- f. If the student or group remains uncooperative and constitutes a menace to school employees, other students, or school property, an immediate call is made to the police.
- g. Student or group is kept under surveillance by administrators and others designated to assist until police arrive.
- h. The teacher or school administrator should report the incident to the immediate supervisor and submit a written report of the incident immediately.

EXPLOSIVE DEVICES – FIREWORKS – AMMUNITION

- I. According to Article 27, Section 119, of the Annotated Code of Maryland, "Every person, his aiders or abettors, who shall willfully and maliciously dynamite, blow up or otherwise, by means of any explosives ("Explosives" means gunpowder, powders for blasting, high "explosives" blasting materials, fuses (other than electric circuit breakers), detonators, and other detonating agents, smokeless powder and any chemical compound or any mechanical mixture containing any oxidizing and combustible units, or other ingredients in such proportions, quantities, or packing that ignition by fire, friction, concussion, percussion or detonation of any part thereof may and is intended to cause an explosion, including bombs and destructive devices designed to operate by chemical, mechanical or explosive action but shall not include fixed ammunition for small arms, small arms ammunition primers, small arms percussion caps, safety and pyrotechnic fuses, quills, quick and slow matches, friction primers, fireworks, or common matches when used in their original configuration. (From Article 18A § 26 Annotated Code of Maryland)...wreck, destroy, injure or damage...any property whether real or personal, public or private, shall be guilty of a felony..."
- II. According to Article 38A, Sections 16 and 17, of the Annotated Code of Maryland, "It is unlawful for any person to discharge fireworks without a permit...or to possess fireworks, either with the intention of discharging or permitting the discharge thereof..."

III. Implementation:

Should a student be in violation of these laws or be in possession of ammunition at school functions or upon a school bus, the principal shall:

- A. In less serious cases, suspend the student from school for up to five days.*
- B. Involve the appropriate law enforcement agency and the Fire Marshall.
- C. In serious cases involving explosive devices, ammunition or fireworks, the principal shall:
 1. Report to the superintendent immediately.
 2. Suspend the student for ten days and recommend to the superintendent an extended suspension for one year from the assigned school, or expulsion from the Carroll County Public Schools. (See Violent Acts)
 3. Refer the student and parent/legal guardian for outside counseling/treatment.
- D. In case of firearms and other weapons on school property or at school events, see Violent Acts Including Firearms and Other Weapons.

* *If a student is identified or is suspected to be a disabled student (through IDEA or Section 504 of the Rehabilitation Act), see Suspension and Expulsion of Students with Disabilities*

**CARROLL COUNTY PUBLIC SCHOOLS
ADMINISTRATIVE REGULATIONS**

**BOARD POLICY JFCG: POSSESSION AND/OR USE OF TOBACCO ON SCHOOL
PREMISES BY STUDENTS**

I. Overview

The State Board of Education requires each local school system to maintain a tobacco-free school environment and states the sale or use of tobacco in any form is prohibited in school buildings at all times. In addition, the sale or use of tobacco in any form is prohibited on school grounds during the official school day. (COMAR 13A.02.04.03). *

The Board of Education of Carroll recognizes the use of tobacco as a serious threat to health. In an effort to continue improving the total educational environment, the Board of Education approved Policy JFCG.

II. Policy JFCG states: The possession and/or use of tobacco by students on school premises or at school functions is prohibited.

COMAR 13A.08.01.08B states: Students are prohibited from using tobacco in any form on the school premises. (Maryland Law (Art. 27, 405A) prohibits use and possession of tobacco products by minors. A violation of this prohibition is a civil offense).

III. Implementation

A. The focus of the Board policy, as well as instructional strategies and disciplinary regulations, will continue to be that tobacco use is a serious threat to health and that Carroll County Public Schools will seek to discourage tobacco use by students.

B. Educational programs and activities to inform students of the health threat posed by tobacco use will include:

1. The health curriculum will be evaluated regularly to insure maximum impact on student behavior.
2. Sources of clinical and counseling assistance within the community will be included within the health curriculum.
3. Orientation programs/activities/communications will be developed by school Principals to assure advisement and understanding.

C. The Board of Education shall be provided an annual report on progress made toward reducing student use of tobacco and the impact of this policy.

IV. Violations of Policy JFCG by students will be handled as school disciplinary infractions as well as student health concerns. The following guidelines are for school administrators:

A. First Offense

- Assign the student to the first Tobacco Education Group (TEG) program (TEG 1).
- Failure to complete the TEG program assignment will result in a 3 day suspension for failure to obey school policy.

B. Second Offense

- Assign the student to the TEG 1 program (if not completed on the first offense) or to the TEG 2 program.
- Failure to complete the TEG program assignment will result in a 3 day suspension for failure to obey school policy.
- File a letter of complaint with the Department of Juvenile Services

C. Third Offense

- Assign the student to the TEG 1 or the TEG 2 program (if not completed on previous offenses) AND a 3 day suspension for tobacco violation.
- Failure to complete the TEG program assignment will result in a 2 day suspension for failure to obey school policy.
- If the student has already completed the TEG 1 and TEG 2 programs, a 5 day suspension will be assigned with a parent conference.
- Notify the Pupil Personnel Worker
- Contact the police to request a citation be issued (should the police elect not to issue the citation, the school administrator may file a complaint regarding the student with the Department of Juvenile Services).

D. Fourth Offense

- Assign the student a 10 day suspension AND make a recommendation to the Superintendent of Schools for an extended suspension from that school.
- Contact the police to request a citation be issued (should the police elect not to issue the citation, the school administrator may file a complaint regarding the student with the Department of Juvenile Services).

V. Assigning a Student to the Tobacco Education Group program

A. Secondary Students

1. Tobacco Education Groups will be held two Saturdays of each month, at Carroll Community College by the Carroll County Health Department. Dates will be determined by the Health Department in collaboration with Carroll County Public Schools.
2. School administrators will make assignments to the Tobacco Education Group. Students assigned to the tobacco education group will be required to carry the parent letter home to obtain parent signature and return it to their school administrator prior to their assigned date to attend the program.

3. It is the assigned student's parent/guardian's responsibility to contact the Tobacco Education Group program coordinator at the Carroll County Health Department @ 410-876-4818 to register their student for the class. The parent will need to provide the following information to the Tobacco Education Group program coordinator:
 - a. Student's name
 - b. Telephone number
 - c. Home school
 - d. Administrator contact
4. Students must be present by no later than 9:00 a.m. Late students will not be admitted. Students will be dismissed at 2:30 p.m. Parents are expected to provide appropriate transportation. Supervision will be provided beginning at 7:30 a.m. NOTE: Should there be inclement weather, listen to WTTR (1470) for cancellation notice.
5. Lunch will be provided to students free of charge.
6. Students will complete all assigned activities. Appropriate behavior is expected of each student throughout the entire session.
7. The Tobacco Education Group program coordinator for the Carroll County Health Department will notify schools on the Monday morning following the assignment concerning the disposition of students who attended the TEG program.

B. Elementary Students

1. The smoking education program for elementary students will be done by the tobacco prevention educators at the Carroll County Health Department.
2. School administrators will contact Barbara White at the Carroll County Health Department (410-876-4443) to notify her of the student tobacco violation. Information will be given in writing to her regarding:
 - A. Student's name and grade
 - B. Parents'/Legal guardians' names and telephone number
 - C. Home school
 - D. Administrative contact and phone number
 - E. Circumstances leading to the referral
3. Parents/legal guardians will be responsible for attending the program with their child and for providing transportation.
4. The school administrator will communicate with the parent/legal guardian. A letter explaining the program will also be given to the parent/legal guardian in regard to the requirement to contact the Carroll County Health Department for smoking education program.

5. Students will have to meet these requirements for successful completion of their assignment to the smoking education program:
 - A. They will be required to complete all activities assigned by the smoking education program teacher.
 - B. They will obey all rules and regulations
6. Carroll county health department staff will provide written verification indicating the student has completed the program. The student will bring the written verification to the school administrator the following day.
7. Carroll County Health Department staff will notify the administrative staff concerning the disposition of each student assigned, as soon s possible after the completion of the program (if the student and parent do not make the scheduled appointment the school will be notified).
8. Failure to follow the rules of the program will result in the student being suspended from his/her home school for three school days by the school administrator.
9. The elementary smoking education program will be held at Carroll County Health Department, 290 South Center Street, Westminster, MD or site to be determined by tobacco prevention educators.

Tobacco Education Programs

Student: _____
 Date to participate: _____
 Reason for Assignment: _____

Home phone: _____
 School: _____
 Administrator: _____

Please mark appropriate programs:

- | | |
|---|---|
| <input type="checkbox"/> Tobacco Education Group (TEG) #1
<input type="checkbox"/> 1 st offense
<input type="checkbox"/> 2 nd offense
<input type="checkbox"/> 3 rd offense
<input type="checkbox"/> 4 th offense | <input type="checkbox"/> Tobacco Education Group (TEG) #2
<input type="checkbox"/> 2 nd offense
<input type="checkbox"/> 3 rd offense
<input type="checkbox"/> 4 th offense |
|---|---|

You have been assigned to one of the Tobacco Education Group Programs as an alternative to or in combination with suspension from school. This program has been designed to assist you in becoming more successful in your school. Your cooperation will be necessary in order for it to be effective. Failure to successfully complete the assigned program may result in suspension or additional suspension from your school.

General Rules for Tobacco Education Groups

1. Tobacco Education Groups will be held on the 2nd and 4th Saturdays of each month, at Carroll Community College room C167. (see map on the reverse side for exact room location)
2. Please call: The Carroll County Health Department @ 410-876-4818 to confirm your registration for the class by Wednesday 4:00 p.m. to attend the weekend’s session.
3. Students must be present by no later than 9:00 a.m. Late students will not be admitted. Students will be dismissed at 2:30 p.m. Parents are expected to provide appropriate transportation. Lunch will be provided or students may bring their own. Supervision will be provided beginning at 7:30 a.m. **NOTE: Should there be inclement weather, listen to WTTR radio station (1470) for cancellation notice.**
4. Students will complete all assigned activities. Appropriate behavior is expected of each student throughout the entire session. Teachers will sign all completed documents and notify home schools accordingly.
5. In case of emergency, contact the group facilitator @ 443-519-7876 before 7:30 a.m. on the assigned date.

I have read and understand the rules and expectations for the Tobacco Education Programs. Further, I consent to the release of information contained on this form via fax or email to the Tobacco Education Program Coordinator.

 Student Signature

 Date

 Parent/Guardian’s Name

 Date

 Parent/Guardian’s Signature

 Date

White Copy: Parent’s copy
 Yellow Copy: To be signed by student and parent and returned to appropriate principal
 Pink Copy: Administrator’s copy

August 8, 2007

TRESPASS LAW
Section 26-102 of the Public School Laws of Maryland

Trespass on the grounds of a public institution of elementary, secondary, or higher education

- I. Denial of access to school grounds
 - A. The governing board, president, superintendent, or principal, of any public institution of elementary, secondary, or higher education, or a person designated in writing by the board or any of these persons, may deny access to the buildings or grounds of the institution to any person:
 - 1. Is not a bona fide, currently registered student, or staff or faculty member at the institution, and who does not have lawful business to pursue at the institution; or
 - 2. Is a bona fide, currently registered student at the institution and has been suspended or expelled from the institution, for the duration of the suspension or expulsion; or
 - 3. Acts in a manner that disrupts or disturbs the normal educational functions of the institution.
 - B. Staff may demand identification
 - C. Administrative personnel and authorized employees of any public institution of elementary, secondary, or higher education may demand identification and evidence of qualification from any person who desires to use or enter the premises of the institution.
 - D. Agreement with law enforcement agencies
 - E. The governing board of any public institution of elementary, secondary, or higher education may enter into an agreement with appropriate law enforcement agencies to carry out the responsibilities of this section when:
 - 1. The institution is closed; or
 - 2. None of the persons designated in subsection A. of this section are present in the buildings or on the grounds of the institution.
 - F. Penalty
 - G. A person is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1000, imprisonment not exceeding 6 months, or both if he/she:
 - 1. Trespasses on the grounds of any public institution of elementary, secondary, or higher education;
 - 2. Fails or refuses to leave the grounds of any of these institutions after being requested to do so by an authorized employee of the institution;
 - 3. Willfully damages or defaces any building, furnishing, statue, monument memorial, tree, shrub, grass, or flower on the grounds of any of these institutions.

H. Implementation

1. The acting principal should ask the offender to leave, advising the individual that under Maryland Law (quoting the applicable section if appropriate), the person is trespassing. If the offender refuses to leave, the police should be called by the administrator.
2. A follow-up letter may be sent to the offender. A sample follows:

Sample Trespassing Letter
(Use school letterhead and send registered mail with return receipt.)

Date

Name of Violator of Trespass Law
Street Address
City, State Zip

Dear

I have received information that you were on (name of school) property on (specific date or dates). Since you are no longer a student at (name of school), you are hereby notified that you are not to return to the premises. (The previous sentence should be altered to reflect the specific nature of the trespass event.)

Should you return to (name of school), you will be in violation of the Annotated Code of Maryland, Section 26-102, and may be deemed guilty of the misdemeanor, subject to fines and/or imprisonment.

Should you have official business on (name of school) property, it will be necessary for you the call ahead for an appointment through my office. Otherwise, you shall not return to our school grounds or premises for any reason.

Yours truly

Name of Principal

**CARROLL COUNTY PUBLIC SCHOOLS
ADMINISTRATIVE REGULATIONS**

BOARD POLICY ADD: SERIOUS THREATS, VIOLENT ACTS, AND WEAPONS PROHIBITED
(Administrative Regulation: Violent Acts Including Firearms and other Weapons)
First of 2 Regulations

Carroll County Board of Education policies, as well as CCPS administrative regulations, are designed to support the belief that schools must be a safe place for students and staff. Violent acts committed against any person(s) on Carroll County Board of Education owned property, on school bus(es), or at any school sponsored event, will be handled as school disciplinary infractions, as well as illegal acts. In addition, a violent act against a staff person by a student, at any time or place, will be handled as a school disciplinary infraction as well as an illegal act. Parents/legal guardians and students are advised that, for any violent act committed, appropriate law enforcement agencies will be contacted.

I. Laws prohibiting violent acts and requiring order and discipline include:

Education Article, Section 26-101: Prohibits disturbing activities that prevent the orderly conduct of activities at a given school and prohibits threats of bodily harm or molestation of students, employees, or administration.

Education Article, Section 26-102: Prohibits willful destruction of school property or private property.

Article 38A, Section 27A of the Annotated Code of Maryland: Prohibits possession of explosives.

Article 38A, Section 17 of the Annotated Code of Maryland: Prohibits the possession of fireworks.

Title 4§4-102, MD Criminal Code Sections 36A and B: Prohibits possession of weapons by persons other than law enforcement officers in the regular course of their duty from carrying or possessing any firearm, knife or deadly weapon of any kind on any public school property (see other guidelines)

Education Article, Section 7-305: Suspension & Expulsion

Federal Gun Free Schools Act 1994: Penalty for possession of firearms

A person may not carry or possess a firearm, knife, or deadly weapon of any kind on public school property. **THIS DOES NOT APPLY TO SWORN POLICE OFFICERS**

II. The Board policies and CCPS administrative regulations regarding violence which may initiate these violence regulations are:

- Violent Acts Including Firearms and Other Weapons (Policy Reference JFC and ADD)
- Severe Behavior Problems
- Student Unrest
- Destruction of School Property
- Discrimination, Harassment, Hazing, Bullying, or Hostile Acts
- Disturbing Activities
- Explosive Devices – Firearms – Ammunition
- Sexual Harassment (Policy Reference GBAA)
- Rape and Sexual Assault
- Bomb Threats
- Crimes in the Community (which are not a part of these Violence Regulations)

III. A. Definition of a Violent Act - Any action which creates a substantial danger or serious injury to any person(s) on Board of Education owned property, on school bus(es), or at any school sponsored event, resulting in a suspension of four or more days. Also included in this definition is any act which creates a substantial danger or serious injury to a staff person at any time or place. A violent act includes, but is not limited to, serious assault or battery by a student directed toward another student, any assault or battery by a student directed toward an adult, and possession of a weapon or look-alike weapon.

A violent act also includes constructive possession of a weapon (knowingly and willingly placing oneself in proximity with a person who is illegally in possession and/or use of a weapon or look-alike weapon) when the student in constructive possession is actively involved in plans for obtaining or using the weapon.

Duty to Report: Ensuring a safe school environment is the shared responsibility of each member (parents, students and staff) of a school community. The presence of a weapon on school property or at school sponsored activities poses a significant safety risk to students and staff members. It is therefore expected that any parent, student or staff member with knowledge of the presence of a weapon on school property or at school sponsored activities shall report the incident as soon as possible. The identities of student reporters of weapons violations shall be kept in strict confidence. Any staff member who fails to report the presence of a weapon to an administrator shall be subject to disciplinary action. A student who is aware of, but fails to report the presence of a weapon to a staff member, may receive disciplinary consequences for "Failure to Obey School Policy". Such discipline may include suspension for up to five (5) school days. This suspension, however, shall not be considered a violent act or a cumulative offense. In such cases, the Principal shall discuss the circumstances of the matter with his/her Director or the Director of Student Services prior to implementation of a suspension.

B. Other definitions:

1. Assault - Threat or attempt to strike another person accompanied by the present apparent ability to carry out the threat.
2. Battery - Consummation of the assault; striking or hitting another without consent of the latter.
3. Weapon - For the purpose of definition under these regulations, a weapon shall include, but not be limited to any pocket knife, switchblade knife, dirk knife, Bowie knife, hunting knife, star knife, sand club, metal knuckles, straight razor, slap jack, billy club, nunchakus, spiked glove, spiked wristband, boards with nails, chemical mace, pepper mace, tear gas, firearm, and any other object or look-alike object intended to cause bodily harm to another, or used in such a way as to cause bodily harm to another.
4. Look-Alike Weapons - For the purposes of definition under these regulations, a look-alike weapon shall include, but not be limited to, an object or implement which resembles an object or implement described in B.3. above.
5. Firearm - For the purposes of definition under these regulations, a firearm is any device which is designed to or may readily be converted to expel a projectile by the action of an explosive or any other destructive device. This includes, but is not limited to, any pistol or revolver, rifle, shotgun, short-barreled rifle, short-barreled shotgun, or any other firearm, whether loaded or unloaded, including antique firearms and look-alike firearms. Also included are parts of any weapon described above including the frame, receiver, muffler and silencer. Any explosives, incendiaries or poison gas, such as a bomb, grenade, rocket, missile, etc. are also considered firearms.
6. Look-Alike Firearm /other gun - For the purposes of definition under these regulations, a look-alike firearm/other gun shall include any gun other than a firearm, loaded or unloaded, operable or inoperable, including, but not limited to, an object or such as a BB gun, starter pistol, or pellet gun, which resembles an object or implement described in B5.above.
7. Extended Suspension - A suspension for more than ten (10) school days which can be made only by the Superintendent or his Designee at the recommendation of the principal; this type of suspension is usually for the remainder of the semester or the school year, or for not less than nine (9) weeks, when violent acts are the reason for the recommendation.
8. Expulsion - The termination of enrollment from the Carroll County Public School System by the Superintendent or his Designee at the request of the principal.

IV. The following are discipline regulations to be implemented by school administrators:

Note: Violations of the Violent Acts Regulation or the Serious Threats Regulation are cumulative in nature for a student's entire school career. While each is a separate regulation, individual incidents which occur under either regulation are merged together when determining appropriate discipline. For example, if an infraction occurs under the serious threats regulation, this would be a first offense. If, at a later point in time a violation occurs under the Violent Acts Regulation, this would constitute a second offense under the Violent Acts Regulation.

- A. Students who are under the age of responsibility (7 years of age):
The school principal will determine the appropriate action.
- B. Students who are over the age of responsibility (7 years of age and older) who possess a weapon (other than a firearm or look-alike firearm), which in the opinion of the principal was not related in any way to a violent act and did not disrupt the safe and orderly environment of the school:
- Suspension from school up to three days
 - Assign students to meet with school counselor or crisis specialist
 - Contact with the appropriate law enforcement agency

NOTE: Incidents in category IV.A and IV.B shall not be flagged as Violent Act (cumulative) in the online suspension system.

- C. Students over the age of responsibility (7 years of age and older) who commit serious assault or battery toward any other student, students who commit assault or battery toward any adult or staff person, and students who are in possession of a weapon/or look-alike weapon, other than a firearm or look-alike firearm, or whose circumstances do not fit the description in IV. B. above. (For a firearm, or look-alike firearm, violation, see Section D):

1. First offense:*

- Suspension from school for four or five school days.
- Assign elementary students to meet with School Counselor or any appropriate in-school resource one or more times as deemed appropriate. Assign secondary students to Saturday School for Conflict Management or accept self referral to outside counseling/treatment service. Student commitment to attend Saturday School or verification that the initial interview has been scheduled with the referral agency must occur prior to readmission to school. Successful completion of Saturday School or continued participation or completion in such a counseling/treatment program must occur to remain enrolled in Carroll County Public Schools (as outlined in other guidelines). Involvement of appropriate law enforcement agency.
- Principals shall have the latitude to recommend extended suspension or expulsion penalties for first or second time offenses if such discipline is deemed appropriate.

- For very violent acts where the risks for continued or increased violence appear high (as determined by the Director of Student Services), the student may be mandated to cooperate with a violence assessment at the Youth Service Bureau or another agency approved by the Director of Student Services. Verification that this assessment has been completed must occur prior to the student's readmission to school. If preventative education or treatment is recommended as a result of the violence assessment, successful completion or continued participation is required in order to remain a student.

2. Second offense:*

- Suspension from school for ten school days.
- Recommendation to the Superintendent for extended suspension from the assigned school or expulsion from the Carroll County Public Schools. Recommendation to the student and parent/legal guardian for outside counseling/treatment. (see other guidelines).
- Students placed on extended suspension will be required to participate in a violence education and/or treatment program prior to re-enrollment in their home school. The education and/or treatment program must continue or be satisfactorily completed in order to remain enrolled in Carroll County Public Schools.
- For very violent acts where the risks for continued or increased violence appear high (as determined by the Director of Student Services), the student may be mandated to cooperate with a violence assessment at the Youth Service Bureau (or another agency approved by the Director of Student Services). Verification that this assessment has been completed must occur prior to the student's readmission to school.

Involvement of appropriate law enforcement agency.

3. Third offense:*

- Suspension from school for ten school days.
- Recommendation to the Superintendent for expulsion from the Carroll County Public Schools.
- Recommendation to the student and parent/legal guardian for an outside counseling/treatment program.
- Students placed on expulsion will be required to participate in violence education and/or treatment program prior to re-enrollment in their home school. The education and/or treatment program must continue or be satisfactorily completed in order to remain enrolled in Carroll County Public Schools.
- Involvement of appropriate law enforcement agency.

D. Students over the age of responsibility (7 years of age) who use, possess or transport a weapon which is a firearm (loaded or unloaded, operable or inoperable) or look-alike firearm onto Board of Education owned property, a school bus or at any school-sponsored event:

1. First offense:*

- Suspension from school for ten school days.
- Recommendation to the Superintendent for extended suspension of one year from the assigned school or expulsion from the Carroll County Public Schools. (See guideline #5: Federal Gun Free Schools Act of 1994).
- Recommendation to the student and parent/legal guardian for outside counseling/treatment. (See other guidelines).
- Students placed on extended suspension will be required to participate in violence education and/or treatment program prior to re-enrollment in their home school. The education and/or treatment program must continue or be satisfactorily completed in order to remain enrolled in Carroll County Public Schools.
- Involvement of appropriate law enforcement agency.
- For very violent acts where the risks for continued or increased violence appear high (as determined by the Director of Student Services), the student may be mandated to cooperate with a violence assessment at the Youth Service Bureau (or another agency approved by the Director of Student Services). Verification that this assessment has been completed must occur prior to the student's readmission to school.

2. Second offense:*

- Suspension from school for ten school days.
- Recommendation to the Superintendent for expulsion from the Carroll County Public Schools. (See guideline #5: Federal Gun Free Schools Act of 1994).
- Recommendation to the student and parent/legal guardian for outside counseling/treatment.
- Students placed on expulsion will be required to participate in violence education and/or treatment program prior to re-enrollment in their home school. The education or treatment program must continue or be satisfactorily completed in order to remain enrolled in Carroll County Public Schools.
- Involvement of appropriate law enforcement agency.

*If a student is identified or is suspected to be a student with a disability (through IDEA or Section 504 of the Rehabilitation Act), See Suspension and Expulsion of Students with Disabilities. If a student is identified as disabled and brings a firearm onto school property, see exceptions.

E. Other Guidelines:

1. Student discipline records for violent acts and/or serious threats are cumulative in nature for a student's entire school career: However, a student, after three years with no additional record of serious threats or violent acts, may request to the Superintendent, in writing, that any record of violent acts or serious threats no longer be a part of the cumulative discipline record.
2. Outside counseling services may be obtained from any agency or licensed individual who provides children and family services. The Carroll County Youth Service Bureau is one such agency (410-848-2500 ext 21). Counseling/treatment services shall be at the expense of the family.

*Violence assessment reports may be filed in a student's confidential folder or may be grouped by school year and filed in the main office. Violence assessment reports are part of the student record and shall be sent with the student record upon transfer.

3. Students placed on extended suspension may request of the Superintendent, or the Superintendent's Designee, a reduction of up to one half the length of the suspension. Such a request is to be made in writing and must include:
 - (a) verification that the student, or the student and family members, have had an initial session with an agency or licensed individual who provides children and family services;
 - (b) a statement from the agency or licensed individual that the student is not at high risk to harm him/herself or others (if the student returns to the school program to which he/she is assigned);
 - (c) a statement that the student and parent/legal guardian understand that, in order for the student to remain in school, successful completion or continued participation in the counseling/treatment program must occur; and
 - (d) a release of information form that permits the counseling/treatment individual/agency to reveal that the student has completed or is actively continuing in the counseling/treatment program.
4. Nonresident Students: The Superintendent may deny attendance to any student who is currently expelled or on extended suspension from another school system for a length of time equal to the suspension or expulsion.
5. The Federal Gun Free Schools Act of 1994 mandates that, effective October 20, 1995, (and ' 7-304 of Maryland Annotated Code) each local educational agency remove from school for a period of not less than one year any student who is determined to have brought a firearm to school. Exceptions to the year long rule can be made on a case by case basis by the Superintendent. However, special regulations and procedures for students identified under IDEA or 504 shall be followed. In addition, private school students who participate in Carroll County Public School programs or activities are subject to the one year extended suspension/expulsion requirement to the extent that such students are provided services or their programs are provided for by the Carroll County Public Schools.

6.
 - (a) Except as provided in (c) below, a student with a disability who is determined to have brought a firearm to school, the student may be suspended and placed in an interim alternative educational setting in accordance with state law procedures, for not more than the maximum number of days specified in the Federal Individuals with Disabilities Education Act 20 U.S.C. 1415 (E) or the Improving America's Schools Act. (Currently the number of days in the actual placement is 45 calendar days).
 - (b) The interim alternative educational setting shall be decided by the Individual Education Plan (IEP) Committee.
 - (c) If a parent/legal guardian of an identified student with disabilities requests a due process hearing, the student shall remain in the alternative educational setting described above during the pendency of any proceedings conducted under this subsection, unless the parents and the local school system agree otherwise.
 - (d) This subsection does not supersede the provisions of §14601 of the Federal Elementary and Secondary Education Act if the conduct of the identified student with disabilities is unrelated to the student's disability, except that, in those circumstances, the procedures under state and federal law shall be followed.

REV. 2/11/09

**CARROLL COUNTY PUBLIC SCHOOLS
ADMINISTRATIVE REGULATIONS**

BOARD POLICY ADD: SERIOUS THREATS, VIOLENT ACTS, AND WEAPONS PROHIBITED

(Administrative Regulation: Serious Threats of Violence)

Second of 2 Regulations

Carroll County Board of Education administrative regulations are designed to support the belief that schools must be a safe place for students and staff. Serious threats of violence stated against any person(s) in the Carroll County Public Schools community will not be tolerated and will be handled as a school disciplinary infraction. Appropriate law enforcement, and/or other agency officials will be contacted when warranted.

- I. Laws/policy related to this regulation:
 - Education Article, Section 26-101: Prohibits disturbing activities that prevent the orderly conduct of activities at a given school and prohibits threats of bodily harm or molestation of students, employees, or administration.
 - Education Article, Section 7-305: Suspension and Expulsion
 - Board of Education Policy ADD - Serious Threats, Violent Acts, and Weapons Prohibited
 - Board of Education Policy JK - Discipline

- II. Definition of a Serious Threat of Violence - A verbal or nonverbal declaration of intent or determination to inflict significant injury to persons, and/or damage to property with the perceived ability/intention to carry through on the threat.

- III. Administrative procedures for intervening in serious threats of violence:¹
 - A. Serious threats of violence shall not be taken lightly and will result in immediate action being taken by the administrator or designee.
 - B. The principal, or his/her designee, will have the discretion of determining if the threat may be dealt with via normal disciplinary procedures typically used in the school, or if the threat is of a serious enough nature to be handled according to these administrative regulations. If the Principal determines that the threat constitutes a serious threat under this regulation, the Principal shall call the Director of Student Services to discuss the case. The Director of Student Services will complete a referral form and forward it to the Youth Service Bureau.
 - C. Reasonable means shall be taken to prevent the serious threat of violence from being carried out.
 - D. Law enforcement officials shall be notified in all cases and involved as appropriate, including the Department of Juvenile Justice.
 - E. Department of Social Services shall be notified in the event of child abuse or neglect which may include the accessibility of weapons to students in the home.

- F. Notification of the parent/legal guardian of the student(s) who made the threat and the parent/legal guardian of the student(s) about whom the threat was made shall occur before the students are permitted to leave the building. If after reasonable attempts, parents/legal guardians cannot be reached, the principal may contact a Pupil Personnel Worker for direction/assistance.
- G. The violence assessment report shall be reviewed by the school Student Services Team and action/intervention taken, as appropriate.

¹ Serious threats of violence made at or away from school and/or to be implemented at or away from the school fall under these regulations when there is a connection between the threat and student/staff safety.

IV. The following are discipline regulations to be implemented by school administrators:

NOTE: Violations of the Violent Acts Regulation or the Serious Threats Regulation are cumulative in nature for a student's entire school career. While each is a separate regulation, individual incidents which occur under either regulation are merged together when determining appropriate discipline. For example, if an infraction occurs under the serious threats regulation, this would be a first offense. If, at a later point in time a violation occurs under the violent acts regulation, this would constitute a second offense under the violent acts regulation.

A. Students who are under the age of responsibility (7 years old) will be disciplined on an individual basis as determined by the school principal in consultation with others as needed.

B. Students over the age of responsibility (7 years old) will be disciplined according to the following:

1. First offense: ¹

- a. An initial suspension from school, normally for not more than five (5) school days, with a satisfactory parent conference required for readmission.²
- b. Mandatory violence prevention screening/assessment.³ Verification that the assessment has been completed by the referral agency must occur prior to readmission to school.
- c. Involvement of law enforcement, Department of Juvenile Justice and/or Department of Social Services officials.
- d. Principals will have the discretion to determine other disciplinary action or intervention, including amending the initial suspension, or changing the educational placement of the student based on the results of the screening/assessment.

2. Second offense: ¹

Suspension from school for ten (10) school days with a satisfactory parent conference required the student is readmitted.

- a. Recommendation to the Superintendent for extended suspension from the assigned school.
- b. Mandatory violence prevention screening/assessment and participation in a violence prevention education program.³ Verification that the screening/assessment

has occurred with the referral agency must occur prior to readmission to school. Successful completion or continued participation in a violence prevention education and or treatment program must occur to remain a student.

- c. Involvement of law enforcement, Department of Juvenile Justice and/or Department of Social Services officials.
 - d. Principals will have the discretion to determine other disciplinary action or intervention, including amending the initial suspension, or changing the educational placement of the student based on the results of the screening/assessment.
3. Third offense:¹
- a. Suspension from school for ten (10) school days and a recommendation to the Superintendent for expulsion from Carroll County Public Schools.
 - b. Involvement of law enforcement, Department of Juvenile Justice and/or Department of Social Services officials.
 - c. Violence prevention education and/or treatment will be required for re-admission to any school program.³ The education or treatment program must continue or be satisfactorily completed to maintain enrollment status.

¹ If a student is identified or is suspected to be a student with a disability (through IDEA or Section 504 of the Rehabilitation Act), see Suspension and Expulsion of Students with Disabilities.

² A principal may suspend for a longer period of time if the situation so warrants.

³ Referrals for a violence prevention assessment, education, and/or treatment program are to be directed to the Carroll County Youth Service Bureau, 410-876-2500. (X 21). Other education/treatment programs may be used with the approval of the Director of Student Services.

V. Additional Information:

- A. Students placed on extended suspension may request of the Superintendent, or the Superintendent's Designee, a reduction of up to one half the length of the suspension. Such a request is to be made in writing and must include:
1. Verification that the student, or the student and family members, have had an initial session with an agency or licensed individual who provides children and family services;
 2. A statement from the agency or licensed individual that the student is not at high risk to harm him or herself or others;
 3. A statement that the student and parent/legal guardian understand that, in order for the student to have the length of the suspension reduced, successful completion or continued participation in the counseling/treatment program must occur; and,
 4. A release of information form that permits the counseling/treatment individual/agency to periodically reveal to the school system that the student has successfully completed or is actively continuing in the counseling/treatment program.

- B. In the case of expulsion, a letter requesting reconsideration may be submitted to the Board of Education twelve (12) months or more after the expulsion. Chances of readmission will be improved if the request includes a statement from an agency or licensed family service provider that includes:

Verification that the student has successfully completed or is continuing in a counseling/treatment program

A statement from the agency or licensed individual that the student is not at high risk to harm him or herself or others;

A statement that the parent(s)/legal guardian(s) and student understand that, if the student is re-admitted to any Carroll County Public Schools program, successful completion or continued participation in the counseling/treatment program must occur; and

A release of information form that permits the counseling/treatment individual/agency to periodically reveal to the school system that the student is continuing in the counseling/treatment program, if not already completed.

- C. Referrals for violence prevention assessment, education, and/or treatment are to be directed to the Youth Service Bureau, 410-848-2500 (x21). Other education/treatment programs may be used with the approval of the Director of Student Services.
- D. Student discipline records for serious threats of violence and/or violent acts are cumulative in nature for the student's entire school career. However, a student, after three years with no additional record of a serious threat, or violent act, may request to the Superintendent, in writing, that any record of serious threats or violent acts no longer be a part of the cumulative discipline record.

*Violence assessment reports may be filed in a student's confidential folder or may be grouped by school year and filed in the main office. Violence assessment reports are part of the student record and shall be sent with the student record upon transfer.

Administrative Regulations Board Policy JICJ: ELECTRONIC COMMUNICATION DEVICES

The following regulations govern the possession and use of electronic communication devices during school.

DEFINITIONS

School Day: The time students enter the school building to report for the instructional day until the last class is dismissed.

Electronic Communication Device: Portable wireless devices that can send and/or receive messages.

A. Students

1. Electronic Communication Devices must be turned off and placed out of view before entering the school building and must remain off and out of view during the entire school day. The principal may approved written requests from fire and rescue chiefs or other emergency agencies that need trained students to respond to a community emergency.
2. The audible notification of electronic communication devices must be turned off while being transported on a school bus.
3. Students who display and/or use an electronic communication device and/or fail to follow the directions of a staff member/bus driver regarding electronic communication devices will be subject to disciplinary action, including but not limited to the following:
 - a. **First Offense** (on, ringing, or visible): Confiscation of the electronic communication device for the remainder of the school day. The electronic communication device will be returned to the parent/guardian as soon as pick up can be arranged. Notice will be given to the student and parent/guardian that the next offense will result in detention or Saturday School for insubordination.
 - b. **Second Offense** (on, ringing, or visible): Confiscation of the electronic communication device and Saturday School or detention for insubordination. The electronic communication device will be returned to the parent/guardian as soon as pick up can be arranged. Notice will be given to the student and parent/guardian that the next offense will result in a 1 – 3 day suspension for insubordination.
 - c. **Third Offense** (on, ringing, or visible): Confiscation o the electronic communication device and a 1 – 3 day suspension for insubordination. The electronic communication device will be returned to the parent/guardian as soon as pick up of the device can be arranged. Notice will be given to the student and parent/guardian that the next offense will result in a 3 - 5 day suspension for insubordination.
 - d. **Fourth and Repeating Offenses** (on, ringing, or visible) Confiscation of the electronic communication device for the remainder of the school day and a 3- 5 day suspension for insubordination. The electronic communication device will be returned to the parent/guardian as soon as pick up of the device can be arranged.
4. Students are responsible for the security of the electronic communication device. Carroll County Public Schools is not responsible for theft or damage of a student's electronic communication device.
5. Camera Phones – A student's use of a camera phone during the school day shall constitute use and display of a cell phone with the same consequences as defined above. If a camera phone is used for inappropriate, illicit or illegal activities, more severe consequences will be imposed up to and including extended suspension or expulsion.

B. Staff and Visiting Adults

- 1 Shall turn off the audible notification on their electronic communication device during the school day.
- 2 Shall limit the use of electronic communication devices to emergencies or to facilitate school system business.
- 3 Whenever possible, shall refrain from using electronic communication devices in the vicinity of students.

CCPS TELECOMMUNICATIONS ACCEPTABLE USE PROCEDURES FOR STUDENTS

All uses of telecommunication facilities shall conform to the policies and regulations issued from time to time by the Board of Education of Carroll County at all levels. Important Board policies and Superintendent regulations pertaining to issues that may arise when using telecommunication facilities include, but are not limited to the following: ADD: Violent Acts Prohibited, GBAA: Sexual Harassment, GBI: Political Activities of Board of Education Employees, IJND: Telecommunications Policy, IKAB: Communicating Student Progress, JBG: Student Participation in Political Activities, JF: Students' Responsibilities and Rights, JK: Discipline, JLF: Child Abuse - Child Neglect - Staff Dating Students, KGF: Community Use of School Facilities, KJ: Advertising in Schools, Serious Threats of Violence regulation, and Distribution of Publications regulations.

Acceptable Use Procedures

The Internet and other instructional technologies are valuable tools for learning. The Carroll County Public School System recognizes the potentially positive impact technology could have on education while recognizing the challenges it also presents.

The purpose of these procedures is to establish goals to guide the proper use of telecommunication facilities and to promote the safety of students and staff.

The consequences of unacceptable use are decided by the school principal or designee and could result in the cancellation of such privileges, suspension from school, or, depending upon the severity of the incident, a request for expulsion from CCPS. The consequences can be the result of actions taken by students at school or at home. Violations of the Telecommunications Acceptable Use Policy may be a violation of law, civil regulations, or Board Policies. Legal action may be taken as a result from infringement of this policy.

Telecommunications Safety

Providing a safe learning environment for students is a primary goal of the Carroll County Public School System. Students will be supervised while using the Internet and will be instructed in the appropriate and safe use, selection, and evaluation of information. Also, software which attempts to block access to objectionable material will be in place on computer networks used by students.

Guidelines

Students are expected to:

- ✓ Use telecommunications for curriculum related purposes.
- ✓ Monitor time online in consideration of others and communicate in a courteous manner
- ✓ Use appropriate language/behavior
- ✓ Observe copyright laws/property rights
- ✓ Practice responsible, ethical, and legal behavior

Students may not:

- ✗ Use telecommunications for financial gain or any illegal purpose
- ✗ Degrade or disrupt the telecommunication system performance.
- ✗ Access information inconsistent with curriculum related purposes
- ✗ Reveal home telephone numbers, addresses or other personal information
- ✗ Violate the privacy of others

Disclaimer

The accuracy and quality of the information cannot be guaranteed. No warranties for telecommunications access are expressed or implied; CCPS will not be responsible for any information that may be lost, damaged, or unavailable due to technical or other difficulties

CARROLL COUNTY PUBLIC SCHOOLS ADMINISTRATIVE REGULATIONS

BOARD POLICY JLI: Exclusion, Seclusion, Physical Restraint Regulations

I. PURPOSE

The purpose of this regulation is to promote positive behavior interventions so the use of exclusion, seclusion, and physical restraint is limited to necessary/critical situations. The regulation does not restrict educators from maintaining a safe and orderly school environment.

II. CONTINUUM OF POSITIVE BEHAVIOR INTERVENTIONS AND SUPPORTS

Any continuum of behavior prevention, intervention and support should be a proactive approach that emphasizes primary prevention, systematic intervention, and on-going support. The continuum should include strategies that can be used to prevent restraint, exclusion, and/or seclusion. All teachers and staff should be made aware of the strategies to address behavioral issues/concerns and be skilled at using them appropriately.

School-wide behavior programs and interventions may include but are not limited to:

1. Cooperative discipline
2. Crisis Prevention Institute strategies (CPI)
3. Initiatives which promote character development, positive school climate, pro-social behaviors, etc.
4. Mentoring
5. Peer mediation programs
6. Positive Behavior Intervention Support (PBIS)
7. School-wide guidance programs
8. Second Step (violence prevention)
9. Skill streaming
10. Stop and Think (social skills)
11. Student Services Team interventions
12. Behavior Contracts
13. Behavior Intervention Plans

III. EXCLUSION, SECLUSION, AND PHYSICAL RESTRAINT

Exclusion, seclusion, and physical restraint shall only be used

- After less restrictive or alternative approaches have been considered and attempted, and have been determined to be inappropriate.
 - In a humane, safe, effective manner.
 - Without intent to harm or create undue discomfort, and consistent with known medical and psychological limitations, and the Behavioral Intervention Plan.
- A. Exclusion: The removal of a student to a supervised area for a limited period of time during which the student has an opportunity to regain self-control and is not receiving instruction including special education, related services, or support.

1. May be used if the student behavior:
 - a. unreasonably interferes with the student's learning or learning of others, or
 - b. constitutes an emergency and is necessary to protect the student or others from imminent serious physical harm after other less intrusive, non-physical interventions have failed or been determined to be inappropriate

NOTE: *The IEP of each student for whom exclusion procedures will be used should contain the specific target behaviors within the IEP's individual behavior plan along with a statement specifically indicating the exclusionary procedure to be used.*

2. A setting for exclusion shall:
 - a. provide school personnel with the ability to see the student at all times
 - b. provide adequate lighting, ventilation, and furnishings
 - c. be unlocked and free of barriers to prevent egress.
 3. School personnel will monitor students placed in exclusion and will provide the student in exclusion with:
 - a. an explanation of the behavior that resulted in removal, and
 - b. instruction on behavior required to return to the learning environment.
 4. Each period of exclusion shall be limited to thirty minutes
 5. Parents/Legal Guardians and school personnel may at any time request a meeting to address the use of exclusion , and,
 - a. conduct a functional behavior assessment
 - b. develop, review, or revise a Behavioral Intervention Plan.
 6. School personnel shall consider referral to a Student Services or IEP team if a non-disabled student has experienced excessive exclusion to determine if the student has a disability that may require the provision of special education or related services in accordance with COMAR 13A.05.01.
 7. School personnel shall ensure the implementation of appropriate procedures in accordance with COMAR 13A.08.03, if a student with a disability has experienced an excessive period of exclusion that may result in a change of placement.
- B. Seclusion: The confinement of a student alone in a room from which the student is physically prevented from leaving.
1. Seclusion is prohibited unless:
 - a. There is an emergency situation and seclusion is necessary to protect a student or another person after other less intrusive interventions have failed or been determined to be inappropriate, or
 - b. The student's IEP or Behavioral Intervention Plan describes the specific behaviors and circumstances in which seclusion may be used, or
 - c. Parents/Legal Guardians have provided written consent for the use of seclusion
 2. The seclusion room shall, at a minimum:
 - a. be free of objects and fixtures with which a student could self-inflict bodily harm
 - b. provide school personnel an adequate view of the student from an adjacent area
 - c. provide adequate lighting and ventilation

3. Implementation Procedures – School personnel shall:
 - a. view a student placed in seclusion at all times
 - b. provide the student with an explanation of the behavior that resulted in his/her removal
 - c. provide instructions on the behavior required in order to return to the learning environment.
 4. Training – Seclusion shall only be applied by school personnel trained in the appropriate use of seclusion.
 5. Assessment of Student – School personnel shall assess the student every 30 minutes (minimum) while the student is in seclusion.
- C. Physical Restraint: The use of physical force against a student by an agent of the school system, which is intended to prohibit a behavior or set of behaviors from occurring or continuing to occur within a given situation. Physical restraint is accomplished without the use of any device or material that restricts the free movement of all or a portion of the student’s body.

This definition of physical restraint and the regulations detailed below are not an attempt to prohibit all physical contact between student and staff. For example, touches on the shoulder or an appropriate hug are outside of this definition. Physical restraint also does not include:

- briefly holding a student in order to calm or comfort the student,
- holding a student’s hand or arm to escort the student safely from one area to another,
- moving a disruptive student who is unwilling to leave the area if other methods, such as counseling, have been unsuccessful, or
- Intervening in a fight in accordance with Education Article §7-307. A principal, teacher, school security guard, or other school system personnel in any public school may take reasonable action necessary to prevent violence on school premises or on a school sponsored trip, including intervening in a fight or physical struggle that takes place in his/her presence, whether the fight is among students or other individuals. The degree and force of the intervention may be as reasonable as necessary to prevent violence, restore order and to protect the safety of the combatants and surrounding individuals (Annotated Code of Maryland, Section 7-307).

1. When Physical Restraint May be Used - The use of physical restraint is limited to those situations where:
 - a. there is an emergency situation and physical restraint is necessary to protect a student or other person from imminent, serious, physical harm after other less intrusive, non-physical interventions have failed or been determined to be inappropriate, or
 - b. The student’s Behavioral Intervention Plan or IEP describes the specific behaviors and circumstances in which physical restraint may be used, or
 - c. The parents/legal guardians of a non-disabled student have otherwise provided written consent to the use of physical restraint while a Behavioral Intervention Plan is being developed.
2. Physical restraint shall be applied only by school personnel who are trained in the appropriate use of physical restraint consistent with COMAR 13A.08.04.06C

3. In applying physical restraint, school personnel shall only use reasonable force as is necessary to protect a student or other person from imminent, serious physical harm.
4. Procedures during and after a physical restraint & other physical interventions

The following procedures apply to all physical interventions, planned or unplanned:

- a. If time permits, staff participating in a restraint should remove jewelry, glasses, and other objects which may be harmful to the staff member or the student. If possible, this should be done out of the view of the student.
 - b. The amount and duration of force used during a physical restraint shall only be as much as needed to stabilize the situation and/or restore the student's self-control.
 - c. Moving a resistant student from one place to another may be employed within the school when necessary to ensure the safety and welfare of students and staff when other methods such as counseling have been unsuccessful.
 - d. The student shall be given an opportunity to be seen by the health room staff following the restraint, with staff accompaniment. If the student is injured, the health room Accident Report Form shall be completed and the parent/legal guardian shall be advised.
 - e. The student, under supervision, may be allowed to use the restroom following the restraint.
 - f. The building principal shall be informed of any physical restraint.
 - g. Consequences for the student shall be determined and implemented.
 - h. The parent/legal guardian of any restrained student shall be notified by the administration within 24 hours.
 - i. If other students witnessed the restraint, the staff should conference with individual students, or as needed, an entire class as appropriate.
 - j. Any staff member injured during a restraint should report to the health room and shall notify the administration of the injury.
 - k. Any staff member involved with the restraint shall document his/her actions with an administrator prior to the end of the day.
 - l. Documentation steps in section 6. below are to be implemented.
5. The following procedures, in addition to those already stated, apply to any physical restraint used as part of a behavior management plan.
 - a. When physical restraint is a part of a Behavioral Intervention Plan (BIP) or IEP, the plan must be developed with parent/legal guardian, administration, and staff with prior written approval. If such a plan has not yet been developed and a restraint is warranted, the restraint should be implemented by a trained team of staff members or, in an emergency situation, by staff members directed by a trained leader.
 - b. When a physical restraint is being considered, the staff person in charge of the restraint must decide that less intrusive techniques have been or will be ineffective. Whenever possible, this decision should involve the team leader or the school's administration.
 - c. Appropriate staff should be called to assist in the restraint. It is advisable to have at least one additional staff member present to observe and document the restraint.
 - d. If time permits, the area should be cleared of other students, unnecessary staff, and obstructions (i.e. furniture).

- e. One staff person shall be in charge of the restraint. If a staff member participating in a restraint is unclear who is in charge, that person should ask. The staff person in charge shall issue instructions to the staff, including, as time and circumstances permit:
 - Directing where the restraint will take place
 - Directing the staff member to clear the area of students, obstructions, and unnecessary staff
 - Directing who will hold what body parts
 - Determining who is to speak to the student
 - Turning over the restraint to another staff member
 - Determining when the restraint ends
 - Determining when the staff leave the room
 - Assigning one staff member to observe and document if possible
- f. Counseling for the restrained student(s) should take place following the restraint.
- g. All staff members involved in the restraint shall meet before the end of the school day to review and debrief the restraint. Any concerns about procedures or techniques employed should be brought to the attention of the administration immediately and documented.
- h. Each restraint is documented as described below.
- i. If physical restraint is used with special education students, additional procedures set forth in the Special Education handbook shall be followed.

6. Use of Mechanical Restraints

- a. The use of mechanical restraints is prohibited in public agencies and non-public schools unless the public agency or non-public school is certified by and meets the requirements of the Joint Commission for the Accreditation of Health Care Organizations.
- b. These regulations do not prohibit school personnel from using a protective or stabilizing device:
 - As prescribed by a health professional or
 - For a student with a disability, in accordance with the student's Behavioral Intervention Plan or IEP.
- c. "Protective or Stabilizing Device" means any device or material attached or adjacent to the student's body that restricts the freedom of movement or normal access to any portion of the student's body for the purpose of enhancing functional skills, preventing self-injurious behavior, or ensuring safe positioning of a person.
- d. "Protective or Stabilizing Device" includes:
 - Adaptive equipment prescribed by a health professional
 - Seat belts
 - Other safety equipment to secure student during transportation in accordance with the public agency or nonpublic transportation plan.

D. Documentation of Seclusion and Physical Restraint

Each time a student is secluded or restrained, school personnel shall document:

1. Other less intrusive interventions that have failed or been determined inappropriate.
2. The precipitating event immediately preceding the behavior that prompted the use of seclusion or restraint.
3. The student behavior that prompted the use of seclusion or restraint

4. The names of school personnel who observed the student behavior that prompted the use of seclusion or restraint.
 5. The names and signatures of staff members implementing and monitoring the use of seclusion or restraint.
 6. Documentation of seclusion or restraint shall also include a description of the seclusion event including:
 - a. Justification for initiating the use of seclusion or the type of restraint used
 - b. The length of time in seclusion or restraint
 - c. The student's behavior and reaction during the seclusion or restraint
 - d. The name and signature of the administrator informed of the use of seclusion of restraint.
 7. The documentation shall be maintained in the educational record (discipline file) and available for inspection by the student's parents/legal guardians.
 8. Each time seclusion or restraint is used, parents/legal guardians shall be provided oral/written notification within 24 hours unless otherwise provided for in a student's Behavioral Intervention Plan or IEP.
- E. Referral to a Student Services or IEP Team
1. If seclusion or restraint is used for a student who has not been identified as a student with a disability, the student shall immediately be referred to the school's student services team or IEP team.
 2. If seclusion or restraint is used for a student with a disability, and the student's Behavioral Intervention Plan or IEP does not include the use of seclusion or restraint, the IEP team shall meet, in accordance with COMAR 13A.08.03, within ten (10) business days of the incident to consider:
 - a. The need for a functional behavioral assessment
 - b. Developing appropriate behavioral interventions
 - c. Implementing a Behavioral Intervention Plan.
 3. If seclusion or restraint is used for a student with a disability, and the Behavioral Intervention Plan and IEP includes the use of seclusion or restraint, the students Behavioral Intervention Plan or IEP shall specify how often the IEP team shall meet to review or revise, as appropriate, the student's Behavioral Intervention Plan or IEP, in accordance with COMAR 13A.05.01 and 13A.08.03.

Revised 5/96, 8/97, 8/00, 2/04, 9/04, 5/05

REPORT of SECLUSION OR PHYSICAL RESTRAINT

Student: _____ DOB: ___/___/___ Grade: _____

School: _____ Date: _____ Time: ___/___/___

Intervention(s) Implemented: Seclusion Physical Restraint

Less Intrusive Interventions that Failed or were Determined Inappropriate: _____

Precipitating Event Prompting the Seclusion or Restraint: _____

Student Behavior that Prompted the Seclusion or Restraint: _____

School Personnel who Observed the Above Behavior: _____

Description of Seclusion or Restraint (type, duration, justification): _____

Student Behavior and Reaction during Seclusion or Restraint: _____

Signatures of Staff Implementing and Monitoring the Seclusion or Restraint: _____

Staff Injured (entered none if no injuries): _____

If injured, *First Report of Injury* form completed: Date: ___/___/___

Staff with CPI Training: _____

Prior Seclusions or Restraints? Yes No

Health Room Check: Yes No

Student Injury? Yes No

Accident form completed: Yes No

Parent Notification within 24 Hours (required unless Seclusion or Restraint is part of the BIP or IEP) & by whom:

Counseling for the student concerning the incident (specify): _____

Administrative Follow-Up (ie: IEP, SST, Parent Meeting, Consequences, BIP): _____

Administrative/Restraint Team Debriefing & Recommendations: _____

Restraint Team Leader Signature: _____ Date: ___/___/___

Administrator Signature: _____ Date: ___/___/___

Copies: Parent/Legal Guardian, Principal, Team Leader, Director of Student Services, Student Discipline
File Revised 8/96, 8/00, 2/04, 9/04

REPORT of SECLUSION OR PHYSICAL RESTRAINT

(REVERSE)

SECLUSION:

1. Definition

The confinement of a student alone in a room from which the student is physically prevented from leaving, as applied by trained school personnel.

2. Use

Seclusion is prohibited unless it is included in a student's Behavioral Intervention Plan, IEP, or if there is an emergency for which other less intrusive interventions have failed or determined to be inappropriate. Students in seclusion must be re-assessed at least every 30 minutes.

3. Location

A seclusion room shall:

- a. Be free of objects and fixtures with which students could self-inflict bodily harm
- b. Provide school personnel an adequate view of a student from an adjacent area
- c. Provide adequate lighting and ventilation.

PHYSICAL RESTRAINT:

1. COMAR Definition

The use of reasonable physical force by trained personnel without the use of any device or material that restricts the free movement of all or a portion of a student's body. Physical restraint does not include:

- a. briefly holding a student in order to calm or comfort the student,
- b. holding a student's hand or arm to escort the student safely from one area to another,
- c. moving a disruptive student who is unwilling to leave the area if other methods, such as counseling, have been unsuccessful, or
- d. Intervening in a fight in accordance with COMAR Education Article §7-307.

2. Use

- a. during emergencies where it is necessary to protect students or others from imminent, serious physical harm after other less intrusive, non-physical interventions have failed or been determined inappropriate, or
- b. As part of a student's Behavioral Intervention Plan or IEP which describes circumstances for its use, or
- c. When a parent/legal guardian has provided written consent for its use while a Behavioral Intervention Plan is being developed.

**CARROLL COUNTY PUBLIC SCHOOLS
ADMINISTRATIVE REGULATION**

**POLICY ACF: BULLYING, HARASSMENT, INTIMIDATION, DISCRIMINATION, OR
HAZING**

I. Background

The Board of Education of Carroll County is committed to establishing and promoting a safe, non-threatening environment for all students to learn. Therefore, the Board believes that bullying, harassment, intimidation, discrimination, or hazing are both morally wrong and offensive and will not tolerate such conduct on the part of any employee, supervisor, manager, administrator, student or visitor. It is the Board's intent to provide to all employees and students a work and learning environment free from such acts.

The Annotated Code of Maryland education article 7-424 provides parents, students, a student's close adult relative(s), or a school staff member the opportunity to file a written report about alleged bullying or intimidation that substantially disrupts the orderly operation of a school and/or that may have occurred on school property, at a school sponsored event, or on a school bus. In addition, the Act requires that students and parents be notified of the reporting procedures.

II. Definitions

Bullying/Harassment/Intimidation: According to Annotated Code of Maryland Education article 7-424, as used in this policy, "bullying, harassment, or intimidation" means intentional conduct, including verbal, physical, or written conduct or an intentional electronic communication that creates a hostile educational environment by substantially interfering with a student's educational benefits, opportunities, or performance, or with a student's physical or psychological well-being and is:

- motivated by an actual or a perceived personal characteristic including race, national origin, marital status, sex, sexual orientation, gender identity, religion, ancestry, physical attributes, socioeconomic status, familial status, or physical or mental ability or disability; or,
- threatening or seriously intimidating; and,
- occurs on school property, at a school activity or event, or on a school bus; or,
- substantially disrupts the orderly operation of a school.

Electronic Communication: a communication transmitted by means of an electronic device, including but not limited to, telephones, cellular phones, or computers.

Discrimination: Unequal or unlawful treatment of persons on the basis of race, color, sex, age, national origin, religion, disability, or sexual orientation.

Hazing: Doing or causing any activity which recklessly or intentionally subjects a student to the risk of bodily injury or humiliation for the purpose of initiating into a student group or organization; to harass, by exacting unnecessary or demeaning physical or mental work or activity by way of intimidation

Sexual Harassment: Unwelcomed verbal or physical conduct of a sexual nature, by a student or school employee which:

- o denies, limits, conditions or interferes with the provision of education, assistance or services protected under Title IX, or
- o creates a hostile or intimidating educational environment.
- o includes but is not limited to:
 - Verbal conduct such as sexual name-calling, spreading sexual rumors, telling sexual jokes, and making verbally derogatory comments relating to appearance or gender.
 - Visual conduct such as displaying or drawing derogatory posters, cartoons, drawings, graffiti, photos, videos, or gestures.
 - Physical conduct such as unwanted touching, blocking another's movements, or sexual assault.
 - Threats or demands for dates or physical contact.

III. Prevention and Intervention

Administrators shall provide annual ongoing professional development for all school staff (including athletic coaches and advisors), to increase awareness of the prevalence, causes, and consequences of bullying and to increase strategies for preventing bullying. The professional development for staff shall include information on how to respond appropriately to students who bully, are bullied, or who report bullying. In addition, administrators shall ensure school climate improvement efforts to promote student involvement in anti-bullying efforts, peer support, mutual respect, and a culture which encourages students to report incidents of bullying to adults.

Interventions for students who bully, are bullied, and witnesses who report bullying shall include but are not limited to:

- Education of replacement behaviors, empathy, tolerance, and sensitivity to diversity.
- Remedial measures to correct bullying behavior, prevent another occurrence, and protect the victim.
- Support /school counseling for the victim with protection from retaliation and further episodes of bullying.
- Utilization of community health and mental health resources as needed.

Reporting:

Reporting by students, parents or a close adult relative of the student: Any student (victim or witness), parent, or close adult relative who has a complaint regarding an act of bullying, harassment, intimidation, discrimination, or hazing at school during school hours or at any school sponsored function by another student or a school employee or volunteer, shall report the matter to a school

employee, or in the case of sexual bias, to the county Title IX Coordinator. If the adult to whom the report was made is an adult other than the principal (or designee), that adult shall assist the student in reporting the act to the school principal (or designee). When reporting such incidents, the person with the complaint or concern will be given the opportunity to complete the Harassment/Intimidation Report Form. A school staff member may also complete a Harassment/Intimidation Report Form. An investigation of the incident will occur as outlined below. Only situations reported on the Harassment/Intimidation Report Form are to be investigated and documented via the Harassment/Intimidation Incident School Investigation Form. Incidents reported but not documented on the Harassment Intimidation Report form shall be investigated in a manner consistent with Carroll County Public Schools' procedures.

IV. Investigating

1. Those situations reported by a student, parent, close adult relative, or school staff member of the student on the Harassment/Intimidation Report Form are to be investigated and documented via the Harassment/Intimidation Incident School Investigation Form. The completed report form and the investigation form are to be maintained in a separate file in the administrative office as determined by the principal. Forms should be filed by grade level and sent to feeder schools at the middle school & high school level, at the end of 5th grade and 8th grade. A copy of each completed Harassment/Intimidation reporting form, along with the corresponding investigation form, shall be sent to the Director of Student Services upon completion of all investigations.
2. All incidents of bullying, harassment, intimidation, discrimination, or hazing reported as a disciplinary infraction, not reported on the Harassment/Intimidation Report Form, shall be investigated according to appropriate administrative procedures and practices. The principal and/or designee, upon receipt of a complaint, shall promptly investigate the complaint, obtaining the name of the accused person(s), any witnesses, and a description of the incident. The victim and the person(s) to have allegedly engaged in misconduct under this regulation will be interviewed as soon as possible. The investigation must be made in an objective and sensitive manner, within 2 school days after receipt of a complaint or as timely as possible for school administration. An opinion regarding the merits of the case should not be rendered until a full investigation has been completed. An investigation of a complaint shall include the following steps:
 - Provide the alleged victim, perpetrator and witnesses with a pamphlet on bullying. This pamphlet will be disseminated by the school counseling department and will include signs of bullying, harmful effects, replacement behaviors, as well as school and community resources.
 - Throughout the investigation, maintain confidentiality, subject to the limitations of FERPA, as much as possible of all persons involved. Neither victim nor witnesses should be promised confidentiality at the onset of an investigation. It cannot be predicted what will be discovered or if a hearing may result from the ultimate outcome of the investigation. Efforts should be made to increase the confidence and trust of the victim and any

witnesses. They will be informed that any information discussed and recorded will be confined to "need to know" status.

- Stress throughout the investigation that the school system is committed to maintaining a safe and secure environment and also protecting innocent individuals from false accusations.
- Interview the person(s) with the complaint.
- Interview the alleged victim(s).
- Interview the person(s) accused of the alleged misconduct.
- Interview witnesses and/or bystanders, as appropriate.
- If possible and appropriate, obtain written statements from the person(s) making the complaint, the person(s) being accused, and the witness or witnesses.
- Keep a written log of the investigation.
- Promptly make a determination whether the alleged conduct occurred and whether it constituted a violation of this regulation.
- School administrators or the administrative designee shall make contact with the parent/legal guardian of the alleged victim and alleged perpetrator, if either are students.
- If questions arise regarding the reporting and investigating of alleged incidents between students, contact the Pupil Personnel Worker assigned to the school or the Director of Student Services.
- If any inappropriate conduct is alleged between an employee and a student, the principal shall contact the Director of Student Services immediately.
- If any alleged misconduct is by a principal, the incident shall be immediately reported to the Director of Student Services who will work with the appropriate level Director and the Director of Human Resources to investigate and respond to the complaint.
- If sexual or physical abuse (including any intimate touching) of a student by a school employee is suspected, the principal shall immediately stop the investigation and contact Protective Services according to procedures outlined under Staff/Student Relationships regulations and Child Abuse or Neglect Guidelines. If given permission to do so by the investigating agency, the school administrator will promptly inform (normally prior to the end of the next school day) the student's parents/legal guardians of the situation and that a referral has been made to the investigating agency.
- If the act is a violation of the policies set forth under Serious Threats of Violence and Violent Acts, those regulations will be implemented as appropriate.
- State law dictates that any serious incident of discrimination be reported to the appropriate law enforcement agency for further investigation and follow-up. (The Principal shall consult with either the Director of Student Services or the Coordinator of School Security prior to reporting.)

V. Disciplinary Action

If it is determined that misconduct under this regulation has occurred, the principal shall take immediate and appropriate steps to discipline the offender and to prevent recurrence. Disciplinary action will be based upon the severity of the action. In the case of student offenders, disciplinary action may include but is not limited to, any of the following:

- Verbal or written reprimand
- Apology letter to the victim(s)
- Student/parent conference
- Completion of assignments including appropriate reading and reports, which would promote student understanding and empathy
- Mediation/conflict resolution (when appropriate and both parties agree)
- Referral to School Counselor or Crisis Intervention Specialist
- Detention
- Exclusion from the classroom
- Saturday School
- Community conferencing
- In-school suspension
- Out of school suspension
- Suspension or removal from a club or team, when the misconduct is connected to membership of that organization. In the case of pervasive violation by team or club members, the organization shall be dissolved or disbanded for a period of time as deemed appropriate by school administration.
- Request administrative placement to an alternative program
- Request Extended suspension/expulsion
- Other as deemed appropriate

VI. Follow-Up

Separate conferences with the victim and offender shall occur within ten school days after the investigation to determine whether the bullying, harassment, or intimidation has continued and whether additional consequences are necessary. These conferences may occur as part of the counseling intervention. Another follow-up conference or conversation shall be held with the victim approximately twenty school days after the initial follow-up conference to determine if the bullying, harassment, or intimidation has ceased. These follow-up conferences shall be conducted by a school administrator or designee.

VII. Appeal

Following the report and investigation of the incident, if the student or parent is not satisfied with the outcome, they may follow the Grievance Procedures for Carroll County Public Schools.

VIII. Other

- Insisting that behaviors or actions were “misunderstood” does not excuse or reduce responsibility for the behavior.
- Students have the right to report actions and misconduct addressed by this regulation without fear of reprisal or retaliation. Acts of reprisal or retaliation shall be handled using appropriate disciplinary measures. The offender shall be informed that retaliation against any involved party is strictly prohibited and that progressive consequences shall occur if the activity continues.
- Failure of staff to report observed or known acts of misconduct under this regulation shall result in disciplinary consequences as determined by the

Director of Human Resources in consultation with the Director of Elementary, Middle, or High Schools, the Director of Student Services and the Principal.

IX. Communication

The Safe School Reporting Act of 2005 requires that students and parents be notified of the reporting procedures and where they may obtain a Harassment/Intimidation Reporting Form. Classroom presentations, newsletter summaries, and information via school websites are examples of how the reporting procedures are made known to students and parents. In addition, the forms shall be made available in the schools in the administrative offices, counseling offices, and health suites, as well as, on the Student Services web page. Information contained in these regulations may be found in the following locations: Parent/Student Handbook, Student Services web page, and the on-line policy book (<http://www.boarddocs.com/mabe/ccps/board.nsf/policybooks>)

Any students, parents/legal guardians, or staff members having inquiries regarding the application of these regulations should contact the school principal or the Director of Student Services at 125 North Court Street, Westminster, Maryland, 21157, 410-751-3123, or the appropriate school level Director at 410-751-3000. Individuals may also contact Charles J. Buckler, Branch Director, Student Services and Alternative Programs or Dominic M. Romano, School Safety Specialist, with the Maryland State Department of Education at 410-767-0311.

X. Data Collection and Reporting

- A copy of each completed Harassment/Intimidation Reporting Form, along with the corresponding investigation form, shall be sent to the Director of Student Services upon completion of all investigations.
- Information obtained from the Harassment/Intimidation Reporting Forms shall be recorded for data collection, storage, and submission according to the requirements of Education Article § 7-424, Annotated Code of Maryland
- The Director of Student Services/Designee shall provide each school with a summary report for individual schools annually. This summary report shall include the types of bullying reported, administrator's determinations from investigations, and disciplinary actions taken.

XI. Glossary

Bullying: exposing a student to intentional negative actions on the part of one or more other students which adversely affect the victim's ability to participate in or benefit from the school's educational programs or activities.

Harassment: perceived or actual experiences of discomfort with identity issues in regard to race, color, national origin, gender, disability, sexual orientation, religion, or other identifying characteristics by a student which adversely affects that student's ability to participate in or benefit from the school's educational programs or activities.

Intimidation: subjection of a student to intentional actions that seriously threaten and induce a sense of fear and/or inferiority which adversely affects that student's

ability to participate in or benefit from the school's educational program or activities.

Retaliation: an act of reprisal or getting back at a person for an act he /she has committed.

7/09/08

REVISED: 4/24/09

REVISED: 9/09/09

REVISED: 11/11/09

Carroll County Public Schools

Guidelines for Completing Harassment/Intimidation Forms

The Safe Schools Reporting Act of 2005 (Maryland law) requires the Maryland State Department of Education to report incidents of harassment or intimidation. The purpose of the law is to provide for the reporting of such incidents. It has no provision for addressing the prevention of or intervention in intimidation / harassment in the schools. The law also requires the Maryland State Department of Education to develop a reporting form that will be used consistently by all local school systems across the State. These guidelines address the completion of the required forms.

- Reporting documents - three reporting documents were developed by MSDE staff in accordance with the law:
 - Harassment or Intimidation (Bullying) Reporting Form (green)
 - This form is to be completed by the student, staff member, parent, or close relative of the student
 - If anyone of the above individuals reports an incident of harassment / Intimidation / Bullying, that person shall be provided with the form and, if necessary, offered assistance in filling it out. If the use of the form is declined, the incident will be handled according to routine school procedures
 - The Harassment or Intimidation (Bullying) Reporting Form may not be modified in any way by local school systems or individual schools
 - Item #5 on the report form (Where did the incident happen?) lists four choices including “on the way to/from school.” Carroll County Public Schools will continue its long standing practice of investigating only those incidents that occur on school property or at a school sponsored event.
 - Harassment or Intimidation (Bullying) Incident School Investigation Form (yellow)
 - Only incidents reported on the Harassment or Intimidation (Bullying) Report Form are to be captured on the Harassment or Intimidation (Bullying) Incident School Investigation Form. The number of completed investigation forms should equal the number of completed report forms (not including any report forms listing the location as “on the way to/from school.”)
 - The administrator investigating the incident will complete all sections of the form and provide a copy to the Director of Student Services within 10 days.
 - Harassment or Intimidation (Bullying) Incident Reporting Instrument
 - This instrument is not in your packet of information. The instrument will be completed by Central Office staff. The data will be compiled from the school investigation forms submitted to the Student Services Office by each school.
- Distribution of the Harassment / Intimidation (Bullying) Report Form
 - The Safe Schools Reporting Act of 2005 requires that the Harassment / Intimidation (Bullying) Reporting Form be readily available to students and parents
 - The Act also requires that students and parents be notified of the reporting procedures and where they may obtain a report form. Classroom presentations, newsletter summaries, and information via school websites are examples of how the reporting procedures are made known to students and parents. In addition, the forms shall be made available in the schools in the administrative offices, counseling offices, and health suites, as well as, on the Student Services web page.

➤ Determination of Harassment / Intimidation (Bullying):

- Definition of harassment/intimidation (bullying):
Bullying, harassment, or intimidation means intentional conduct, including verbal, physical, or written conduct, or an intentional electronic communication, that: (I) creates a hostile educational environment by substantially interfering with a student's educational benefits, opportunities, or performance, or with a student's physical or psychological well-being and is: 1. motivated by an actual or a perceived personal characteristic including race, national origin, marital status, sex, sexual orientation, gender identity, religion, ancestry, physical attribute, socioeconomic status, familial status, or physical or mental ability or disability; or 2. threatening or seriously intimidating; and (II) 1. occurs on school property, at a school activity or event, or on a school bus; or 2. substantially disrupts the orderly operation of a school. Electronic communication means a communication transmitted by means of an electronic device, including a telephone, cellular phone, computer, or pager.
- Please keep this definition in mind as you determine if an incident is harassment / intimidation (bullying).
- Harassment / intimidation (bullying) can occur as a one time only incident or as recurring incidents over time.

➤ Record keeping

- The Maryland State Department of Education advised that the incident report form is a school record and is to be confidentially maintained in accordance with the Family Educational Rights and Privacy Act, 20 U.S.C. subsection 1232g.
- CCPS will maintain the report form and a copy of the investigation form in a separate file in a single location in the administrative office as designated by the principal. Additionally, a copy of each reporting and investigation form will be maintained by the Director of Student Services.

➤ Prevention and Intervention

- Although the major purpose of the Safe Schools Reporting Act of 2005 is to collect data:
 - Carroll County Public Schools will continue to focus on preventing harassment, intimidation, discrimination, and bullying from occurring in our schools.
 - When such an incident does occur, CCPS will intervene in an efficient and effective manner in order to maintain a safe and orderly learning environment.
- Carroll County Public Schools prevention activities include, but are not limited to:
 - Classroom lessons
 - Character Education / Discipline Committee
 - Health curriculum developed by health teachers with support from school counselors
 - Individual school initiatives
 - Annual in-service of staff members

CONFLICT RESOLUTION CONTRACT

Date: _____

Brief description of the conflict:

I, _____ (Name of Student A), agree to:

I, _____ (Name of Student B), agree to:

We have made and signed this agreement because we believe it resolves the issue(s) between us. We also agree that if either feels the contract has been broken, we will notify a counselor or administrator as soon as possible.

Signature - Student A

Signature - Student B

Signature - Mediator

Effective 8/99

**EXTENDED SUSPENSION
CHECKLIST**

Rev. 5/08

DATE: _____

STUDENT NAME: _____

GRADE: _____

HOME SCHOOL: _____

1. Letter to Superintendent
2. Letter to Parents
3. *Original Notice of Suspension, if applicable copies of previous suspension requests*
4. Copy of IEP/504 Manifestation Worksheet (if applicable)
5. Copy of IEP/504 Plan(if applicable)
6. Functional Behavioral Assessment (if applicable)
7. Behavior Intervention Plan (if applicable)
8. Written Description of Incident
9. Behavior Report Summary (SASI, Rediker or SWIS)
10. Behavior Contract (if applicable)
11. Attendance Report
12. Attendance Contract (if applicable)
13. Report Card
14. Current Grades
15. Electronic Transcript (High School Credits) from Web Portal
16. Course History Summary from SASI
17. Schedule of Classes for the Year
18. Student Record Cards (SRC 1, 2, 4)
19. Emergency Procedure Card
20. Proof of Birth
21. Copy of Immunizations
22. Other Significant Information

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