

ADMINISTRATIVE PROCEDURE 10101



CODE
of Student
Conduct



Prince George's County Board of Education

Prince George's County Public Schools

www.pgcps.org

14201 School Lane • Upper Marlboro, MD 20772

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William R. Hite, Ed.D.

Superintendent of Schools

Dear Students and Parents/Guardians,

Welcome to Prince George's County Public Schools. Serving a student population in excess of 129,000 students, the school system is large enough to offer broad and varied academic programs and personal enough to ensure that every student excels under the guidance of a talented and committed staff. From pre-schoolers learning the alphabet and how to share, to seniors taking Advanced Placement courses and awaiting college acceptances, and for every grade in between, Prince George's County Public Schools is committed to serving the needs of each and every student.

As a child's primary teacher and our partners in education, we encourage parents/guardians to take an active role in education. Please visit the school on a regular basis to show your child that you value education. We hope that you will take advantage of the many opportunities to become involved in the educational process — mentor a student, serve on a PTA board, volunteer in a classroom — and make your child's academic experience in Prince George's County Public Schools even better through your active involvement.

In order to make sure that your child can learn in a safe and orderly environment, we have developed this Code of Student Conduct. As a set of expectations for behavior in the schools as well as procedures for correction, the Code is intended to ensure consistent application of the rules in all schools. Please review the Code with your child so that all students know the rules and act in accordance with both the specific written policies and the spirit of educational excellence inherent in the Code of Student Conduct.

With parents as our partners in education, our children will experience success. Communicate frequently with your child's teachers and administrators, be involved in your child's school activities, and celebrate each and every success your child achieves.

Sincerely,

William R. Hite, Ed.D.
Superintendent of Schools

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The Internet address for Prince George’s County Public Schools is <http://www1.pgcps.org>. Links to all Board of Education policies may be found on the website at <http://www.pgcps.org/~board/policy/>. Links to all Administrative Procedures referenced in this Code may be found on the website at <http://www.pgcps.org/~procedur/>.

Preface to Administrative Procedure

A clear and specific Code of Student Conduct is an essential element in developing and maintaining a rigorous academic environment. In addition, while the effective Code presupposes that the educational environment must be rigorous, it also creates the positive, supportive, and inclusive learning environment that minimizes the behavioral issues addressed in the Code. It provides a framework for excellence through guidelines for correction and discipline that are firm, fair, and consistent for all students in all schools. An effective Code must create and explain expectations, procedures, and strategies so that all members of the school community can fully understand and utilize them. It must create a structure in which students and adults can forge educational partnerships and improve the instructional environment critical to success. As the expectations for student achievement rise, a Code of Student Conduct becomes increasingly important as a central element in the creation of the safe and orderly environment necessary for student and school success.

In 1974, Prince George's County Public Schools first implemented a Code of Student Conduct. Due to changing needs, the initial Code had been modified frequently since that time, but had never been fully revised. This new Code, developed by a committee of community leaders, parents, students, teachers, and administrators, with participation from many others, reflects the need to instruct, lead, and correct students in order to help them achieve at the highest levels of excellence. When discipline becomes necessary, this Code reflects the Board of Education philosophy that the appropriate response is the least severe action that can reasonably be seen to correct the misbehavior.

This revised Code of Student Conduct incorporates a number of additions and modifications to the former document. The language is more conversational and less legal to ensure that it is available to everyone. Recognizing that many constituencies share the responsibility for educating our students, the Code outlines the responsibilities of these groups. The Code includes a more comprehensive section on consequences to be used prior to or in place of suspension. Misbehavior has been categorized into four levels of severity. Each of these levels contains suggested teacher and/or administrative responses to ensure that students are treated fairly and consistently throughout the school system. Because technology has become increasingly important for students both within the school setting and in society at large, this Code has incorporated a section on the use and consequences for misuse of technology, including computers and the Internet. Attendance policy has been included to ensure that parents and students are aware of the importance of regular, punctual attendance for academic success. Finally, all sections have been reviewed and updated, as needed, to reflect changes in Maryland or federal laws or regulations.

The Code of Student Conduct includes information which is relevant to all students in Prince George's County Public Schools. Federal and State law provide additional disciplinary protections for students with disabilities under the IDEA (Special Education) and Section 504 of the Rehabilitation Act of 1973. Because of frequent changes in the law and/or regulations governing students with disabilities as defined in the IDEA or Section 504 of the Rehabilitation Act, specific disciplinary policies which are applicable only to these students are included in separate documents. For such information, please see Procedural Safeguards: Parental Rights for disciplinary procedures under the IDEA (<http://www.pgcps.org/~procedur/10000/ProceduralSafeguards.pdf>) and Administrative Procedure 5146, Procedural Guidelines for Students Disabled Under Section 504 of Rehabilitation Act of 1973 (<http://www.pgcps.org/~procedur/5000/5146.pdf>), for disciplinary

procedures under Section 504 of the Rehabilitation Act. Both documents are available at all PGcps schools.

This document has been developed to be clear and informative. It serves to set the framework for educational excellence, creating an environment in which all students can achieve the academic success necessary to become informed and productive citizens.

Application of Code — Jurisdiction

This Code and its provisions are in effect during regularly scheduled school hours as well as at such other times and places, including, but not necessarily limited to, school-sponsored events, field trips, and athletic functions, where appropriate public school administrators have authority over students or the behavior has a direct effect on the order and general welfare of the school.

Provisions in this Code of Student Conduct regarding Vandalism and/or Destruction of School Property and Theft of School Property are applicable whether or not school is open or in session at the time the offense is committed. Unless otherwise defined in specific sections, all periods of time specified in this Code are for days during which schools are scheduled to be in regular session.

I. Rights and Responsibilities

A. Student Rights

Prince George's County Public Schools respects the rights of students to be treated equally and fairly to ensure that no student is discriminated against based on race, color, sex, age, national origin, religion, sexual orientation, or disability in the areas of freedom of expression, procedural and due process, personal rights, and access to school programs. All students enrolled in Prince George's County Public Schools have a right to:

- A free, public education subject to provisions of state law and the bylaws, rules, and regulations of the Maryland State Board of Education and the Board of Education of Prince George's County.
- An education in a learning environment that is safe, drug-free, and conducive to learning where high standards are stressed.
- Enjoy substantial and meaningful freedom of speech, press, assembly, and religion in accordance with PGcps Administrative Procedure 5150.
- Due process for academic, attendance, and disciplinary measures, as well as other issues which could impact the student's ability to receive a free and appropriate education.
- Inspect, review, and seek to amend educational records in accordance with The Family Educational Rights of Privacy Act and Administrative Procedure 5125.
- Access to prevention and intervention programs, subject to budget availability, such as:
 - Conflict Resolution
 - Counseling
 - Mediation and/or Peer Mediation
 - Alternative Educational Programs

The discipline of students receiving special education services must follow the guidelines of the Prince George's County Public Schools Board of Education, which meet the Individuals with Disabilities Education Act.

B. Student Responsibilities

Students shall have the responsibility to:

- Help to create and maintain a safe and orderly school environment that is conducive to teaching and learning.

- Know and obey all county and school rules and regulations relating to student conduct and achievement.
- Come to school each day on time and ready to learn.
- Present the school with a parent/guardian note for absences.
- Work to achieve potential in all academic and extracurricular activities.
- Obey all instructions from all school employees in a positive and respectful manner.
- Ask questions to ensure understanding.
- Dress in accordance with the dress code for school and school functions.
- Accept responsibility for their actions.
- Maintain appropriate conduct as representatives of the school system when participating in or attending school sponsored extracurricular events and uphold the highest standards of conduct, demeanor, and sportsmanship.
- Utilize school resources to develop appropriate problem solving skills.
- Respect constituted authority, which includes not only obeying school rules and regulations, but also conforming to the laws of the community, state, and nation.
- Reflect respect and consideration for the personal and property rights of others and understand the need for cooperation with all members of the school community.
- Bring to school only those items and materials which are appropriate for the instructional program.

C. Parent/Guardian Rights

Parents shall have the right to:

- Be treated with courtesy by all members of the school staff.
- Request a conference to inspect their child's cumulative record and to request the correction of any false or misleading statements in conformity with Administrative Procedure 5125 and current guidelines established by the state and federal governments.
- Visit schools and classes after a request to the Principal to do so, at times that respect the educational environment.
- Be informed of academic requirements of any school program in a timely manner.
- Be informed of school policies and administrative decisions in a timely manner.
- Be informed of approved procedures for seeking changes in school policies and for appealing administrative procedures.
- Be informed of all programs in special education.
- Appeal the placement, in accordance with established guidelines, of their child in a special education class.
- Expect that every attempt will be made by school personnel to distribute to students or otherwise seek to communicate with parents important news and messages from the school system and/or individual schools in a timely manner.
- Participate in meaningful parent-teacher conferences to discuss their child's school progress and welfare.
- Expect reasonable protection for their child from physical harm while under school authority.
- Organize and participate in organizations for parents.
- Seek information from school personnel to further the progress and improvement of their child, which includes, but is not limited to, counseling, tutorial, and remedial programs, as well as information about academic and psychological services both in and outside of the school system.

D. Parent/Guardian Responsibilities

Parents shall have the responsibility to:

- Provide proof of a bona fide residence in Prince George's County, Maryland.
- Furnish to the school system, at the time of registering their child for kindergarten or first grade, proof of the child's age.
- Provide the school system with proof that the child has received all immunizations required by the Board on the enrollment of their child in school
- Notify the school whenever their child is to be absent (COMAR 13A.08.01, Administrative Procedure 5113).
- Comply with compulsory attendance law for their child (Annotated Code of Maryland Article, Section 7-301), which states that "every child between the of age 5 and under 16 years must attend school regularly." (Administrative Procedure 5113)
- Assume as parents the primary responsibility for the discipline of the child.
- Acknowledge the child's responsibilities and obligations in the school as well as in the community.
- Recognize that school personnel must necessarily concern themselves primarily with educational responsibilities.
- Model cooperation with school and transportation personnel.
- Cooperate with school personnel by willing and timely response to requests for conferring on the behavior, health, and/or academic progress of their child.

II. Home School Partnerships

While students are the major stakeholders, Prince George's County Public Schools recognizes that there are many other stakeholders who both directly and indirectly impact the success of students. Each of these groups has specific rights and responsibilities that when fulfilled contribute to strong schools and exceptional student achievement.

A. Responsibilities of Teachers/Staff

Teachers shall have the responsibility to:

- Be prepared to teach and provide quality instruction within the current curricular framework.
- Maintain an environment of mutual respect and dignity.
- Demonstrate interest in teaching and concern for student achievement.
- Remain knowledgeable about school policies and rules, and enforce them in a fair, impartial, and consistent manner for all students.
- Communicate policies and expectations to students and parents, including:
 - Course objectives and requirements.
 - Grading procedures.
 - Assignment deadlines.
 - Classroom discipline plan.
- Communicate information regarding student progress and achievement on a regular and timely basis to students, parents, and other involved professionals.
- Exhibit an attitude of respect for students that has a positive influence in helping students develop good citizenship traits.
- Maintain an atmosphere that contributes to positive student behavior.
- Provide make-up work upon request for students with lawful absences, including those students on suspension.
- Encourage the use of appropriate guidance services.
- Develop and maintain a positive working relationship with students and staff.

- Strive to improve the quality of life throughout the school community.

B. Responsibilities of Administrators

School administrators are responsible to:

- Support teaching and learning by creating and maintaining a safe and orderly environment.
- Promote communication with all members of the school community and present opportunities for students, staff, and parents to redress grievances.
- Evaluate instructional programs regularly and comprehensively.
- Support the development of and participation in appropriate extracurricular activities by students.
- Enforce the Code of Student Conduct and ensure the fair, consistent, and prompt resolution of concerns and infractions.

C. Responsibilities of the Superintendent of Schools

The Superintendent of Schools is responsible to:

- Ensure that district administrators are knowledgeable on the provisions of the Code of Student Conduct, policies of the Board of Education, and state and federal laws applicable to the discipline of students.
- Be familiar with district operations and regularly attend school functions.
- Communicate knowledge of best practices in relation to student discipline.
- Ensure that the district maintains staff with appropriate education and certification.
- Communicate district activities to the community through means such as publications, announcements, and community meetings and forums.
- Inform the Board on current issues and trends in student discipline.
- Support staff by ensuring appropriate student discipline procedures consistent with district policies and state of Maryland law.

D. Board of Education

It is the responsibility of the Board of Education to establish policies and procedures that support a disciplined and structured learning environment.

III. Student Attendance Policy

School achievement begins with regular attendance. Parents/guardians must ensure that all school-age children in their care are in school on time daily. Additionally, school personnel must communicate any attendance problems or concerns to parents/guardians in a timely manner.

The most effective strategy to prevent unlawful and excessive absence is proactive, with the school, family, and community working together. To this end, school personnel report to administrators or Student Services Personnel their concerns about student behaviors which may be precursors to attendance problems. Additionally, the Attendance Committee at each school, chaired by the pupil personnel worker, addresses emerging and continuing attendance issues through targeted programs, individual parent and student meetings, and other appropriate interventions and referrals.

A. Students Reporting Late To School

It is imperative for students to be on time at the beginning of the school day. The official school attendance documentation is recorded during this time. Schools are required to admit students to school

regardless of the time they arrive. However, students who arrive late to school must report first to the appropriate administrative office to obtain a late pass before being admitted to any classroom or other area of the school. This pass must be shown to all of the student's teachers as the student reports to each class during the day, as well as to teachers of any missed classes during the next school day. If the student does not obtain and show the pass to all teachers, the tardy will be UNEXCUSED.

Additionally, for the tardiness to be excused, students are required to bring a note from the parent/guardian explaining the reason for the tardiness.

B. Lawful Absences

Absence from school, including absence for any portion of the day, of pupils who are presently enrolled in public school shall be considered lawful only under the following conditions:

1. Death in the immediate family. The local school system shall determine what relationships constitute the immediate family.
2. Illness of the student. The Principal shall require a physician's certificate from the parent/guardian of a student reported continuously absent for illness.
3. Court Summons.
4. Hazardous weather conditions. Hazardous weather conditions shall be interpreted to mean weather conditions that would endanger the health or safety of the student when in transit to and from school.
5. Work approved or sponsored by the school, the local school system, or the State Department of Education, accepted by the Superintendent of Schools or the school Principal, or their designees, as reason for excusing the student.
6. Observance of a religious holiday.
7. State emergency.
8. Suspension.
9. Lack of authorized transportation. This shall not include students denied authorized transportation for disciplinary reasons.
10. Other emergency or set of circumstances which, in the judgment of the Superintendent of Schools or designee, constitutes a good and sufficient cause for absence from school.

All students, including students who have been suspended, are to be offered make-up work for the time during which they were lawfully absent.

C. Unlawful Absence and/or Truancy

Unlawful absence and/or truancy is defined as the act of a pupil being absent from school for a day or any portion of a day from an individual class or any portion of a class for any reason other than those defined as lawful. Teachers are not required to provide make-up for students when absences are unlawful.

D. Possible Consequences for Students Who Regularly Miss School

- Behavioral probation
- Written contract
- Before and/or after school detention
- In-School suspension
- Saturday School Program
- Removal of school privileges
- Reduction in grades or loss of credit
- Restriction of extracurricular activities

- Denial of opportunity to make-up class/homework assignments, tests, and/or quizzes (for unlawful absences)
- Placement in an alternative educational program
- Referral to Pupil Personnel Services for possible outside referral to court for violation of the compulsory attendance law or to Juvenile Services for intake services

For first and continued instances of suspected truancy, the Principal shall initiate the procedures contained in Administrative Procedure 5113, Student Attendance, Absence, and Truancy.

E. Possible Consequences for Parents/Guardians for Unlawful Absences of Students

By law, parents/guardians must ensure regular attendance for their school-aged children who are enrolled in the public schools. If a child has excessive unexcused absences, the parent/guardian may be convicted of a misdemeanor and imprisoned or fined by the courts. Additionally, any other adult who persuades or attempts to persuade a student to be unlawfully absent, or who harbors a child who is unlawfully absent, may also be convicted of a misdemeanor and imprisoned and/or fined.

F. Withdrawal of Students 16 Years of Age or Older

All students may attend school until graduation or the completion of the school year in which they turn 21. School attendance is required by law for students between the ages of 5 and 16. While students aged 16 years and older who do not attend regularly may be withdrawn from school, no student may be withdrawn because of poor attendance until the school has made a reasonable effort to contact the home. Students 16 years and older who do not regularly attend school may be withdrawn from school for reasons such as:

- Lack of academic success including low grades and/or grade retention.
- Continued disciplinary problems as documented by multiple office referrals and/or suspension(s).
- Lack of personal motivation or interest to continue enrollment.
- Employment.

Before withdrawing a student, the school must hold an exit conference with the student and parent/guardian to discuss educational options. As appropriate, these options may include, but are not limited to:

- Evening High School
- Summer School
- Special school or class placement, such as Croom Vocational, Tall Oaks Vocational, Career Technology Education, etc.
- Community-Based Classroom
- G.E.D. Preparation Program
- Possible reentry to the regular day school at a later date

For all students withdrawn under these procedures, the school is to complete the PS-105, which documents the steps that the school had taken prior to the withdrawal of the student.

Under certain conditions, a student of compulsory age may be withdrawn if attendance in a public school would be detrimental to the student's progress or the student's presence would present a danger of physical harm to others. Administrative Procedure 5114.1 outlines the specific conditions and criteria for such a withdrawal.

G. Appeal Process

Parents/guardians may appeal a student's withdrawal for truancy to the Area Executive Director. The student will remain withdrawn during the appeal. If the appeal is upheld, the student is to be offered all make-up work for the period of withdrawal. Additionally, consistent with

state regulations, parents/guardians may appeal attendance violation decisions and/or question the school records regarding attendance. These appeals should be made in writing to the school Principal.

IV. Conduct Warranting Disciplinary Measures Resulting in Modification or Denial of Educational Participation

A. General Considerations

A key guideline in the application of this Code is embodied in the principle that the appropriate reaction to a disciplinary problem is the least extreme reaction that reasonably holds promise of resolving the problem. Discipline should be both corrective and instructive, designed to foster growth and understanding in the student. Appropriate responses to misbehavior are commensurate with the age and maturation level of the student.

B. Alternative Strategies

While there are instances in which formal disciplinary measures must be used, teachers and administrators are encouraged to develop and utilize a variety of informal disciplinary/guidance strategies to maintain effective learning conditions. These strategies, subject to budgetary limitations, include, but are not limited to:

- Administrator/Parent/Student conference
- Administrator/Student conference
- Before or after school detention
- Alternative volunteer service (e.g., soup kitchens, shelters)
- Behavior/Academic contract
- Cafeteria duty
- Community Conferencing/Restorative Justice
- Counselor/Parent conference
- Counselor/Student conference
- Counselor/Teacher conference
- Guidance/Counselor referral
- In-School work detail
- In-School suspension
- Lunch detention
- Parent Shadowing
- Peer Mediation
- Referral to the Pupil Personnel Worker
- Referral to the SST
- Reflective essay (topic to be selected by teacher or administrator)
- Restriction of participation in after school and/or extracurricular activities
- Saturday School
- Schedule adjustment(s)
- School Instructional Team referral
- Teacher/Parent conference (e-mail, letter, telephone)
- Teacher/Student conference

If a student does not complete an assigned alternative to suspension, the Principal may impose a more severe consequence, including suspension of the student. Principals have the authority to assess suspensions of one to five days. They must request the approval of the Superintendent of Schools for suspensions of more than five days. Recognizing the need for careful judgments in this regard, the Board of Education approves the following guidelines regarding disciplinary responses and options.

C. Levels of Offenses

Acts of misconduct are categorized into the following four levels of offenses:

LEVEL	CATEGORY DEFINITIONS
LEVEL I	Violation of General Classroom and Bus Rules – Level I consists of minor offenses that generally occur in the classroom or on the bus and can be corrected by the teacher or driver.
LEVEL II	Conduct Requiring Administrative Intervention – Level II consists of offenses that are more serious in nature, or persistent or serious Level I misconduct.
LEVEL III	Suspension and/or Removal to a Disciplinary Alternative Education Program – Level III consists of offenses that significantly disrupt the educational process, school environment, school-related activities and/or bus transportation, or are persistent or serious Level I or II misconduct.
LEVEL IV	Expulsion and/or Removal to a Disciplinary Alternative Education Program – Level IV consists of serious offenses which include willful or malicious acts that have the effect of materially and substantially disrupting the educational environment in the school, on the school bus, or at school activities; or Level I, II, or III infractions depending on the severity or persistence of the act.

Level I - Violation of General Classroom and Bus Rules

MISCONDUCT	DISCIPLINARY OPTIONS/RESPONSE
Academic Dishonesty/Cheating/Plagiarism	<ul style="list-style-type: none"> • Verbal correction • Teacher-student conference • Student-counselor conference • Teacher-parent conference • Behavioral probation • Detention (maintained by teacher before or after school) • Parent shadowing • Restriction of school bus privileges by the administrator • Other appropriate in-class disciplinary actions • Payment for lost or stolen Identification Badge • Communication of offense to administration for review • Serious or repeated violations may be treated as Level II, III, or IV infractions
Classroom Disruption	
Failure to Come to Class Prepared	
Failure to Wear Identification Badge	
Internet/Computer Misuse	
Public Display of Affection	
Unexcused Tardiness	

Serious or repeated Level I misbehavior may result in a consequence for behavior usually reserved for Level II, III, or IV disciplinary option/response.

Level II - Conduct Requiring Administrative Intervention

MISCONDUCT	DISCIPLINARY OPTIONS/RESPONSE
Bias Harassment	<ul style="list-style-type: none"> • Parental contact by phone and written or oral notification to parent or guardian • Behavioral probation • Administrator/teacher/student conference • Detention and/or Detention Hall • Parent shadowing • Exclusion from extracurricular activities • Mediation • Behavior contract • Confiscation • Temporary removal of the student from classroom • In-School suspension • Suspension of transportation privileges • Monetary restitution for damaged items • Any other appropriate disciplinary actions determined by the administrator • Serious or repeated Level II misbehavior may result in a more serious consequence or treated as a Level III or IV offense. <p>Note: There are specific reporting requirements for instances of bullying, harassment or intimidation. See Administrative Procedure 5143, Bullying, Harassment or Intimidation, for detailed procedures</p>
Bullying	
Class Cutting/Truancy	
Defamation	
Disorderly Conduct	
Disrespect	
Disruptive Speech	
Dress Code Violation	
Fighting	
Forgery	
Gambling	
Harassment/Intimidation	
Indecent Exposure	
Insubordination	
Loitering	
Sexual Harassment	
Theft - Below \$100	
Threat to Person or Property	
Trespassing	
Unauthorized Departure from School	
Unauthorized Sale or Distribution	
Unauthorized Sale or Distribution of Printed Materials (see Admin. Procedure 5150)	
Unauthorized Use of Portable Communication Devices	
Unauthorized Use of Electronic Devices	
Vandalism/Destruction of Property – Below \$100	
Serious or Repeated Level I Offenses	

Serious or repeated Level II misbehavior may result in a consequence for behavior usually reserved for Level III or IV disciplinary option/response.

Level III - Suspension and/or Removal to a Disciplinary Alternative Education Program

MISCONDUCT	DISCIPLINARY OPTIONS/RESPONSE
Assault	<ul style="list-style-type: none"> • In-School Suspension • Out-of- School Suspension <p>Note: A short-term suspension is a removal from class for five or fewer days.</p> <p>A long-term suspension is a removal for more than five days.</p> <p>A Principal may only suspend a student for up to five days.</p> <p>A Principal may request a suspension of more than five days, which may only be granted by the Superintendent or the Superintendent’s designee.</p> <p>A student may not be suspended out of school or expelled for attendance-related issues, including class cutting, tardiness, truancy, or insubordination related to attendance.</p>
Contaminating the Food of Others	
Group Fight	
Hazing	
Inciting Others to Violence or Disruption	
Possession or Use of Fireworks	
Reckless Endangerment	
Repeatedly Disruptive Conduct	
Theft – \$100 or more	
Threat to a PGCPs Employee	
Unauthorized possession, use, or distribution of over-the-counter medication	
Vandalism/Destruction of Property – between \$100 and \$500	
Serious or Repeated Level I or Level II Offenses	

Serious or repeated Level III misbehavior may result in a more serious consequence, such as a request for a long-term suspension or treatment as a Level IV offense.

Level IV - Expulsion and/or Removal to a Disciplinary Alternative Education Program

MISCONDUCT	DISCIPLINARY OPTIONS/RESPONSE
Acts of Gross Misconduct at Other Schools	Student will be placed on suspension while the Principal submits a Request for Expulsion. Referral to Alternative Educational Placement as available and appropriate.
Arson	
Assault with Substantial Bodily Injury	
Biohazard	
Bomb Threat	
False Alarm	
Group Fight which has been planned, causes material disruption to the school day, or results in substantial bodily injury	
Other Acts	
Physical Attack on Prince George’s County Public Schools Employee	
Possession, Use, or Distribution of Alcohol, Marijuana, Prescription Drugs, Controlled Dangerous Substances, Imitation Controlled Substances, Inhalants, Other Intoxicants, Controlled or Drug Paraphernalia	
Possession, Use, or Distribution of Explosives (does not include small fireworks)	
Possession or Use of Weapons or Instruments Used as Such	
Shakedown/Strong Arm/ Extortion	
Vandalism/Destruction of Property – above \$500	
Serious or Repeated Level I, Level II, or Level III Offenses	

Other acts, such as soliciting, commanding, aiding, or otherwise abetting any person to commit any act or conduct that is prohibited by this Code, and the commission or omission of any act which is in violation of any Federal or State law or any school rules or regulations, including the School Safety Plans, is prohibited by this code and will be subject to disciplinary action at a level appropriate to the misconduct. There are special procedures for offenses regarding alcohol and drugs, tobacco, and weapons. See sections XII and XIII for these procedures.

V. Transportation

Riding the school bus is an integral part of the school day for many students, and the directives in this Code apply fully to students when they ride the bus. In many cases misbehavior on the school bus can have more serious consequences than it has in the classroom if the driver’s attention is diverted from the task of safely transporting students. For this reason, students may be denied bus privileges for serious misconduct that occurs on the bus without being excluded from participation in school or any other school-sponsored activities. When the misbehavior is serious enough to deny students transportation, the Principal shall adhere to Administrative Procedure 5131.1, School Bus

Conduct, and the following guidelines:

- A student’s privilege to ride a school bus may be denied for up to five days by the Principal utilizing the investigation procedures listed under “Short-Term Suspension.” Notification will be made using a PS-31B.
- A student’s privilege to ride a school bus may be denied for more than five days by the Superintendent of Schools or designee utilizing the investigation procedures listed under “Long-Term Suspension.” The suspension from school may be for shorter duration than the removal from the bus, but in either case, not longer than for the balance of the school year. Notification of the request for long-term revocation of school bus riding privileges will be made using the PS-32B.

The following charts outline categories and the possible consequences for bus misbehavior.

LEVEL	CATEGORY DEFINITIONS FOR BUS MISCONDUCT
LEVEL I	Violation of Bus Rules – minor offenses that generally occur on the bus and can usually be corrected by the bus driver.
LEVEL II	Administrative Intervention – offenses that are more serious in nature, or persistent or severe Level I misconduct.
LEVEL III	Suspension from school or suspension of bus privileges – offenses that significantly disrupt the safety and security of bus transportation, or persistent or severe Level I or II misconduct.
LEVEL IV	Expulsion – Serious offenses which include willful or malicious acts that have the effect of materially and substantially disrupting the school bus; or recurring cases or instances of refusal to obey school officials or to comply with transportation rules and regulations

Behaviors enumerated in section V.C. of this code, Levels of Offenses, are also applicable to bus transportation. Additional behaviors, specific to bus disciplinary measures, include, but are not limited to, the following.

LEVEL I	
Misconduct	Disciplinary Options/Response
<ul style="list-style-type: none"> Eating or drinking on the bus Too loud; too boisterous Standing when seats are available Heads, arms, and/or legs out of bus windows Using unassigned bus stop Riding or attempting to ride unassigned bus 	<ul style="list-style-type: none"> Verbal correction by the driver Administrative Referral for persistent or severe Level I misbehavior
LEVEL II	
Misconduct	Disciplinary Options/Response
<ul style="list-style-type: none"> Smoking/lighting matches/lighter Using foul or abusive language Throwing objects from the bus 	<ul style="list-style-type: none"> Administrative Referral
LEVEL III	
Misconduct	Disciplinary Options/Response
<ul style="list-style-type: none"> Threatening the driver or attendant Throwing or shooting objects on the bus Fighting on the bus causing minimal disruption Damaging bus (vandalism) 	<ul style="list-style-type: none"> Administrative Referral with possible restriction or suspension of school bus riding privileges Suspension from school
LEVEL IV	
Misconduct	Disciplinary Options/Response
<ul style="list-style-type: none"> Fighting on the bus causing substantial disruption 	<ul style="list-style-type: none"> Administrative Referral with request for expulsion

VI. Procedures to Implement Disciplinary Measures

In all cases where a student is removed from the classroom, the Principal may not return the student to the classroom without conferring with the teacher who made the referral, other teachers as appropriate, other appropriate school personnel, the student, and the parent/guardian. “Confer” is defined as including a “discussion or dialogue by any means, for example, telephone, electronic mail, or face-to-face meeting, where the views of the teacher are communicated and considered.” [COMAR 13A.08.01.11B(1)]. This requirement includes students returning from short-term suspensions, long-term suspensions, and expulsions, as well as temporary removals from class and in-school suspensions.

A. Temporary Removal from Class

Teachers are expected to maintain discipline through the use of appropriate classroom management practices. However, in the event a student demonstrates an unwillingness to comply with school and/or classroom regulations, the teacher may send a student to the Principal or his/her designee. The Principal or his/her designee shall employ the least severe option that can reasonably be believed to resolve the problem. The student removed under this provision may be returned to the teacher’s class.

- A teacher may remove a student from class whose behavior the teacher determines is so unruly, disruptive, or abusive that it seriously interferes with the teacher’s ability to communicate effectively with the students in the class or with the ability of the student’s classmates to learn.
- When a teacher removes a student, the teacher must document the behavior through a written factual account of the behavior that is occurring in the classroom.

- The teacher, as soon as possible but no later than the end of the day, will report in writing (PS-74) to the Principal or his/her designee the circumstances leading to the student’s removal from class. The student shall be informed of the reason(s) for his/her removal from class when the administrator is sufficiently briefed by the teacher. The teacher requesting the student’s removal must inform the parent/guardian of the incident which led to the request.
- The student may be returned to class after the administrator or his/her designee has conferred with the teacher. This administrative conference may be by telephone, electronic mail, face-to-face meeting or other method in which the teacher’s views are considered, and it must be held by the next school day.

B. Behavioral Probation

The Principal or his/her designee may place any student who has been involved in an act of Level I, II, or III misconduct on behavioral probation in addition to or instead of suspension. School personnel must, however, perform an investigation of the situation, provide formal notice to the student and parent(s)/guardian(s), and an opportunity for a parent(s)/guardian(s) conference. Behavioral probation should be for a definite period during which critical examination and evaluation of the student’s progress is to take place.

- During the probationary period, the student may be denied the privilege of participation in or attendance at any or all extra-curricular activities.
- The Principal or his/her designee will notify the parent(s)/guardian(s) that the student is being placed on behavioral probation, including the length of the period, the terms of the probation, and the possibility of suspension if the student is found in further violation of school rules during probation.

- While on probation, the student shall be monitored by an administrator, teacher, or counselor selected by the Principal.
- If the student is further involved in an infraction of school rules during the probationary period, he/she shall be suspended and denied certain extracurricular privileges under the stipulations set forth in the probationary agreement.
- The student will be removed from probation if at the completion of the probationary period satisfactory adjustment has been made as agreed upon by the student, the staff member overseeing the student during probation, and the school's administrator.

C. Detention Hall

The Principal, or teacher upon approval by the Principal, may establish a Detention Hall. The Detention Hall shall meet daily, or as needed, before or after regular school hours, with the time for each session determined by the administrator. The Detention Hall shall serve as an alternative to a suspension for students who have been involved in persistent minor Level I or Level II disciplinary infractions. The Detention Hall may be organized to serve the needs of each individual school but shall be obligated to follow these basic guidelines:

- Schools offering the Detention Hall shall list the violations of the Code of Student Conduct which may be dealt with by optional use of the Detention Hall. Each school shall notify students and parents/guardians of these violations.
- The school shall utilize investigation procedures listed under Section VI.E, Short-Term Suspension, to show the student is in violation of the Code of Student Conduct.
- The school shall provide adequate staff supervision to ensure a serious academic atmosphere in the Detention Hall.
- The student and parent(s)/guardian(s) shall be given the option of choosing Detention Hall in lieu of suspension. The Principal shall make the final determination to accept or reject the student's choice after considering parental reaction and the availability of transportation.
- The student must abide by the decision in this matter. Failure to adhere shall result in the suspension originally designated for the offense in question.
- If the parent(s)/guardian(s) selects suspension, the student shall serve the suspension.
- Detention Hall may not be assigned to a student in excess of ten days for a given violation of the Code of Student Conduct.
- The Board of Education shall not be required to furnish transportation to any student selecting Detention Hall as an alternative to suspension. However, the student must have appropriate transportation home in order to be assigned to Detention Hall. Suitable transportation may include, but is not limited to, the Activity Bus or arrangements the parent(s)/guardian(s) can provide, and normal bus disciplinary procedures apply. If transportation is unavailable, the student may be suspended.

D. In-School Suspension

When the administrator determines that a student's conduct warrants removal from class but not the school building, the student may be placed in in-school suspension for a class period, a portion of the school day, or the whole school day, for a time not to exceed five consecutive days for a single offense, providing:

- The parent(s)/guardian(s) is promptly informed (PS-122/PS-80) of the continuing **short-term** removal of the student from the class(es) in question and of the need for a conference. (Note: The PS-122 is used for the removal of a student from one or more classes, but not all classes, and the PS-80 is used for the removal of a student from all classes.)

- The parent/guardian conference takes place within five days of assignment of the in-school suspension.
- The student may continue to attend the school and participate (unless removed from all classes) in all other classes and activities. The student is to be provided reasonable supervision and alternate assignments for the period of time he/she may be excluded from the class(es) in question.
- The student's short-term removal from class shall terminate, and he/she shall resume full educational participation, no later than five days following the day of his/her removal during which the student was in school.
- The appeal process for an in-school suspension follows the process for review of a short-term suspension.

E. Short-Term Suspension

A short-term suspension is a denial to a student of the right to attend school and to take part in any school function for any period of time up to and including five days.

SPECIAL NOTES:

- *A Principal has the authority to suspend a student for up to five days. A student should not be suspended for more than five days unless there are exceptional or unusual aggravating circumstances requiring a more severe penalty.*
- *A student may not be suspended out of school or expelled for attendance-related issues, including class cutting, tardiness, truancy, or insubordination related to attendance.*

1. Investigation

The Principal may invoke a short-term suspension only after investigating the misconduct and following these procedures:

- Notify the student of the charge(s).
- Accept information from the student and other persons who have knowledge of the incident. The student involved shall have the opportunity to express his/her side of the problem and, if deemed appropriate by the Principal, the student involved will have the opportunity to have persons give information in his/her behalf.
- Determine accuracy of the charge(s) based on this information. A short-term suspension shall be imposed solely at the discretion of the building Principal based on the findings of the investigation.

2. Implementation

Once a Principal has determined that a short-term suspension is warranted, he/she shall proceed as follows:

- The Principal immediately informs the student of the suspension and of the reason(s).
- The Principal immediately notifies the parent(s)/guardian(s) by telephone or in person of the student's suspension.
- A student's suspension will not begin until the school has confirmation that the parent/guardian has been notified via phone or in person. Under no circumstances shall a student be permitted to leave the premises unless escorted by a parent or guardian. If the parent or guardian can not pick up the student prior to the end of the school day, the student will be transported home via the regular mode of transportation used by the student.
- The Principal prepares a PS-31, Notification of Student's Suspension (Short-term). One copy is given to the student, one copy is mailed to the parent(s)/guardian(s), one copy is filed in the student's cumulative folder in the school, and one copy is forwarded to the pupil personnel worker. Pupil personnel workers shall be notified of

the suspension immediately. Additionally, the student's teacher(s) shall be notified immediately of the suspension and instructed to code all absences as suspensions to ensure that teachers know that the absences are lawful and that students must receive homework.

- Notification of the suspension must include the number of days of suspension. Within 24 hours, the incident must be entered into SchoolMax with the "start date," "end date," and "response."
- If the Principal believes that the student may be harmful to himself/herself or others, the Principal shall seek intervention from school security personnel, police officers, or other county agencies, following appropriate Board of Education policies and procedures to ensure the safety of the student and others as well as the security of the school environment.
- The student and the parent(s)/guardian(s) must be promptly given an opportunity for a conference with the Principal and appropriate personnel following the initiation of the suspension. At the conference, parties will agree to the requirements for the student's return to school and possible consequences if the behavior occurs again. The Principal may then readmit the student to school after a time no longer than the original time of the suspension.

3. Right of Review for a Short-Term Suspension

A review of a short-term suspension shall not serve to delay the suspension. A request for a review of a short-term suspension is accepted as evidence that the parent(s)/guardian(s) wishes further consideration of the results of the conference conducted by the Principal or his/her designee and/or the circumstances of the student's conduct and suspension. If a parent wishes a formal review of the suspension, the parent is to contact the pupil personnel worker to request the review. The pupil personnel worker shall meet with the Principal to review the circumstances of the suspension and, if appropriate, meet with the Principal and parent together to resolve the appeal.

F. Long-Term Suspension

A long-term suspension is a denial of a student's right to attend school and to take part in any school function for any period of time longer than five days but not longer than the length of two semesters.

A student may not be suspended out of school or expelled for attendance-related issues, including class cutting, tardiness, truancy, or insubordination related to attendance.

1. Investigation

The Superintendent of Schools or his/her designated representative may invoke a long-term suspension only after there has been compliance with the following procedures:

- The Principal, upon determining initially that a long-term suspension may be appropriate, shall follow the same procedure for investigation outlined for short-term suspension, Section VI.E.1: i.e., notifying the student of the charge(s); reviewing information from the student and other persons with knowledge of the incident; and determining the accuracy of the charge(s).
- The pupil personnel worker shall review this information and undertake any necessary additional investigation.

2. Implementation

If the Principal finds that a suspension of more than five days is warranted, he/she shall proceed as follows:

- The Principal shall inform the student of the suspension and the reason(s) for it.

- The Principal immediately notifies the parent(s)/guardian(s) by telephone or in person and in writing of the student's suspension and of the reason(s) for it at the time of the suspension. The student's suspension will not begin until the school has confirmation that the parent has been notified via telephone or in person. Under no circumstances shall a student be permitted to leave the premises unless escorted by a parent or guardian. If the parent can not pick up the student prior to the end of the school day, the student will be transported home via the regular mode of transportation used by the student.
- If the Principal believes that the student may be harmful to himself/herself or others, the Principal shall seek intervention from school security personnel, police officers, or other county agencies, following appropriate Board of Education policies and procedures to ensure the safety of the student and others as well as the security of the school environment.
- The Principal shall immediately report the matter in writing to the Superintendent of Schools by completing a PS-32, Notification of Request for Student's Suspension (Long-Term). One copy of the PS-32 is given to the student, one copy is mailed to the parent(s)/guardian(s), one copy is forwarded to the Superintendent of Schools, and one copy is forwarded immediately to the pupil personnel worker. Additionally, the student's teacher(s) shall be notified immediately of the suspension and instructed to code all absences as suspensions to ensure that teachers know that the absences are lawful and that students must receive homework.
- Notification to the parent(s)/guardian(s) shall include a statement of his/her right to appeal after a suspension conference has been held and to whom he/she may appeal. Principals shall use a PS-32 as the formal notification of the request.
- The Principal must communicate his/her request for a long term suspension to the Superintendent of Schools no later than the day following the first day of suspension. (The failure of the Principal to communicate his/her request within one day shall not serve to invalidate the request for a long-term suspension.)
- Within the first five days of suspension, the Superintendent of Schools or his/her designated representative shall make a thorough investigation of the matter. School personnel will make available all data requested during the course of this investigation.
- If this preliminary review is not conducted within the five day period and/or a tentative decision is not reached, the student must be returned to school immediately, pending a final decision in the matter by the Superintendent of Schools or his/her designated representative.
- After the investigation, if the Superintendent of Schools finds that a longer suspension is warranted, the Superintendent of Schools or his/her designated representative promptly shall arrange a conference with the student and his or her parent(s)/guardian(s) at the appropriate office within five days of the suspension request. Included in the conference must be the student and his/ her parent(s)/guardian(s), the Principal, and the Superintendent of Schools or his/her designated representative. The Principal must bring the suspended student's cumulative record to this conference.
- Every effort will be made to resolve the matter at this conference. At the conference, the following issues will be resolved and shall be clearly presented to those present:

- a. Steps to be taken by the parent(s)/guardian(s) and school personnel, consistent with budget availability, to resolve the problem.
- b. Notification to the parent(s)/guardian(s) of the right to appeal. Such information shall be further communicated to the parent(s)/guardian(s) in writing.
- After the conference, the Superintendent of Schools or his/her designated representative makes a decision about the length of the suspension.
- The long-term suspension of any student shall be subject to the review of the Superintendent of Schools or his/her designated representative at least once every twenty days beyond the first ten. The purpose of the review shall be to determine if conditions have developed to permit the return of the student to full educational participation. At any time during the course of a long-term suspension, parent(s)/guardian(s) and student shall be encouraged to submit relevant facts to the Superintendent of Schools or his/her designated representative for review.

Appeal of Long-Term Suspension

A student who is suspended for more than five (5) school days may appeal the decision of the Superintendent of Schools, or designated representative, in writing to the Board of Education within ten days after the determination. After receipt of the written request for appeal, the Board's Hearing Examiner will conduct a hearing and issue findings of fact, conclusions of law, and recommendation to the Board within five (5) business days following the hearing. The parties may bring counsel and witnesses to the hearing. The appeal to the Board does not stay the decision of the Superintendent of Schools or designated representative. The Board will render its decision after review of the record and the findings of fact, conclusions of law, and recommendation of the Hearing Examiner. Each party may file written exceptions to the Board of the Hearing Examiner's report within five (5) business days following issuance of the Hearing Examiner's recommendation to the Board. The Board's decision will be rendered in writing.

G. Special Notes Concerning Suspension

1. Counting Suspension Days

Suspension days shall be counted as follows:

- The day the student left school should be counted as a part of the suspension, providing he/she was denied class participation before 12 noon of that day.
- The suspension shall terminate at midnight on the day listed as the last day of the suspension.
- Times when school is not officially scheduled are not to be counted as part of the suspension time.

2. Make-up Work for Suspension

Students who are suspended shall be offered make-up work assignments unless other educational alternatives are provided. It is the responsibility of the parent(s)/guardian(s) to contact the school and make arrangements for the receipt and return of all assignments. In the case of long-term suspensions, unless other arrangements are made, teachers are to give work in two-week increments, and students must complete and return the work before they may receive additional work. If a student or parent/guardian requests work throughout the period of suspension, the grade of the student will be determined solely on the student's performance on the work that the school provided. Credits may be awarded depending on the quality of work.

3. Tests and Examinations

Principals shall allow a student to take tests and examinations missed while on suspension if the quality of make-up work is

such that a decision cannot be made as to whether or not a student should be awarded credit. A student temporarily returning to school or another location solely to take tests or examinations shall be accompanied by his/her parent(s)/guardian(s).

4. Conferences

The conference established to resolve any student suspension is regarded as a guidance conference. Although the conference is held to resolve the status of the suspension of the student, it is not a legal proceeding or adversarial hearing. It will often extend beyond the immediate circumstances of the suspension to a broader consideration of the student's total adjustment to school and the overall efforts of the school and home to help the student achieve his/her education. In these respects the suspension conference is not unlike other parent-school conferences. The conference allows an opportunity for an open and frank exchange of views regarding a student's well-being, and at times may include discussion of confidential information pertinent only to the parties immediately affected by the information.

While the overall record of a student should be considered in determining the form of discipline, the determination of whether a student has committed the misconduct of which he/she is charged must be based solely on information that relates to the specific incident. To preserve the relatively informal conference atmosphere and the opportunity for full and frank discussion in a confidential setting, it is generally preferable to limit participation in the conference to the Superintendent of Schools or his/her designated representative, the immediate school personnel, and the student and parent(s)/guardian(s). It is recognized, however, that other parties may have information relevant to the circumstances involved in the suspension or the student's conduct in general. These parties may be admitted to the conference for a portion of time to share such input by the mutual consent of the Principal or his/her designee and the parent(s)/guardian(s).

At all levels, the student and parent(s)/guardian(s) have the right to be represented by legal counsel, provided the parent(s)/guardian(s) gives his/her verbal consent for such representation, or if absent, gives written consent for representation. If student and parent(s)/guardian(s) are to be represented by legal counsel, prior notification of this fact shall be given to the Superintendent of Schools or his/her designated representative. Nothing herein, however, is to be construed as to prohibit a parent(s)/guardian(s) from bringing an observer of his/her own choosing to any of the above-cited conferences.

5. Participation at School and School-Related Activities

Students who have been suspended from school shall not be eligible to participate in any school functions at or on any Board of Education property for the entire period of their suspensions, except for attendance at previously scheduled appointments, and, if the student is a minor, only with the parent/guardian. This prohibition includes attendance at athletic events and other school-related activities. In the case of long-term suspension, efforts shall be made to continue the educational process in an alternative program, consistent with budget availability to develop and maintain such programs. Students suspended shall not be eligible for attendance at any other Prince George's County public school unless an alternative educational program is determined.

H. Expulsion

An expulsion from school is a denial to a student of the right to attend school and to take part in or attend any school function, EXCEPT FOR HIGH SCHOOL STUDENTS FOR WHOM SPECIAL PROVISIONS

ARE MADE AS HEREINAFTER PROVIDED. Following expulsion, the student shall not be readmitted to any **regular** school within Prince George's County Public Schools, except for expulsions ordered pursuant to the provisions of Sections XI.A. and XI.B. (Alcohol, Drugs, and Tobacco) and XII. (Possession or Use of Weapons or Instruments Used as Such) herein. Conditions for readmissions are provided in those sections for such expulsions.

1. Special Provision for High School Students: Grades 9 – 12

ANY HIGH SCHOOL STUDENT, ONCE EXPELLED, MAY APPLY FOR ENROLLMENT IN THE APPROPRIATE ALTERNATIVE PROGRAM FOR EXPELLED HIGH SCHOOL STUDENTS, IN ACCORDANCE WITH THE TERMS AND CONDITIONS ESTABLISHED FOR SUCH PROGRAM BY THE BOARD OF EDUCATION. ENROLLMENT AND ATTENDANCE, HOWEVER, SHALL BE LIMITED TO SPACE BEING AVAILABLE AND FOR THE ATTAINMENT OF ACADEMIC CREDITS.

2. Investigation

The Principal may request an expulsion after there has been compliance with the following procedures:

- The Principal, upon determining that an expulsion may be appropriate, shall follow the same investigatory steps outlined for short-term suspension, Section VI.E, i.e.:
 - 1) Notify the student of the charge(s).
 - 2) Review information from persons with knowledge of the incident, including the student.
 - 3) Determine the accuracy of the charge(s).
- Further investigation by the Superintendent of Schools or his/her designated representative is accomplished at the appropriate time as set forth in these procedures.

3. Implementation

Once a Principal has determined that a request for expulsion is in order, he/she shall proceed as follows:

- The Principal shall inform the student of the expulsion request and the reason(s).
- The Principal notifies the parent(s)/guardian(s) by telephone or in person of the request for expulsion and the reason(s).
- If the parent(s)/guardian(s) cannot be reached by telephone or in person, the effective time of the suspension *shall be the end of the day*. In the meantime, the student may be excluded from class but must remain at school under the supervision of the Principal or his/her designated representative. If the Principal believes that the student may be harmful to himself/herself or others, the Principal shall seek intervention from school security personnel, police officers, or other county agencies, following appropriate Board of Education policies and procedures, to ensure the safety of the student and others as well as the security of the school environment.
- If the Principal finds that an expulsion is warranted, he or she shall immediately report the matter in writing to the Superintendent of Schools by completing a "Notification of Request for Expulsion" (OA-127). One copy of the OA-127 is given to the student, one copy is mailed to the parent(s)/guardian(s), one copy is forwarded to the Superintendent of Schools, and one copy is forwarded to the pupil personnel worker. The notification to the parent(s)/guardian(s) should include a statement of the right to appeal after an expulsion conference has been held, and to whom they may appeal. *(Note: Even though the OA-127 is mailed, school personnel shall continue*

to make every reasonable effort to contact the parent(s)/guardian(s) directly to advise the parent(s)/guardian(s) that an expulsion has been requested).

- The Principal must also communicate his/her request for an expulsion to the Area Executive Director and the Office of Appeals on the day of the expulsion request. *(The failure of the Principal to communicate his/her request within the aforementioned time span shall not serve to invalidate the request for an expulsion).*
- Prior to the expiration of the first five days of the student's removal from school, the Superintendent of Schools or his/her designated representative shall make a thorough investigation of the matter.
- After the investigation, if the Superintendent of Schools finds that an expulsion is warranted, the Superintendent of Schools or his/her designated representative promptly shall arrange a conference with the student and his or her parent(s)/guardian(s).
- The student and his/her parent(s)/guardian(s) shall be immediately informed of the decision. This decision by the Superintendent of Schools shall have the effect of placing the student on an interim long-term suspension status pending the determination of the student's status at the conference with the Superintendent of Schools or his/her designated representative. This conference shall be scheduled as promptly as is feasible.
- In case the Superintendent of Schools or his/her designated representative decides not to proceed with expulsion, the pupil personnel worker will convene a suspension conference to resolve the suspension status of the student in accordance with long-term suspension procedures indicated above.
- If the Superintendent of Schools or his/her designated representative decides on the basis of the investigation that there are grounds to consider expulsion, the pupil personnel worker shall furnish the Superintendent of Schools with a written report of the investigation, and the Superintendent of Schools shall arrange to convene and conduct a conference.
- Conferences held by the Superintendent of Schools or his/her designated representative regarding expulsion shall be conducted in accordance with the following minimum requirements:
 - a. Parent(s)/guardian(s) and student shall be present.
 - b. It shall be the initial responsibility of the party requesting expulsion to present evidence which supports its appropriateness, and then any evidence to the contrary shall be presented.
 - c. The parent(s)/guardian(s) shall have the opportunity to present competent and relevant evidence, both in documentary form and through witnesses.
 - d. The parent(s)/guardian(s) shall have the opportunity to require the attendance and testimony of employees of the local school system who may have direct knowledge pertinent to the subject of the inquiry.
 - e. The parent(s)/guardian(s) will be afforded the opportunity to question witnesses called by local school officials.
- After the conference, the Superintendent of Schools or his/her designated representative shall make a decision about the expulsion request and shall inform the parent(s)/guardian(s) in writing of his/her decision and the right to appeal the decision.

4. Appeal of Expulsion

State law requires that a student who is expelled may appeal the decision of the Superintendent of Schools, or designated representative, in writing to the Board of Education within ten (10) days after the determination. After receipt of the written request for appeal, the Board's Hearing Examiner will conduct a hearing and issue findings of fact, conclusions of law, and recommendation to the Board within five (5) business days following the hearing. The parties may bring counsel and witnesses to the hearing. The appeal to the Board does not stay the decision of the Superintendent of Schools or designated representative. The Board will render its decision after review of the record and the findings of fact, conclusion of law, and recommendation of the Hearing Examiner. Each party may file written exceptions to the Board of the Hearing Examiner's report within five (5) business days following issuance of the Hearing Examiner's recommendation to the Board. The Board's decision shall be rendered in writing.

5. Rescission of Expulsion

To be readmitted to a regular school program after serving an expulsion, the student or the parent(s)/guardian(s), acting for the student, may apply to the Superintendent of Schools for a rescission of the expulsion. The application for rescission of expulsion shall be filed no earlier than forty-five days but no later than fifteen days prior to the end of the period of expulsion.

If the student has not violated any of the criminal laws of the State of Maryland or any other jurisdiction during the period of expulsion, the Superintendent of Schools may rescind the expulsion. The decision of the Superintendent of Schools shall be based on his/her evaluation of the severity of the incident which led to the expulsion. The Superintendent of Schools may set specific requirements for readmission, such as the school the student may attend and the educational program into which the student may enroll. If the Superintendent of Schools denies the application for rescission, the student or the parent(s)/guardian(s), acting for the student, may appeal to the Board of Education for a hearing. At this hearing, the Board shall review the original order of expulsion and any other appropriate information. The decision reached by the Board of Education shall be final.

The Superintendent of Schools may establish other reasonable rules and regulations for the filing of applications for the rescission of an expulsion.

6. Special Notes Concerning Expulsion

a. Length of Expulsion

Unless specified elsewhere in this document:

- For high school students, an expulsion shall not be rescinded prior to the remainder of the semester in which the infraction occurred and the entire next semester during which schools are in regular session. If the infraction by a high school student occurs during Summer School, the expulsion shall not be rescinded prior to the completion of the following two regular school semesters.
- For students in grades 7 and 8, the expulsion shall not be rescinded prior to three calendar months from the date of infraction during which the schools are in regular session.
- For students in grades 6 and under, an expulsion may be rescinded after the period of expulsion ordered, but an expulsion may not be ordered for more than three calendar months from the date of infraction during which the schools are in regular session.

b. Participation at School and School-Related Activities

Students who have been expelled from school shall not be eligible to participate in any school functions at or on any Board of Education property for the duration of their expulsions, except for attendance at previously scheduled appointments, and, if the student is a minor, only with the parent/guardian. This prohibition includes attendance at athletic events and other school-related activities.

c. Readmission After Expulsion

An expulsion from school is a denial to a student of his/her right to attend school and to take part in or attend any school function. Following the order of expulsion, the student shall not be readmitted to any school within the Prince George's County Public School System without following the appropriate procedures for rescissions specified in this Code.

Section XI (Possession, Use or Distribution of Alcohol, Marijuana, Prescription Drugs, Controlled Dangerous Substances, Imitation Controlled Substances, Inhalants, Other Intoxicants, Controlled or Drug Paraphernalia) and Section XII (Possession or Use of Weapons) contain conditions for disciplinary actions and readmission specific to the offenses contained within those sections.

Conduct warranting expulsion may be the same as those examples listed for suspensions depending on the severity and/or persistence of the act. Guidelines for consideration of expulsion are outlined in Section V.

d. Students Currently Expelled From Another School System

A student who enrolls or attempts to enroll in the Prince George's County Public School System who has been expelled from another school system, or has been expelled from an alternative middle or high school, may be denied attendance for a length of time equal to the time the student has been so expelled. Upon receipt of information that a student has been expelled from another school system or alternative middle or high school, the Principal shall forward the information to the Superintendent of Schools or his/her designated representative to determine the student's eligibility to enroll in a Prince George's County public school.

VII. Restitution

If a student damages, destroys, or substantially decreases the value of school property or any personal possessions on school property while committing an offense of this Code or any other law or regulation, the Principal shall require the student or parent/guardian to make restitution. The following is applicable in all cases EXCEPT THOSE WHICH HAVE BEEN REFERRED TO THE DEPARTMENT OF JUVENILE SERVICES.

- The Principal may require restitution through financial payment, a student work project at the school, or an appropriate combination of these.
- If the Principal orders financial restitution, the restitution amount is not to exceed the fair market value of the property.
- The maximum amount of financial restitution that may be ordered by the Principal is \$2,500.
- Restitution payments may be paid directly to the school to repair or replace school property.
- The Principal shall report the order of restitution to the Director of the Department of Student Services.

However, neither the Board of Education, nor any of its employees, as agents, is required to pursue any collection efforts through the courts on behalf of any person entitled to restitution under this section.

VIII. Search of Students

In accordance with COMAR, the Code of Maryland, Maryland Educational Article 7-308 outlines the right of school personnel to search students and students’ lockers. The Article states that a Principal, Assistant Principal, or School Security Guard may search a student if:

- There is reasonable belief that the student possesses “an item, the possession of which is a criminal offense under the laws of this State or a violation of any other State law or rule or regulation” of the Prince George’s County Board of Education.
- There is a third party present.
- The student is on school property or on a school-sponsored trip.

Under this Article, “searches” also includes searches of the physical plant of the school and its appurtenances, including the lockers of students.

Additionally, a Principal may designate, in writing, a teacher who may conduct searches while students are on a school-sponsored trip. The teacher may conduct searches if:

- The teacher has a reasonable belief that the student possesses “an item, the possession of which is a criminal offense under the laws of this State or a violation of any other State law or rule or regulation” of the Prince George’s County Board of Education.
- There is a third party present.
- The student is on a school-sponsored trip.
- The teacher has received training to conduct a search commensurate with the training received by a Principal.

IX. Non-School Originating Criminal Charges

When a Principal has confirmed that a student has been charged or indicted as an adult for a nonschool crime, the Principal may request a long-term suspension for the student. The Area Executive Director must concur with the decision to request the long-term suspension, and there must be reason to believe that the student’s presence in school would create either

- A clear and present danger to the student body; or
- A significant disruption to the educational environment.

If the Superintendent of Schools or his/her designated representative upholds the request for a long-term suspension, the suspension shall continue until the case has been adjudicated by the appropriate judicial body. During the period of this suspension, the Superintendent of Schools or his/her designee may authorize an alternative educational program for the student during part or all of the period of suspension.

X. Use of Technology

A. Guidelines for Use of Technology

The increasing availability of technology creates both opportunities and risks for students. Since the potential for harm from the misuse of technology is significant, PGCPSS has established guidelines by which students can use technology in a legal, safe, productive, and ethical manner.

All use of technology under these guidelines is to be for legitimate educational purposes under the guidance or direction of school

system staff. Administrative Procedure 0700, Information Technology Services Acceptable Usage Guidelines, defines technology as including “computers, scanners, digital cameras, video projectors, video cameras, cell phones, Nextel devices, PDA devices, and wireless e-mail devices” and outlines the acceptable use of such technology by students.

The following conduct is prohibited while using the school system network, accessing the school system network from outside of the firewall, or while involved in situations under which this Code has jurisdiction. Students shall not:

- Utilize the school system computer network for any illegal activity, including, but not limited to, gaining or attempting to gain unauthorized access to resources, files, or devices on the network.
- Access “chat lines” or enter “chat rooms” that are not part of a class activity under the direct supervision of a teacher.
- Access or link to websites that contain material deemed vulgar, offensive, or otherwise inappropriate, including, but not limited to, websites promoting hatred, racial/religious/sexual discrimination, use of illegal drugs/alcohol/tobacco, gaming or gambling, criminal activities, or computer/network hacking.
- Use or display copyrighted or otherwise licensed or contractual material without specific written permission or authorization from the appropriate party.
- Utilize the network for commercial purposes or display any logo of any commercial entity not directly related to Prince George’s County Public Schools.
- Post, use, or download any files which cause congestion or impede network operations.
- Trespass in or vandalize another’s files, folders, data, or work.
- Post anonymous messages or in any way misrepresent one’s own identity.
- Use an account password of another user.
- Use abusive or otherwise objectionable language in any message.
- Use e-mail or any portion of the PGCPSS WAN to promote the annoyance, harassment, or attack of others.
- Take or facilitate the theft or damage of data, equipment, or intellectual property, including degrading or disrupting equipment of system performance.

Consequences for misuse may include, but are not limited to, suspension of equipment access, confiscation of the technological device, disciplinary action commensurate with the level of misconduct, and/or legal action as appropriate. Complete guidelines for the acceptable use of technology are contained in Administrative Procedure 0700.

B. Portable Communication Devices

It is not a violation of Maryland law or of this Code of Student Conduct for a student to be in possession of a portable communication device, including pagers and cellular telephones, on public school property in Prince George’s County. However, it is a violation of the Code of Student Conduct to use such devices in a manner that will disrupt the school environment.

All portable communication devices must be turned off while the student is riding the school bus and throughout the entire school day, whether the student is in class or not. In case of an emergency, the student should be directed to the main office to use the telephone there.

A student who sends or receives a page, call, text message, picture, or other communication on the bus or during the school day will be treated as any other student who disrupts class. If the portable

communication device continues to be a disruption, it is subject to confiscation by school officials until the student's parent comes to the school to retrieve it.

XI. Alcohol, Drugs, and Tobacco

A. Possession, Use or Distribution of Alcohol, Marijuana, Prescription Drugs, Controlled Dangerous Substances, Imitation Controlled Substances, Inhalants, Other Intoxicants, Controlled or Drug Paraphernalia

Unlawful possession, use and/or distribution of any Alcohol, Marijuana, Prescription Drugs, Controlled Dangerous Substances, Imitation Controlled Substances, Inhalants, Other Intoxicants, Controlled or Drug Paraphernalia as defined in Article 27 of the Annotated Code of Maryland, on school property, including Board of Education owned vehicles or while in attendance at any Board of Education sponsored and supervised activity are prohibited under this Code. Students who possess, use, or distribute substances represented as or intended to be used as alcohol or a controlled dangerous substance will be treated by the rules and regulations of these procedures as if they were possessing, using, or distributing alcohol or a controlled dangerous substance even though the substance itself may ultimately be determined not to be alcohol or a controlled dangerous substance.

- POSSESSION implies that a student has any of the above substances on his/her person or with his/her personal property, or has under his/her control by placement of and knowledge of the whereabouts of the substance on Board of Education property or other property on which he/she is presently, by virtue of being within the jurisdiction of school authorities.
- USE implies that a student is reasonably known to have assimilated any of the above substances (*e.g., drinking alcohol, smoking marijuana, taking a pill, etc.*) or is reasonably found to be under the influence of a substance while under the jurisdiction of school authorities.
- DISTRIBUTION implies the transfer of any of the above substances to any other person, with or without the exchange of money or other valuables.

B. Disciplinary Measures for Possession, Use or Distribution of Alcohol, Marijuana, Prescription Drugs, Controlled Dangerous Substances, Imitation Controlled Substances, Inhalants, Other Intoxicants, Controlled or Drug Paraphernalia

The Board of Education views that the possession, use or distribution of alcohol, controlled dangerous substances, controlled or drug paraphernalia, as defined above, shall warrant the following disciplinary actions.

1. Student Possessors of Small Amounts

Students having in their possession alcohol, controlled dangerous substances or other substances listed above in this section in a small quantity (*i.e., quantities typically for individual use*) or controlled or drug paraphernalia in any quantity shall be charged with Possession and be subject to the disciplinary guidelines outlined for **student users**.

2. Student Users

- a. **First Offense:** If a student has been found to have committed a first offense of using alcohol, controlled dangerous substances, other substances listed above, and/or controlled or drug paraphernalia, the student will be expelled, notwithstanding any mitigating circumstances.

However, the Superintendent of Schools, or his/her designated representative, shall stay the Request for Expulsion, or Order of Expulsion, if already issued, and readmit the student after at least five (5) days of suspension if both the student and at least one of his/her parents/guardians have enrolled in an appropriate school or community alcohol/drug counseling program.

The student and parent(s)/guardian(s) must furnish proof that they have scheduled at least two (2) sessions with the program. These sessions must be completed no later than four (4) weeks from the date of the student's readmission to school. When the Superintendent of Schools has been furnished proof of completion of the program within the four (4) week period, the Request for Expulsion, or Order of Expulsion if already issued, will be rescinded.

When appropriate, the student may also be referred to additional school services such as the Student Assistance Program, Walk-In Counseling Centers, Wellness Centers, or community services.

- b. **Second Offense:** If a student has been found to have committed a second offense under the provisions of this section, the student shall be expelled unless there are mitigating circumstances. The Superintendent of Schools or his/her designated representative, however, may rescind the expulsion after the student's absence from school for the length of one full quarter, if the student provides documentation of satisfactory participation in an appropriate accredited alcohol/drug treatment program.

3. Student Possessors with Intent to Distribute

A student in possession of a quantity of alcohol, controlled dangerous substances, or other substances listed above in an amount which the Principal could reasonably infer was intended to be available for distribution shall be charged with Possession with Intent to Distribute and be subject to the disciplinary guidelines outlined for **student distributors**.

4. Student Distributors

If the student has been found to have committed a distribution offense under the provisions of this section, the student shall be expelled, notwithstanding any mitigating circumstances. The period of expulsion shall be for the remainder of the semester in which the incident leading to the expulsion occurred and the one regular school semester following.

The Superintendent of Schools may rescind the expulsion after this period if the student provides documentation of satisfactory participation in an appropriate accredited alcohol/drug treatment program.

5. Second Expulsions

- If a student is readmitted after an expulsion had been rescinded in accordance with the above conditions and there is a further offense under this section (Section XI), the Superintendent of Schools may not rescind that expulsion. Any rescission for a second or further offense must be ordered by the Board of Education.
- All students suspended/expelled for alcohol/controlled dangerous substance offenses are to be requested to reveal their source of the alcohol/controlled dangerous substance to the Principal.

C. Possession and Use of Tobacco

The Board of Education views the possession and use of tobacco by students as a serious threat to health. However, because a student may use tobacco for reasons of addiction rather than intentional disobedience, there are forms of discipline less severe than suspension for students whose sole offense is to possess or use tobacco.

1. First Offense

- The student must attend an appropriate two (2) session tobacco education program. This program must be completed no later than four (4) weeks from the date of the offense. (The school system provides such a program through the Safe and Drug Free Schools/ Student Affairs Office.)
- The student must provide satisfactory evidence of completing the tobacco education program.
- If the student does not complete the tobacco education program, the student will receive a two (2) day suspension or in-school suspension.
- The student and parent/guardian will sign a contract acknowledging their intent that the student will adhere to the tobacco policy.

2. Second Offense

- The school administrator will contact the parent/guardian to schedule a conference during which the student, parent, and administrator will discuss this infraction of this Code. In the event such a conference cannot be scheduled in a timely fashion, the administrator shall notify the parent(s)/guardian(s) of the infraction in writing within five days from the date of the offense.
- The student is placed on suspension or an in-school suspension for one (1) day.
- The student must attend an appropriate two (2) session tobacco education program, and the parent/guardian is required to attend at least one of the sessions. This program must be completed no later than four (4) weeks from the date of the offense. (The school system provides such a program through the Safe and Drug Free Schools/Student Affairs Office.)
- The student must provide satisfactory evidence of completing the tobacco education program.
- If the student does not complete the tobacco education program, the student will receive an additional two (2) day suspension or in-school suspension.

3. Third Offense

- The school administrator will contact the parent/guardian to schedule a conference during which the student, parent, and administrator will discuss this infraction of this Code. In the event such a conference cannot be scheduled in a timely fashion, the administrator shall notify the parent(s)/guardian(s) of the infraction in writing within five days from the date of the offense.
- The student is placed on suspension or an in-school suspension for two (2) days.
- Student must attend an appropriate tobacco cessation program. This program is to be completed no later than ten (10) weeks from the date of the student's readmission to school. (The school system provides such a program through the Safe and Drug Free Schools/Student Affairs Office.)

- The student must provide satisfactory evidence of completing the tobacco education program.
- If the student does not complete the tobacco education program, the student will receive an additional three (3) day suspension or in-school suspension.

4. Fourth and Subsequent Offenses

- Thereafter, for offenses beyond the third infraction of this tobacco policy, the sanctions set forth in the Code of Student Conduct for students who repeatedly violate any provisions of the Code shall apply.

XII. Possession or Use of Weapons or Instruments Used as Such

The Board of Education strongly believes that any student found in violation of this section is to be expelled by the Superintendent of Schools.

1. For students enrolled in grades K through 6, the Principal may use discretion as to consequences for possession or use of a weapon.
2. For students enrolled in grades 7 through 12, Principals must make a request for expulsion to the Superintendent of Schools for the POSSESSION OR USE OF WEAPONS by any student.
3. When a student is expelled for possession or use of a firearm, as defined in the Definitions section of this Code under Possession or Use of Weapons or Instruments Used as Such, the student shall remain out of school for at least one (1) year. After one (1) year, the student or the parent(s)/guardian(s), acting for the student, may apply to the Superintendent of Schools for readmission. As appropriate, the Superintendent of Schools may order a shorter period of expulsion.
4. The procedure for rescission of expulsion for possession or use of a weapon is the same as for other expulsions. However, if a student has been expelled previously for possession or use of a weapon and then readmitted through the rescission of that expulsion, the student will not be eligible for rescission if he/she is expelled again for possession or use of a weapon.

XIII. Bullying, Harassment and Intimidation

Note: Administrative Procedure 5143, Bullying, Harassment or Intimidation, delineates steps that schools must take to prevent, remediate, and report these behaviors. The information provided below summarizes information in that Administrative Procedure which is pertinent for students and parents. School Administrators must refer to the complete document for guidance.

It is the intent of Prince George's County Public Schools to maintain safe environments that are conducive to learning. Bullying, harassment, and intimidation are anti-social behaviors that are conducted with the intent to cause harm and are characterized by an imbalance of power. Bullying, harassment, and intimidation is intentional conduct, including verbal, physical, or written conduct, or an intentional electronic communication (a communication transmitted by means of an electronic device, including, but not limited to, a telephone, cellular phone, computer, or pager), 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, socio-economic status, familial status, or physical or mental ability or disability or is 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.

1. Investigation and Reporting

All reports of allegations must be written and investigated by school administrators or the administrative designee, consistent with due process rights, using the two forms designated in Administrative Procedure 5143 for these purposes.

Upon receipt of a report of an alleged incident, the administrative designee will meet individually with the alleged victim, the accused, and witnesses to determine whether bullying, harassment or intimidation occurred, and to notify all parties that retaliation against anyone involved is prohibited.

The incident and response must be logged into the SIS reporting system, and copies of the completed reporting and investigation forms must be submitted to the Office of the Court Liaison within five (5) school days, with copies kept in a confidential file maintained by the Principal. No copy is to be maintained in any individual student folder.

2. Parental Notification

The school administrator/designee will immediately notify the parent/guardian of the victim of the incident, and the steps the school will take to help the victim. Further, the school administrator/designee shall invite the parent/guardian to participate in an intervention plan for his/her own child and provide the parent/guardian a copy of the plan created for his/her own child.

The school administrator/designee will also immediately notify the parent/guardian of the accused student of the incident, the steps the school will take to intervene, interrupt, and monitor the behavior of the accused student, and the proposed consequences for his/her child. Further, the school administrator/designee shall invite the parent/guardian to participate in an intervention plan for his/her own child and provide the parent/guardian a copy of the plan created for his/her own child.

Follow-up actions by the Principal or Principal's designee:

- Separate conferences for the victim and offender will occur within ten (10) school days after the investigation to ensure that the bullying, harassment, or intimidation has ceased, and to determine whether there is a need for additional intervention. Individual conferences may occur as part of the counseling intervention.
- A second conference will be held with the victim four (4) weeks after the initial conference to ensure that the bullying, harassment, or intimidation has ceased.

3. Continued Prevention and Intervention

All schools will implement procedures to prevent and reduce acts of bullying, harassment, or intimidation. These procedures include, at a minimum:

- Training staff annually on procedures to prevent, identify, investigate and report allegations of bullying, harassment, or intimidation.
- Informing students and parents of the availability of reporting forms.
- Notifying students and parents that the school community will not condone these behaviors.
- Implementing school-wide, classroom, and small group programs designed to prevent bullying, harassment, or intimidation.

4. Interventions to address bullying, intimidation, or harassment

Schools must provide intervention and support to victims and offenders to address acts of bullying, harassment, or intimidation. These interventions may include, but are not limited to, the following actions:

- Parent/student conferences.
- Counseling with the professional school counselor, school psychologist, pupil personnel worker, professional school nurse and other appropriate professional staff.
- Behavioral contracts.
- Positive behavioral supports, such as functional behavioral assessments and behavioral intervention plans, etc.
- Support counseling for the victim.
- Support counseling for the offender.
- Support counseling for bystanders.
- Increased adult supervision during unstructured times (i.e. classroom changes, lunch, recess, etc).
- Social skills training, including role playing and behavioral rehearsal.

5. Consequences

A range of consequences and support strategies for persons committing acts of bullying, harassment, or intimidation, for persons engaged in reprisal or retaliation, and for persons found to have made false accusations is contained elsewhere in this Code of Student Conduct.

XIV. Students with Disabilities Under the IDEA

For disciplinary action for students with disabilities under the IDEA, and for regular education students not yet eligible for services but suspected of having disabilities under the IDEA, please see the MSDE document Procedural Safeguards: Parental Rights for disciplinary procedures under the IDEA.

This document is available at all PGCPs schools and is on the Internet (<http://www.pgcp.s.org/~procedur/10000/ProceduralSafeguards.pdf>).

XV. Students with Disabilities Under Section 504 of the Rehabilitation Act

For disciplinary action for students with disabilities under Section 504 of the Rehabilitation Act and for regular education students suspected of having disabilities under Section 504 of the Rehabilitation Act, please see Prince George's County Public Schools Administrative Procedure 5146 for disciplinary procedures. This Administrative Procedure is available at all PGCPs schools and on the Internet (<http://www.pgcp.s.org/~procedur/5000/5146.pdf>).

XVI. DEFINITIONS

Definitions of Key Words and Terms

For purposes of this Code, the following words and phrases shall have the meanings set forth below.

Academic Dishonesty/Cheating/Plagiarism: To deliberately and/or deceitfully use and/or obtain materials to copy, duplicate, alter, or plagiarize printed or electronic matter belonging to or prepared by another person and claiming said work product as one's original work or design.

Acts of Gross Misconduct at Other Schools: Any Level III or IV misconduct, as well as other serious misconduct, which occurs at

a school other than the school in which the student perpetrator is currently enrolled.

Alternative Educational Placement: An educational placement that serves as an alternative to suspension or that serves to enable the student to continue to progress in the general curriculum during a period of suspension or expulsion.

Arson: The willful and malicious burning of or attempt to burn any part of any building or property located within or upon public school-owned premises or property.

Assault: Physically pushing, hitting, or otherwise attacking another student, staff member, or other person lawfully on school property.

For any assault that results in substantial bodily injury to the victim, the Principal shall request an expulsion.

Bias Harassment: The act of threatening bodily harm or repeatedly tormenting another person based on the victim's race, sex, age, culture, national origin, sexual orientation, religion, or disability. Bias harassment may take the form of comments, jokes, name-calling, innuendoes, offensive conversations, perpetuating rumors or gossip, offensive gestures, noises, blocking a victim's path, assault, or any other behavior that is designed to show disrespect to an individual based on race, sex, age, culture, national origin, sexual orientation, religion, or disability.

Biohazard: Manufacture, purchase, possession, sale, distribution, use or threat of use of any infectious agents or hazardous biological materials that present a risk or potential risk to the health of humans or school environment.

Bomb Threat: The real or intentionally false claim that an explosive device is located on school property or at a school function.

Bullying: Aggressive, repeated actions such as taunting, threatening, hitting, or otherwise harming another individual that are intended to give the bully power over another person. This includes such actions by electronic means.

Class Cutting/Truancy: Absence from school or classes for a school day or a portion of the school day without school authorization or parental consent.

Classroom Disruption: Actions of a student that disturb or interrupt the educational process of the other students in a classroom, or any other learning environment.

Contaminating the Food of Others: To place any object or substance into any food item of another person.

Defamation: Making false or derogatory verbal or written statements or electronic presentations or representations, whether true or not, about an individual or identifiable group with the intent of harming or demeaning the reputation of the individual or group.

Disorderly Conduct: Conduct that obstructs or disrupts a teaching, research, administrative, or disciplinary procedure, or any other authorized school activity. Disorderly Conduct includes, but is not limited to, running in hallways; making unreasonable noise; the willful interference with the free flow of vehicular or pedestrian traffic; or engaging in any willful act that disrupts the normal operation of the school community.

Disrespect: To willfully intimidate, insult, sexually harass, and/or engage in negative interaction by use of body language, verbally or in writing any member of the school staff, student body and community members.

Disruptive Speech: Student expressions, whether written, verbal, or symbolic, including profane, lewd, vulgar or abusive language or gestures, that are disruptive to the educational process, undermine the

maintenance of discipline within the school setting, and/or substantially interfere with the teacher's authority over the classroom. Gang-related gestures are included within this definition.

Dress Code Violations: Failure to comply with policy governing attire set by the Prince George's County Board of Education (see Administrative Procedure 5152).

Expulsion: The denial of the right of a student to be enrolled in or attend any regular program within the Prince George's County Public Schools, such denial determined by the Superintendent of Schools or his/her designated representative.

Failure to Come to Class Prepared: Coming to class without bringing required classroom materials and/or assigned work.

Failure to Wear Student Identification Badge: Failure to wear a student's own identification badge or wearing one's own identification badge so that it cannot be read. For a lost or stolen Identification Badge, replacement costs are \$5 for the ID card, \$2 for a pouch, and \$1 for a chain.

False Alarms: the act of initiating a fire alarm or initiating a report warning of a fire or an impending bombing or other catastrophe without cause.

False Report: The act of falsely reporting incidents, making accusations, or giving false testimony to school personnel that could seriously affect the welfare of others.

Fighting: Hostile bodily contact between two or more individuals that is designed to or likely to cause physical harm and/or substantial disruption of education environment. **Neither unavoidable self-defense nor appropriate action undertaken on the reasonable belief that it was necessary to protect some other person from physical harm is considered such an act.**

Forgery: The act of falsely signing the name of another person, or falsifying times, dates, grades, addresses, or other data on school forms or correspondence directed to or from the school.

Gambling: The act of illegal betting for money or valuables.

Group Fight: A group fight shall mean any physical attack or actual fighting by two or more students against another group of students consisting of two or more students. **For participants who have been identified as being involved in a group fight that has been planned, results in serious bodily injury, and/or causes serious disruption of the school day or school environment, the Principal shall request an expulsion.**

Harassment/Intimidation: An incident or a series of actions, statements, or behaviors directed at a specific individual or group with the intent of annoying, ridiculing, demeaning, tormenting, intimidating, or otherwise causing fear in another person.

Hazing: Any intentional or reckless act directed against another for the purpose of initiation into, affiliating with, or maintaining membership in any school sponsored activity, organization, or team.

Inciting Others to Violence or Disruption: By words, acts, or deeds, directly instigating or prompting others to commit violence or cause a disruption in any environment in which this Code is applicable, including athletic events.

Indecent Exposure: Deliberate exposure of the private parts of the body in a lewd or indecent manner in a public place on school grounds or at a school-related activity.

Internet/Computer Misuse: Use of Internet and/or computer resources for purposes other than legitimate educational activity under the direction of professional staff. Examples of misuse are found in section XI.A., Guidelines for Use of Technology. The level of the offense

(from Level I through IV) and punishment shall be commensurate with the damage or potential damage of the misbehavior.

Insubordination: The refusal or willful failure to respond to or carry out a reasonable request by authorized school personnel.

Loitering: Willful presence in a school building or restricted area of same at unauthorized times.

Other Acts: Any singular act, the reoccurrence of which could be considered persistent disobedience, which, in the opinion of the Principal, was so severe in its purpose, motivation, or commission, that it caused an adverse impact on the educational environment.

Other Misconduct: The act of soliciting, commanding, aiding or otherwise abetting any person to commit any act or conduct that is prohibited by this Code, and the commission or omission of any act which is in violation of any Federal or State law or any school rules or regulations, including the School Safety Plans.

Physical Attack on any Prince George's County Public Schools Employee: The act of assaulting, or an attempt to assault, any administrator, teacher, or other staff member, either on school property, including Board of Education owned vehicles, or while in attendance at any Board of Education sponsored and supervised activity.

Plagiarism: The unauthorized use of another's material or representing the work of another as one's own.

Possession: Where not otherwise defined, possession means having, or having had, in one's control any object, article, item or other material, physically on the student's person or in an area controlled by or loaned to the student. This includes, but is not limited to, clothing belonging to the student, any locker assigned to or used by the student, or any vehicle on school property used by the student.

Possession of Explosives: The possession, use, or threatened use of any explosives or other such explosive instrument(s) capable of inflicting substantial bodily injury.

Possession of Fireworks: The possession, use, or threatened use of any fireworks items such as lady fingers, sparklers, Roman candles or other similar items.

Possession or Use of Weapons or Instruments Used As Such: The act of possessing, using, or threatening to use any weapon or any other tool or instrument capable of inflicting bodily injury as a weapon. The term "weapons," "tools," or "instruments" include, but are not limited to, the following items: any loaded or unloaded firearm (e.g., pistol, blank pistol, signal pistol, starter pistol, revolver, rifle, shotgun, etc.); any knife (e.g., Bowie, Dirk, lock-blade, hunting, pen, pocket, switchblade, utility, etc.); any razor (e.g., straight, regular, retractable, etc.); any defensive weapon (e.g., gas repellent, mace, stun gun, etc.); any "martial arts" device (e.g., Chinese stars, nunchaku, etc.); or any tool or instrument which school administrative staff could reasonably conclude as being capable of inflicting bodily harm (e.g., blackjack, chain, club, knuckles, night stick, pipe, studded bracelet, etc.); or which by virtue of its shape or design gives the appearance of any of the aforementioned (e.g., air pistol, air rifle, B.B. gun). The term "firearm" means a firearm as defined in federal law at 18 U.S.C. §921: and includes (a) any weapon (including Starter Gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (b) the frame or receiver of any such weapon; (c) any firearm muffler or firearm silencer; or (d) any destructive device. Under this federal law, the term firearm does not include an antique firearm; however, an antique firearm is a weapon under this code.

Public Display of Affection: Displays of affection which could disrupt the educational climate of the school, such as kissing, touching, or

other inappropriate affectionate behavior.

Reckless Endangerment: The commission of any act that has the likely potential to cause bodily harm to another individual or oneself.

Repeated Disruptive Conduct: Misconduct that results in the student being removed from the classroom by teacher(s) on four or more occasions during a semester, or three or more occasions during a quarter.

Sexual Harassment: Behavior which includes, but is not limited to, verbal or physical sexual advances, including pressure for sexual activity; unwelcomed sexually motivated touching, pinching, patting, or intentional brushing against; repeated sexual verbal harassment or abuse; repeated remarks or gestures of a sexual nature; obscene or profane language or humor; sexually oriented printed material; or demanding sexual involvement accompanied by threats. It is the policy of the Board of Education to maintain an educational environment that is free from sexual harassment.

Shakedown/Strong Arm/Extortion: The act of obtaining under duress or by threat, borrowing, or attempting to borrow, any money or thing of value from a person in the school, or at a school sponsored activity, unless both parties enter into the agreement freely and without the presence of an implied or express threat.

Substantial Bodily Injury: Severe physical damage or harm caused to the structure or function of the body caused by an outside agent or force requiring extensive medical treatment or hospitalization. Such injuries would include, but are not limited to, those which have or lead to a substantial risk of death; temporary or permanent loss of, or loss of the use of, any body part; unconsciousness; disfigurement; and/or prolonged physical pain. This category does not include minor cuts/lacerations, abrasions, bruises, and other such minor injuries.

Suspension: The denial of the right of a student to attend school and participate in all school-related activities for a period of time determined by the Principal or the Superintendent of Schools or his/her designee. The student remains enrolled in the school system and is eligible to receive and make-up all homework/classwork missed during the period of suspension.

Theft: The act of taking or acquiring the property of others without their consent.

Threat: Aggressive verbal or written language or gestures directed towards a student, a Prince George's County Employee and/or any other person lawfully on school property. Also applies to threats to cause personal property damage.

Tobacco Violations: The act of possessing, using, or distributing tobacco and nicotine products anywhere on school property and/or during school-sponsored events.

Trespassing: Unauthorized presence on school property after being warned to leave, or presence on school property after being warned not to come onto school property. This includes being on the property of any Prince George's County public school or at any Prince George's County public school function while on suspension.

Unauthorized departure from school: Leaving school or a school-related activity without the permission from parent and appropriate school official. (For students who skip classes and leave school grounds, see Administrative Procedure 5113, Pupil Attendance and Absence.)

Unauthorized possession, use, or distribution of over-the-counter medication: The possession, use, or distribution of unregulated medications including but not limited to cold medications, cough

syrup, pain medications, antihistamines, and other medications for sale without a physician's prescription.

Unauthorized Sale or Distribution: Selling, distributing and/or attempting to sell or distribute any material, object or substance (except those covered in Section X, Alcohol, Drugs, and Tobacco) which has not been authorized for sale or distribution by the building Principal on property owned by the Board of Education. *(This does not refer to printed materials as covered in Administrative Procedure 5150.)*

Unauthorized Sale or Distribution of Printed Materials: Violation of Time, Place, and Manner of Restrictions on Distributing Printed Materials — See Administrative Procedure 5150, Student Responsibilities, Rights, and Involvement.

Unexcused Tardiness: Arriving to the assigned room or area after the scheduled time for the beginning of the class or activity without appropriate authorized documentation from a school staff person.

Unauthorized Use of Portable Communication Devices: Using any portable electronic device, including but not limited to cell phones, pagers, and wireless e-mail devices, for the purpose of sending and/or receiving messages during the instructional day and/or on the school bus without the expressed consent of the Principal. Use at unauthorized times will be treated as a class disruption. If the device continues to be a disruption, it is subject to confiscation by school personnel until the parent/guardian comes to school to retrieve it.

Unauthorized Use of Electronic Devices: The use of the school system computer network for any illegal activity, including but not limited to "hacking" or other use of computers to gain access to, trespass in, or vandalize another's files, folders, data, or work.

Vandalism/Destruction of Property: The act or attempted act of willful destruction or defacement of school or private property either on or off the school grounds where appropriate public school administrators have jurisdiction over students.

XVII. Related Laws, Bylaws, Policy, and Procedures

See Section 7-301, Attendance and Discipline of Students subtitle of the Education Article of the Maryland Annotated Code and applicable regulations arising from this subtitle in the Code of Maryland Regulations.

- Administrative Procedure 0700, Information Technology Services-Acceptable Usage Guidelines.
- Administrative Procedure 4170, Discrimination and Harassment.
- Administrative Procedure 5052, Alternative High School for Expelled Students.
- Board of Education Policy 5113, Pupil Attendance and Absence.
- Administrative Procedure 5113, Pupil Attendance and Absence.
- Administrative Procedure 5114.1, Withdrawal of Pupils for Non-disciplinary Reasons.
- Board of Education Policy 5114.1, Withdrawal of Pupils for Non-disciplinary Reasons.
- Board of Education Policy 5115, Student Appeals of Long-Term Suspensions and Expulsions.
- Administrative Procedure 5115, Student Appeals of Long-Term Suspensions and Expulsions.
- Administrative Procedure 5121, Examinations and Grading for Elementary And Secondary Schools.

- Board of Education Policy 5122 Interscholastic and Extracurricular Activities: Academic Policy Requirements for Participation.
- Administrative Procedure 5122, 2.0 Requirements for Participation in Interscholastic Athletics and Extracurricular Activities.
- Board of Education Policy 5125, Student Records.
- Administrative Procedure 5125, Student Records.
- Administrative Procedure 5123.2, General Procedures Pertaining to Promotion and Retention of Students.
- Administrative Procedure 5131.1, School Bus Conduct.
- Board of Education Policy 5143, Bullying, Harassment or Intimidation.
- Administrative Procedure 5143, Bullying, Harassment or Intimidation.
- Administrative Procedure 5145, Suspected Child Abuse and Neglect.
- Administrative Procedure 5146, Procedural Guidelines for Students Disabled Under Section 504 of Rehabilitation Act of 1973.
- Board of Education Policy 5150, Student Involvement, Rights, and Responsibilities.
- Administrative Procedure 5150, Student Responsibilities, Rights, and Involvement.
- Board of Education Policy 5152, Dress Code.
- Administrative Procedure 5152, System-wide Student Dress Code.
- Administrative Procedure 5158, Middle School Athletic Association.
- Administrative Procedure 10201, Disruptive Acts Requiring Security Measures.
- Administrative Procedure 10301, Court Proceedings.
- Procedural Safeguards: Parental Rights.

XVIII. Maintenance and Update of These Procedures

These procedures will be maintained as necessary by the Division of Student Services, Prince George's County Public Schools.

XIX. Cancellations and Supersedures

This Administrative Procedure specifically cancels and supersedes Administrative Procedure 10101 (August 2008) which should be removed from Administrative Procedures Handbook and destroyed.

XX. Effective Date

August 2009.

Approved:



William R. Hite, Jr., Ed.D.
Superintendent of Schools



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