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Loudoun County School Board, Discipline Committee Meeting to Include a Closed Session, Monday, January 30, 2023

Date Monday, January 30, 2023
Place Loudoun County Public Schools / School Board meeting (see BoardDocs / LCPS-TV)
Length 55m (video)

- Official meeting video (Vimeo / LCPS-TV): <https://player.vimeo.com/video/794489900?rel=0>
- BoardDocs (School Board): <https://go.boarddocs.com/vsba/loudoun/Board.nsf/Public>

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[00:00:11] Good evening. I would like to call to order the January 30th, 2023 Discipline Committee. We have a couple of action items today, followed by a closed session.

[00:00:33] I don't see anyone signed up for public comment. Okay. So item 2.01 for public comment, we don't have anyone signed up this evening. on the agenda is the approval of minutes from our November 28th meeting. I'd like to make a motion to adopt the minutes as available in your packets. Do I have a second? Second. All those in favor of approving the minutes from November 28th, raise your hand and say aye. Aye. That will pass unanimously

[00:01:10] with board members present with Mr. Mejedevi absent for the vote. Okay. Next action, moving on to the action items we have two policies for action this evening the first is policy 8215 in school disciplinary measures do I have a motion to adopt the policy

[00:01:39] as as updated second I just like to see if we could make a few amendments if possible please absolutely so we'll start with you and then I also have some items. So please go ahead. Thank you. Ms. Polipko. Thank you, Ms. Ogedegbe. I just wanted to bring everyone's attention to, I believe it is line 25 in policy 8215. And I wanted to bring a motion

[00:02:11] forward to amend and add one of the recommendations from SEAC regarding possible assessment regarding a functional behavior assessment or behavior intervention plan. So where it says support will be provided to students who engage in inappropriate behavior and students who are impacted by relationships and making good choices perhaps i am not on the right or maybe i'm not in

[00:02:40] the right place one moment i'm 25 yes yes but perhaps i'm looking at the wrong line rather than waste time i'll come back to that in just one moment and why don't we move if we can maybe move to you and then come back okay thank you um i also in reading the recommended adjustments from the

[00:03:15] SEAC committee found there were a lot that were listed that I felt had merit so I wanted to actually go through we can kind of go through them one by one and I'm looking for feedback I know that there are items in this policy that are stipulated by state law so just making sure that there aren't conflicts there the first one is related to progressive discipline and one of the suggestions was including more specificity around what progressive discipline and positive

[00:03:53] discipline alternatives could be within the associated regulation if staff can provide some feedback on that is this in reference to the policy or the regulation so the recommendation so it is not in the policy but the recommendation because it's it's it seems that practice to getting to that level of specificity would be to refer to the regulations so I guess and I know that regulations are reviewed by cabinet so it's not directly in discussion today

[00:04:32] so I did want to ask the question about whether or not the associated regulation could contain more specificity around what progressive discipline and positive discipline alternatives could be to spell that out more clearly yes we could we could put that in and bring it back before cabinet we also this would include other offices Department of Student Services and multi-tiered system of support would also be part of those so those are those level responses we see in the SBAR that look at the progressive discipline that we assign for any violation where the administrator can refer to one of those

[00:05:10] as the next level of discipline for the student and just a point of order because this isn't necessarily in the policy do we need a vote to ask you to bring it to the cabinet for discussion no you don't okay thank you the next item was on line 24 to add some language focused on understanding the impact of behavior so specifically the updated language would be school personnel will assist students in understanding how their behavior affects others developing healthy

[00:05:48] relationships and making good choices to continue their learning any concerns with that adjustment from staff no we don't have any concerns with that so there's a long list I just procedurally we can are you okay I'm just asking with us going through all of them and then asking for concurrence on amended

[00:06:19] language or do you want me to ask for each one okay so I guess I'm proposing amendment to the language of line 24 as just stated um do i is there a second second all those in favor of updating the language on line 24 as stated please raise your hand and say aye aye that amendment will pass unanimously so i just want to have that as recorded on record 24 and 25 will now

[00:06:56] say school personnel will assist students in understanding how their behavior affects others developing healthy relationships and make good choices to continue their learning yes that's correct yeah chair matter of correction just uh i guess uh so are you going to the sea act recommendations right now is

that where we are okay one more question has this policy did you guys already made a motion to send it to the full board yet or we're just discussing the

[00:07:30] policy we're discussing so we had a motion to adopt the reason i ask is then i think we can just do it instead of voting for every line item we can just do it by consensus you know thumbs up and thumbs down to make it easier for you thank you madam chair i if it's okay with you i'd like to return to line 25 because i found my my error um i'd like to amend line 25 to say for serious but

[00:08:06] where it says for serious violations of school rules the employee should also refer to the student to the principal for other disciplinary measures i would like to add the recommendation from SEAC which states for serious or repeated violations of school rules the employee should also refer the student to the principal for other disciplinary measures and to the unified mental health team for evaluation of the student's home life current situation in school example grades disability attendance etc and possible referral for a functional behavior assessment and behavior

[00:08:42] intervention plan i think that language is important to be included there specifically because we're looking at serious violations of school rules any concerns from staff with those adjustments no we can we can add that in i believe if you approve it okay and can we since can we ask

[00:09:13] anybody from the um the student services i don't know mr lodi would like to speak to this i support the spirit of this as well the one word that threw me a little bit is for evaluation I don't know if there's a softer word that could be used to incite their involvement but not necessarily suggest an evaluation which

[00:09:48] obviously unified mental health team could only do that in the context of parent permission and not entirely sure what that evaluation would look like but the spirit is definitely support can we put the word for review because they can review all the documentation when we get evaluation and mental health we are stepping over our bounds of requirements for what we can ask students to do unless they may meet certain thresholds of threat assessment I I would be

[00:10:22] perfectly fine with that I think that's reasonable are you comfortable with that Mr. Lodi, is that good? Okay, the next item I have is on line item 36 to add with support of the United Mental Health Team in front of students may participate.

[00:10:50] So the updated language would read, with support of the United Mental Health Team, students may participate in circles peer mediations and other conferences to allow effective parties to come together in a safe environment to explore how everyone has been affected by an offense and when possible to decide how to repair the harm yeah we can add that that's what does occur so we can add that for clarification okay great next on lines 45 and 47 just there was some comments about the use of the word detained and suggested to use the phrase

[00:11:30] assigned attention instead and also limits to activities to promote positive behavior should be defined and then if it's not in the policy again this would be a suggestion to to add that to another thing to kind of consider in the related regulation and then finally on line 49 add at least one day after the word notified so the adjusted language putting aside for a moment the suggestion

[00:12:05] to update the regulation the adjusted language starting with lines 45 it would say a student may be assigned detention at the school beyond regular school hours for violation of school rules and may be required during this time to engage in activities to promote positive behavior a student may be assigned

attention only by the principal or designee parents or guardians must be informed at least one day or more in advance of such detention so that they may fulfill their responsibilities to provide necessary transportation for the

[00:12:43] student we can make those adjustments okay great next one is at the end of line 54 to add a reference to policy 5011 so this is related to denial of school privileges section 51d it the new language would read a student may be

[00:13:19] denied normal non-instructional non-curricular school privileges for a specified period of time by the principal or designee when such denial of privileges is um hold on i think there's a slight typo one second yeah when denial of such privileges serves as

[00:13:51] appropriate corrective action for the student's misconduct of the student the removal of unstructured activities such as recess should not be used as a disciplinary consequence or to make up class work pursuant to policy 5011 a 3 thank you chairman yeah I don't really quite understand that I'd love to get some clarification on the staff on this

[00:14:26] this particular line because I think it's referring is a reference referring our our own policy or is it referring the state reference it is referencing our policy 5011 and and the intent there of adding that is again just

[00:15:01] reiterating we're not taking away recess time for disciplinary reasons yeah that's I'm trying to understand and then again you know again if there is a disciplinary action how do you I don't know I'm just trying to understand that what that how that plays out because on the surface it sounds but at the same time and I mean the child is getting disciplined so I don't want to put the child back and if it's a disciplinary and we don't know what the disciplinary action is and to put this child back or a student back into the same environment

[00:15:40] that could cause further exaggerate the issue I just like to understand the better what would that if staff could address what is in policy 5011 because the intent here again is to just surface what's stipulated in that policy which is already in place it's not adding new requirements is just clarifying yeah the unstructured activity time is mandatory and should not be viewed as a privilege to take away that's not be taken away that's how the policy reads

[00:16:14] currently in 5011 so do you concur with the statement that the new addition line that's that's recommended in the in the recommendation then the blue light blue sentence there i would prefer that we probably copy the language in 5011 and put that in as this part so that we're matching the word for word okay i'm comfortable with that any further concerns on that one okay

[00:16:47] and similarly on line 57 which currently lists class or lunch to add recess so on line 57 section E work assignments the new language should read a student may be assigned non-hazardous work before during or after this school or during the

[00:17:19] school day when not in class lunch or recess yeah we'll make that change I need bifocals so this was another recommendation in the SEAC document related to tracking, that they had suggested adding a Section K for tracking, which would read, if any of the above disciplinary measures are implemented against a student to include

[00:17:58] early disciplinary dismissals, an incident report will be completed and shall include the length of time the student is excluded from instruction. A copy of the incident report will be provided to the parent guardian. the superintendent or designee she'll provide yearly reports to the school board regarding disproportionality trends in this data so I agree with the intent of this but I did want to get some context for what's happening this is more of a procedural thing but what's happening right now and are there

[00:18:32] thoughts about that particular suggestion you know the challenge I have this is a bit confusing for a school-based administrator working with students when you're dealing with a safety issue where you might have to pull students out for a period of time until you can have that discussion they're not always somebody on the clock timing them as to what that length of time would be in a follow-up so the word about how it's being tracked and how well it's going to be tracked there I am concerned we are asking our administrators to

[00:19:09] document a lot of information and what they do and this would be another mandatory requirement for them documenting the time you though we do talk to our administrators about it and we do have a policy about if a student is removed from a certain period of time that is a discipline of action we also have times that we have to administrators you have to interview and talk to students or mental health our school counselors have to talk to students and they might be in the office for a while until that can occur but for safety reasons that's the best spot for them to be until that does occur and that's not purposely pulling a student out of for discipline or maybe discipline has not been assigned yet but it's done until administrators have that

[00:19:48] opportunity to fully thoroughly investigate and review an incident. Any thoughts from the other committee board members on this one? Thank you, Madam Chair. I guess the only thing that I could think of in this situation that might make it a little bit easier is if there were some type of language that would document a repeated behavior. If students were undergoing repeated need to

[00:20:21] exit the classroom maybe after a certain number of times then staff could track the amount of time that the student is out I mean I know in the other policy we have the 30-minute mark but that's an idea I don't know if we could do that they are required to do that now if there's a pattern of removal from a student for a particular time they do have to document it if student has an IEP because that does go count towards the time for their MDR but it doesn't necessarily cover a student without an IEP in that pattern of removal that we

[00:20:57] would look at we we don't have it formally placed in policy but we do practice that where we encourage administrators to look at a pattern of removal we have a pattern of removal document where a student is continually removed at the same time we could incorporate some language that describes if there is a pattern of removal that happens more than twice that they will document the amount of time that a student has pulled out would that be acceptable. Mr. Mejedevi. Thank you, Chairman. So I hear you, Mr. Fulton, but I guess I go back on, you know, this is something I've asked in many sort of committees about tracking and being able

[00:21:35] to report on it. So I kind of support the idea. I understand it's going to be, again, a little more burden on the staff to do it, but if there is a, if it's like 30 minutes more or some sort of ways that we can make sure that it's 15 minutes or 20 minutes of classroom all that's not but we do need to I mean again

going back to miss political how do you find that repeated if you don't track it that's the concern comes back I mean if there has to be a way for ability to track

[00:22:08] it and then identify how many times has occurred in order for us to then you know make the recommendations saying well this this has occurred like five times and we have seen in cases where the staff as teachers gone and made numerous emails to the administrators in the building and you know we just kind of nothing's there but if there is a I think it kind of goes both ways in for us as a as a board and the administrators to track it at the same time probably helps the teachers

[00:22:45] to if I can kind of get an understanding we're talking about a discipline removal so a discipline removal should be recorded anyways every time there is an incident where a student is brought in I don't know if their time is recorded but anytime there's administrative response that should be entered in a student information systems for a discipline removal that way they can start looking at I'm just really worried about marking down the time all of it occurs if they see a pattern of behavior they should recognize it because we do know we have students sometimes that will purposely be we want to be removed during certain times depending on what's happening with the schedule that is something that we would look at through counseling and unified mental health

[00:23:22] support for that student which is different than a disciplinary measure necessarily but if we see a pattern of removal but I think that's important for us to know because removal for other instances including students who might have witnessed something or need to see somebody from unified mental health team or school counselor would not fall under this category of tracking so would you be comfortable in removing the answers and shall include the length of time is excluded from the

[00:23:53] instruction? I will say that VDOE now requires for all student behavior administrative responses that whenever an incident is recorded in Phoenix, that's our student information system, that the administrator has to record the instructional support or behavior support by code for any class removal in terms of what was provided to the student during the time that the discipline was imposed so I think there's also an error message now that that for an administrator cannot actually

[00:24:30] save the incident until they've provided the instructional and or behavior support so I think that's uh yeah that doesn't there could be notes put in for length of time but I think the mere fact that they're more careful and that there is a requirement to record both of those items does document what's being put in place to support the student so are you saying that this is already a practice because of code for Virginia that we already do this practice in today I'm not not length of time isn't isn't something so let's let's move on like move from the length of the time yeah but just that every disciplining actions is recorded but I think I like the idea of the I mean I know

[00:25:08] you guys report it as well but I think in the policy that there is no mention of yearly reports to the school board but I do like the idea of this this data being available and being reported perhaps so there's a compromise and saying and you can maybe the idea would be is to to put the code in here which code is already implemented and that the report the copy of the incident or the report will be available to the school board so somewhere we can compromise in the language where if it's already being done then identify the code where we're doing that but I'd like the idea of having at least this reports being available on a quarterly basis to the

[00:25:44] school board and to be shared that makes sense yeah I believe so but that would also involve maybe some other offices like our research and statistic offices but would be able to pull that information

to have access to yeah no I think that we have I mean I'm gonna I think I was I'll say this I mean I was gonna I think you're chairing the communications committee Ms. Falifco so it's gonna make a request an agenda on the same topics to be honest with you because I think we when I was the chair of the committee I don't think I did effect I mean I'll just say effectively enough get the data out as much as I

[00:26:19] wanted to but I think we need we need to work with that department and the communications to make sure that the data is available but working with DDI of course the data is available to everybody to see that so yeah I mean the short answer is yes let's do it and whatever resources we need I think we have at least an agreement on the board to to make that happen thank you so just a point of clarification the suggested language mentions a yearly report I heard you just say quarterly so can you clarify what you're requesting for me I

[00:26:58] - I think yearly is fine, but if this is something we need to see a pattern disciplinary actions, I think we should see it on a quarterly basis versus waiting for the yearly to, as a board, to see what the trend is happening and where things are going.

[00:27:15] That's kind of where my thought is. - Ms. Polifko. - Thank you, Madam Chair. Mr. Mahedivi, I do, I echo your concerns with increased data collection.

[00:27:31] My only concern about providing data quarterly is that we might not see as big of a trend as we would if maybe we decided that we would like to see that data every six months.

[00:27:47] That might give us a clearer picture of what's happening. My concern with cutting it down into small segments like quarterly is that, again, we just may not see the data we're looking for. We might have more impactful data. if we look I think yearly would be acceptable but I think twice a year would probably be the best every six months perhaps obviously the school year is only 10 months but I think that if we could break it break it in half rather than break it into quarters I think we would probably see a little bit more impactful trend there yeah I appreciate your your comments so I'll sort of

[00:28:21] qualify my where I'm coming from the quarterly and I think this is the other thing goes back to our requests in the communications and DDI, we get that, I mean, not we, but generally the data is presented through board docs, through PDF. It doesn't really help because you can't really do a good, I mean, you know, I'm speaking to the choir here, where you can't put everything stitched together, what the trend is. So I would ideally like, and I know it's not in this department here, and it goes back to DDI, make all this data available through click, through the

[00:28:58] dashboard. So we can all look at the trend analysis. So one of the things that you'll see coming up, the item I requested was the hateful language that's being used in schools. It's not reported on a quarterly basis, but there is a, you'll see, I think, the data reported based on the cohorts and by, I don't think we have it by schools. I think we do have it by schools, perhaps, or maybe not, by level, but cohorts. And so those data, again, are good to see on a quarterly basis versus waiting for the ERN to say well oh my god you know this is the trend going on so that's where I'm coming from is so if you see a whole lot then what can be in the school board do any

[00:29:37] adjustments or anything of that sort other than that I mean again yearly it was fine but if we need to take actions and we're having a lot of disciplinary actions what course did we need to change or make that happen that's that was my intention and available through a dashboard versus so you can stitch the whole trend together versus getting a PDF copy.

[00:29:58] Do you have access to the Qlik apps? No, we have access to the public data that's on the website, but we don't have an internal Qlik app.

[00:30:13] I think if you're looking at something and if it's a semi-annual report, I mean a twice-a-year report, it would be good if we understood some of the things that you were looking for and then we did a presentation.

[00:30:29] we have a group called the discipline group that includes multiple offices that we look at this we meet monthly sometimes two or three times a month to review it that maybe they would be the ones doing the presentation of what we're looking at in the data at the request of the school board thank you I love to be part of that and I'll just say for the record I requested this I mean it's nothing from your shop this is out of DDI and you know I think there were about 12 to 15 reports I was supposed to present and share and haven't seen anything yet so just it just my I want to make sure nothing again your department or any other

[00:31:03] department but just that there's so many reports that it's all public data and for whatever reason it just not seeing that yeah if you do ask us what you would need or what you want to look at we can produce it but we also work in creating click apps that administrators can have access to where they can look at disproportionality referrals discipline trends within their own building that they have access and we keep modifying those so that it's better used for the administrators to be able to look at and be able to use those Qlik apps so we can compile data and trends and maybe some requests that you

[00:31:40] might have and have that group report out every six months I mean I think probably the other one would be at the end of June after we've done the state report I'll just qualify I also want to make sure I only see the data that's that it's publicly instead of looking at the hardcore data so I want to be careful of what I want to see I mean yeah we should say that I mean it's not right how I said it but we want to share as much as you know I mean we have demographic data and everything but we would not have student names or ID numbers and that data okay so if this can be adjusted again the discussion has been that the adjustment

[00:32:16] would be in line with what the current procedures are related to tracking and then to add language about biannual reports to the school board okay thank

[00:32:36] you on at the end of line 74 so this this was a discussion actually in November as well the recommendation is the removal of the 30 minutes so I think and some of the I recall from that last meeting there was some discussion that

[00:33:09] parents are notified if students are removed from instruction and this policy states specifically for more than 30 minutes I think the intent of the removal of the 30 minutes is that really parents should be notified if their students are removed from instruction and so I wanted to get some clarification on what the current practice is about once parents are notified and not you know passively through the portal but when does this when does a parent get get a direct outreach about what's happened with their student in reference to any

[00:33:49] discipline action administrators are supposed to contact the parents forever as far in reference to discipline so it's not a time limit or it's any response from administration okay in that case then I would recommend the removal of the of the words for more than 30 minutes at the end of that line okay are you

okay with that to remove the the time limit I mean parents are in fact informed of any disciplinary action so the 30 minutes is not in line with

[00:34:25] policy or practice either okay okay then down on line 96 add in compliance with requirements of IDEA so it would read the principal or designee or the director of transportation may deny transportation privileges and

[00:35:01] compliance with the requirements for of IDEA so the concern there was that we're introducing the potential issue with not providing transportation that's required under other rules any thoughts on that I was waiting for you mr.

[00:35:29] I thought you were going to speak. No, we're good with the addition of that language. Anything from Mr. Lodi? I know you're in the building again. Next, on line 109, I'm looking for the recommendation here is around incorporating the right to appeal in the policy.

[00:35:57] So on line 109, modifying the second sentence to read, parents or guardians may petition for review of disciplinary actions taken in accordance with this policy in the same manner as short-term suspensions per regulation 82 20-1 we're okay with that if we want to add a petition for review for other consequences a petition for review does not is not a formal

[00:36:33] appeal it's requesting the principal to review if it's assigned by a system principal the challenge is if it's assigned by the principal that comes to our office there is maybe a might be a lot of work that's required if we're reviewing every single detention or Saturday school or other placement that has occurred from the school I mean my assumption would be that parents may be reaching out to request a review anyway but this would clarify that they do you know have the ability

[00:37:07] to do so yeah I would add in policy it does have for some of these I do think it's better if this is a school-based review unless it's a repeated actions that may have occurred so if a principal assigns a detention they can request a review from the principal for that action whereas a suspension if the principal assigns it, they would request a review from our office.

[00:37:33] Thank you, Chairman. Mr. Hatterby? Thank you, Chairman. So, that's one thing, so you clarify it. So, if it's a suspension, it'll come to your office, but if it's not a suspension, and the way the policy is written, I'm sorry, if an assistant principal assigns a suspension, the review first goes to the principal.

[00:37:50] If the principal assigns it, it comes to our office. If the parent is unhappy with the principal review, they can ask for a second review from our office for suspensions or days out of school. - But this one says that, so this is not just for suspension, but other things you can review with the principal.

[00:38:11] - These are in-school disciplinary measures and probably the review would be best if it stayed in school. We're fine with it doing it the other way, but I do think it promotes that conversation between the principal and the parent and the student. Instead of bypassing that step, even if the principal does assign a detention, they can request that review.

[00:38:33] - I'm comfortable with that if it can stipulate that the suggestion is to review that with school administrative staff, yeah. Okay, my final comment for this policy is on line 124 to note the new name for policy 8220 to replace student suspension from school with student disciplinary consequences, just for consistency.

[00:39:03] - I'm sorry, I missed that again with lines. - So line 124, to note the new name of policy 8220, it looks like it's referring to the old policy name. Yeah, we will get that corrected. Okay. Any further discussion on this policy from the other board members?

[00:39:27] Yes, Mr. Mejedevi. Thank you, Chairwoman. So Mr. Fulton, I guess in light of one of the things that we're reviewing, I know we have a different policy altogether when it comes to bringing discipline in action when it comes to so-called weapons or weapons like.

[00:39:50] These are still, I mean, these are still binding things in terms of what the disciplinary measures are and how we respond to those things. So I guess, I don't want, I'm hoping that there would be some sort of a restorative practice or anything of that, so those things also goes along with that as well.

[00:40:13] So I'm kind of trying to bridge the two policies because this kind of speaks to certain things of how we do disciplinary actions, and that deals with apparently, I shouldn't say charges, but things that prohibitions and things that we cannot do. So how do we reconcile that?

[00:40:30] Because this seems to be very empathetic towards how we address things in schools. And we've talked about this on many occasions that principals kind of follow this and make it happen versus kind of jumping to conclusions. Again, I don't want to muddle the water, but I'm just trying to think about how do we make sure we implement this policy in a holistic way just or maybe it's not the discussion for the committee here you can you can say that too and I don't want to talk about any specific incident that but I will say

[00:41:08] this if we do have a weapons violation there are steps that we ask the administrators to go through to determine the level of that infraction because weapons does fall under a state code of which that mandatory requirements are pretty extensive disciplinary measures but we don't always go that because it allows for special circumstances for incidents that to occur so there's a lot of steps that administrator would follow through for those weapons was a student gauge in an altercation was the student angry at somebody was a student saying they were protecting themselves or threatening anybody was the weapon brandished at any time did it create some fear and

[00:41:46] uncertainty among the students in there you know those steps that the administrator goes through before they determine what that level of recommendation for that consequence is going to be and then we review it at our office if we feel like the infraction didn't meet that level or should have met that level then we can adjust what the principal's recommendation is on that on those suspensions okay thank you so all all those in favor of accepting

[00:42:16] the amendments as discussed within the changes to this policy or do I ask for motion first. So I'd like to make a motion to incorporate the changes that have been discussed for this policy into a revised policy to bring forward to the full school board for an information item at the next school board meeting. Do I have a second? Second. All those

[00:42:51] in favor, raise your hand and say aye. Aye. So that amended motion will pass unanimously with all board members present we will make the the changes that were approved tonight and put it before that for the board agenda thank you okay next item on our agenda is policy 8260 reporting of student conduct I'd like to make a

[00:43:25] motion to bring this amended policy to the full school board as an information item or is there a second or any discussion discussion Ms. Polifko thank you madam chair I just would like to make a small

amendment on line 146 where it says the principal or designee will also notify the parent of any student involved in an incident required by this policy rather than will so I'd like to

[00:44:03] strike will and insert shall so it would read the principal or designee shall also notify the parent of any student involved in an incident required by this policy to be reported, et cetera. Okay, thank you, Mr. Mejelevi.

[00:44:24] Does that want to approve? No, no, I just seconded Ms. Polifko's amendment to it. So Ms. Polifko, can you speak to it and why you're speaking from Bill to shall? Shall provides more binding language. Will leaves it open-ended.

[00:44:40] So I'd like to make sure that the policy is clear. Staff or? I strongly concur with Ms. Polifko on that. I agree that's pretty consistent what we've tried to change the policies any additional discussion items um so I had I just had some oh go ahead Mr. Mejelevi we can take a vote on the amendment madam chair and then we can move to the next item oh okay so we had in the last one we had some

[00:45:18] discussion about multiple discussion items for the policy before taking a vote I'm sorry just on this will versus shall did we have concurrence on that uh we had concurrence but we weren't taking a formal vote until until the end if that's okay okay so I think one of the things I just wanted to note that just in looking at some of the public comment about this policy is there was concern about just the the reporting to law enforcement and what that meant and I I did want to just ask staff to clarify

[00:45:54] and my understanding is that this policy is specifically addressing those those the type of behavior incidents that we are required by Virginia code to bring to law enforcement so just for just some input from staff about that that would be helpful thank you that is correct these are our mandatory reporting items by school to law enforcement the challenge is is our principals administrators don't determine what a misdemeanor or a felony or formal charge is so often they have to share with law enforcement as the determination of what

[00:46:33] occurs and by report we also don't mean that we do not file a formal report with law enforcement we inform the law enforcement of the incident that does occur or what we're looking at then law enforcement determines that if there are legal charges or anything that has to be produced from there the schools do not charge students for offenses that is either by law enforcement or by the community members that are involved with the incident thank you for that clarification the final item I have is on line 63 there's a mention that the

[00:47:09] principal is not required to but may report to local law enforcement agency any incident described in subsection a 34 committed by a student who has a disability can you provide some context for that I I believe that you know as mentioned this is based on mandatory reporting if you can clarify particularly for that one what the intent is there as I remember this is as what it was put in some years ago there's sometimes a student with a

[00:47:43] disability whose behavior may be described by his behavior as disability not something that's truly a threat or harm towards others and if the school is determined that's what this is a reference to that would not have to be reported to law enforcement so based on that I think if the intent is saying that they can choose not to for that reason I just think some if that could be reworded to be more specific to the

[00:48:17] scenario that you're describing it would be clearer what the intent was yes Mr. Falconi uh thank you just to be uh uh just to for the sake of clarification that that language is actually straight from the code

of Virginia and that's why it's there. Okay so I won't be changing the code of Virginia language. We don't disagree with you but it is certain acts no matter what the disability have to be reported anyways. This is in for good intent for the student who might

[00:48:53] blurt out something because of their disability has no intention of doing it and we don't want to punish a student for that reason okay thank you for that clarification so I'd like to make an amended motion to ask staff to make adjustments to the language in this policy as discussed and bring forward to the full school board as an information item at the next scheduled school board any go ahead sorry yes mr.

[00:49:25] ahead of you. Thank you, Mr. Chairman. So I had a question. I think AMSAC had the question on line number 18. It talks about including the theft or attempted theft. What would be an attempted theft, Mr. Falcone?

[00:49:41] And how do you qualify attempted theft? An unsuccessful theft? That's the best way I probably could describe it, but the attempt to take something that you were not successful is you didn't walk away with it, but you might have grabbed something from there. So again, that's the reference we have from from state code so it's verbatim from the state code I will have to look back at that language yes it is okay now I'll just accept I guess based on we'll just take the state code for where it is right now unless they change the state

[00:50:17] code in the future okay thank you so I'd like to make a motion to an amended motion to ask staff to make adjustments to the language as discussed so that we can bring that forward as an information item at the next school board thank you all those in favor please raise your hand and say aye aye that amended motion

[00:50:41] will pass unanimously with all board members present so at this time I'd like

[00:51:14] to make a motion to my point of order am I adjourning this meeting and then calling a separate meeting to order are we doing a closed meeting within this meeting it's the same meeting so you just make a motion to go into closed okay at this time I'd like to make a motion to go into closed session do I have a, let me find out, hold on one second, sorry.

[00:51:42] - You have a language, you gotta read that. - Yeah. I move that the discipline committee of the Loudoun County School Board recess this public meeting and enter into a closed meeting pursuant to section 2.2-3712 of the Code of Virginia for the following purposes, discussion or consideration of a recommendation for disciplining a student enrolled in Loudoun County Public Schools as authorized by Section 2.2-3711A2 of the Code of Virginia.

[00:52:14] Do I have a second? - Second. - All those in favor of convening a closed meeting, please raise your hand and say aye. Thank you, the board, this committee meeting is now moving into a closed session, thank you.

[00:52:37] I move that the following resolution certifying the closed meeting be adopted and reflected in the minutes of this public meeting, Resolution 23-22-23, whereas the Discipline Hearing Committee of the Loudoun County School Board has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act, and whereas Section 2.2-3712D of the Code of Virginia requires a certification by this committee of the school board that such closed meeting was conducted in conformity with Virginia law. Now therefore be it resolved that the discipline committee of the Loudoun County

[00:53:16] School Board hereby certifies that to the best of each member's knowledge, only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification applies, and only such public business matters that were identified in the motion convening the closed meeting were heard, discussed, or considered by the discipline hearing committee of the Loudoun County School Board do I have a second I don't think I need a vote okay and all

[00:53:49] those in favor of the motion please raise your hand and say aye please note that the motion to certify the closed meeting passed unanimously with all board members present so with regard to the issue at hand today I move that the discipline committee continue the discipline appeal for student LTS oh two 22-23 until February 13, 2023. Do I have a second? Thank you. This is seconded by Mr.

[00:54:26] Mejedevi. All those in favor, please raise your hand and say aye. That motion passes unanimously. We're now adjourned. Thank you.



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