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Loudoun County School Board, Student Behavior and Accountability Committee Meeting, Thursday, January 30, 2025

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Place Loudoun County Public Schools / School Board meeting (see BoardDocs / LCPS-TV)
Length 1h 14m (video)

- Official meeting video (Vimeo / LCPS-TV): <https://player.vimeo.com/video/1051921853?rel=0>
- BoardDocs (School Board): <https://go.boarddocs.com/vsba/loudoun/Board.nsf/Public>

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Speech-to-text: whisper.cpp, model large-v3-turbo. Produced 2026-10-16. Each paragraph starts with its time [HH:MM:SS] in the meeting video.

[00:00:00] 30th Student Behavior and Accountability Meeting. I am Carrie LaBelle, the Chair, and with me is Dr. Linda Deans, with Dr. Samara Rasheed being absent. Okay.

[00:00:15] Seeing as we have no public comment, we're going to move directly to the minutes. Have you had a chance to look at all the minutes, Dr. Deans? Yes. Okay. All right.

[00:00:31] All in favor of approving the minutes? Say aye. I no opposition. It's passed. We're moving now to action items, which is policy for 8230 procedures for student disciplinary appeals to the school board Any discussion on that?

[00:00:57] Dr. Deans, do you have something to say?

[00:01:16] I am pleased that it's clear that the parents can bring a representative, even if it's not legal counsel. I don't think before that was very clear to the parents, as some of them expressed to me.

[00:01:33] So I'm happy to know that or see that. And it says evidence and relevant student information can be presented as determined by, am I correct, as determined by the chair.

[00:02:01] But if the parents bring in other relevant student information, would that also be acceptable? That's a question. - Yes, so parents, or quite frankly even the school, could provide additional information or clarifying information at the actual SBAC hearing.

[00:02:27] And whether or not you want to accept and receive that information is a decision for SBAC to make. You may recall when we discussed this back in November, with one exception, we changed sort of granting things or denying things from it being the decision of the SBAC chair to it being the decision of SBAC, and that is one of those things of many.

[00:02:52] So the three of you or whoever is on the SBAC committee on that particular day would confer to determine whether you wanted to accept additional information at the hearing. Okay, that's good. I like that. Okay. Yep. I'm on board with that.

[00:03:11] So do we want to make a motion to move the policy forward? You had indicated, Ms. LaBelle, on page three of the policy. You had agreed, the committee had agreed back in November, to permit a parent to ask for a continuance of the hearing.

[00:03:34] And as written, the amendment that passed in November was that they would have to provide their request one day, at least one day prior to the hearing. You had indicated you may wish to clarify that that should be one business day to prevent a... Misunderstanding.

[00:03:54] Yes, or an appeal, not an appeal, but a request for a continuance from coming in on Sunday, for example, you might not have time to receive it and review it. Yes, thank you for that. We do have a statement. It's number five, non-attendance, that says failure of the student and or the parents, guardians, and or their representative to attend a scheduled hearing will not prevent SBAC from considering the sanction and making a decision.

[00:04:25] However, and here's the part where it changed, at least one business day prior to the hearing date, the party requesting the hearing may request a continuance with good cause shown. And the SBAC chair will decide whether the request will be granted.

[00:04:44] And I want to point out that it does indicate in this case, not the committee, but the chair will make that decision. But that's the only place that I know of within this document, this policy, that that single instance is from the chair.

[00:05:02] So is there a motion on the floor to move this policy forward? Not yet. Should it only be the SBAC chair that would make that decision? I guess it would be difficult to get in touch with everybody, huh?

[00:05:18] Exactly. So what we discussed in November was exactly that issue is the decision, especially if it comes back in only one business day in advance, If you can imagine you have a hearing on Wednesday, the request comes in on Tuesday, it's the issue of somebody being able to expeditiously make that decision and also the issue of if you all confer, that is a meeting, which is also problematic.

[00:05:44] So that is the one exception to otherwise decisions being made during a hearing by the committee that's there that day. Okay, so I move to move the policy forward based on those specific changes.

[00:06:04] Do you want to make a motion to insert the word business in front of Dave? Okay. We'll do that first. Okay. I move to insert the word business, one business day prior to the hearing day. That's my

motion.

[00:06:21] I second the motion. All in favor? Aye. Aye. All opposed. Seeing no opposition, this motion passes. now the motion to move the policy forward would that be the appropriate next step i so move i second all in favor say aye aye aye with no opposition the motion passes and policy 8230

[00:06:59] will move forward next on our agenda is the weapons policy and we have a draft and we had some additions to it. In the second paragraph, we added the statement, for the purpose of this policy, the use of any weapon as defined below includes but is not limited to brandishing

[00:07:32] such weapon or otherwise using such weapon to threaten, intimidate, injure, or harm another person. I believe that is the only addition we have here? Yes, and that would actually be an amendment if you chose to add that language.

[00:07:50] Okay. Any discussion? No. No? Would you like to make an amendment to this policy? I move to make the amendment as indicated in green to the policy. I second. Any other discussion?

[00:08:13] No. Okay. All in favor of moving it forward at this point, or making this amendment, say aye. Aye. Aye. No opposition? So moved.

[00:08:30] And a motion to move this policy forward. Did you want to discuss the public comment at all? There were It's completely up to you

[00:09:38] There is a person who perceives that students might actually bring a grenade which is a class A Weapon is defined by our policy and a knife class B are both given a full safe harbor I'm sorry pardon now. Is this true?

[00:10:04] So the safe harbor provision is something that has been in the policy. We did not alter that What the provision says is that the accidental or inadvertent possession of a weapon by a student If they realize that, oh my goodness, I was camping this weekend, I was using this backpack, I just discovered that I accidentally still have my knife in it.

[00:10:36] If that student immediately goes to an adult in the building, a staff member, turns that weapon over, tells them what happened, then the student would not be disciplined. It does indicate that the student must immediately report to a teacher administrator as soon as they discover it and before it is discovered or seen by staff or another student.

[00:11:07] So that second provision is there so that students can't always say when they've been turned in, oh, it was an accident, right? Now, it may have been an accident, but you don't benefit from that safe harbor provision if somebody else has seen it and turned you in, right?

[00:11:27] It's really meant to, quite frankly, encourage a student who has accidentally brought something, encourage them to turn it in instead of keep it, hoping that they don't get in trouble. That's really the purpose of the provision.

[00:11:43] But the community member who made that comment is correct, but it's very broad. It covers any weapon in the policy. And I think they are suggesting that it shouldn't cover some certain weapons.

[00:12:00] It's also broad in the standpoint that it's absolute and there isn't as written any discretion on the part of the principal. It just says they will benefit from safe harbor.

[00:12:17] Personally, I can't imagine a student bringing in a grenade and not knowing he had it. That's, you know, kind of out there. But I understand that a student might have brought in, as you gave the example, forgotten that they had it in there.

[00:12:43] And if they reported immediately that they could, you know, profit from the safe harbor in the policy. If it becomes habitual, obviously not the first time, the students should know to look to see if they have taken that out prior to that.

[00:13:02] If it's a habitual violation, that's a different story. Let's see, what else is on here? MSAC, okay.

[00:13:26] MSAC would like to see this policy applied to school board and teachers or other LCPS employees. How do we feel about that one? I think for the safety of our students, it would be good to include staff.

[00:14:03] All the way up to the head of the school board, Dr. Spence, all the administrators? Is that what we're talking about? It will apply to the school board and teachers and other LCPS employees. Do you know if there's something in any other policy that relates to staff and us?

[00:14:26] So there is a policy. It's policy 7560, professional conduct, and it has accompanying regulations, and it does set forth expectations for behavior and et cetera.

[00:14:46] I did a word search of the policy and the regulation for the word weapon, and it does not seem to be specifically cited weapon. I also am not aware of there being a separate weapons policy for staff.

[00:15:08] You know, again, I went to board docs and I pulled the HR-related policies and I did a search for the word weapon and nothing came up. I do think, as MSAC suggests, to the extent that there should be a separate weapons policy specific to employees or weapons offenses being included as prohibited professional conduct, that that is something that would be looked at by whichever committee is responsible for the 7,000

[00:15:46] series, the employee policies. So it wouldn't fit under student discipline then? It really doesn't because if you look at that policy holistically, it's very student focused. It talks about being suspended from school, being potentially expelled from school. It's a student focused policy.

[00:16:08] It doesn't envision that policy being applied to our employees. But employees have that 7,000 series and they have the professional conduct in particular policy that it would seem to me that's where to the extent that that perhaps should be reviewed, whatever committee handles HR 7,000 regulations, I would think.

[00:16:39] Is that Arbin that does HR? I think it's Dina and Arbin. I think they're both on HR.

[00:16:54] The reason I question it is because, you know, in the evolution of all of this, there was a time that some think tanks suggested that teachers bring their gun to school for their protection.

[00:17:13] And, of course, that is not acceptable in my sight. So that's why I was questioning, how would we recommend to the HR committee to take a look at that?

[00:17:33] I can look into that for you. And I can find out what, first of all, what committee would own those 7,000 series policies. And I can also find out who the staff member would be that would review those policies and let the appropriate people know.

[00:17:58] That would be kind. That would work for me. That would be good. And also in this policy, is there, no, in any policy, is there anything that says the parent cannot enter the building, even if they have a self-carry permit and that kind of thing?

[00:18:19] I don't, honestly, I don't know the answer to that. I can find out. Schools are gun-free zones, right? And under the Code of Virginia, you know, there are extra penalties criminally for being in possession of statutory weapons at school.

[00:18:38] But to the extent that we have a policy, I would guess that we don't because our policies apply to students and employees, but our policies typically don't apply to parents.

[00:18:54] Okay. But I can look into that for you.

[00:19:05] One of the things that concerned me is that there was a public comment time with the full board where one of the speakers held up his arm, and we actually saw his personal carry weapon, and we were evacuated from the dais, and public comment was ended at that point.

[00:19:31] But nothing was ever done about the fact that he had it here. This is not a school, but this is a school administrative center. And our safety is as important as the safety of the staff and the students.

[00:19:46] And so that is something that I'd like to have some response. I will look into that as well. I don't know. Sure, I can look into that as well. I know that there are the metal detectors that they post here when somebody is coming in to the building on a night that there is a school board meeting night.

[00:20:10] I'm not aware of the circumstance you describe, but I can also find out what LCPS does to communicate to our community that if they're coming on to school property, that weapons are prohibited on school property.

[00:20:29] and make it school property and school-admanned property. Right, LCPS property. LCPS property, right. Okay. Madam Chair, so I think that maybe that recommendation should not be in our purview, right?

[00:20:52] That's right. I think it needs to go into the employee portion since we are student discipline and behavior, and that is definitely different. They wanted us to do more discussion on Section F.

[00:21:12] I think it's pretty cut and dry about what an LCPS administrator is. You know, the administration here, anybody that works with, you know, with the administration, and also principals, vice principals.

[00:21:33] Whether it might include deans, I don't know. I don't know if deans fall into the administration category. No, deans aren't administrators by title and under our policies. I will say I see this as well as a training issue, an opportunity when we do the training, because, of course, this is some significant changes to the weapons policy.

[00:22:00] I already have time on the calendar to brief all of our principals, assistant principals, deans, et cetera, on the policy. And I think that is the opportunity to clarify, quite frankly, we talked about that issue, this issue brought to the fore by MSAC specifically at our docile meeting and feel strongly that at the building level, it's only the principal who should be authorizing something like that.

[00:22:30] And of course, it would be very rare and it would be a very unusual or unique circumstance. I think it would be an unusual circumstance, but I think there are times that principals are out of the

building in meetings and what have you.

[00:22:46] And also, kids' experiences tell them who they should perceive as an authority figure versus the principal, the assistant principal.

[00:23:04] You know, for an example, if a kid is in continuous counseling with a guidance counselor, you know, we often tell the special students especially, well, before you act, go and talk to that safe person in your building.

[00:23:23] The safe person might not always be an administrator. The safe person might be the counselor or his, what do you all call it, advisory? We call it the homeroom in the old days. Yeah. The teacher that's in charge of his advisory, period.

[00:23:40] I don't know if we should, if I'm sitting in math class and I realize, oh, my God, I have my knife. That falls under safe harbor, doesn't it? Submitting it to the teacher in that room at that time, would that be acceptable?

[00:24:00] So that's the safe harbor provision, right? And the safe harbor provision does encompass teachers, for example. But as long as they're turning that weapon voluntarily and immediately into a school staff member. What we're talking about, and let me see if I can give you some examples.

[00:24:21] A student may ask as part of show and tell or a talent show. It may be a student who is involved in karate. And they may ask, can I bring my nunchucks in to do a demonstration for my classmates as part of a show and tell or a talent show.

[00:24:38] Chuck's under the Code of Virginia and our policy are weapons. So who would have the authority to approve or disapprove that request? What's already written is only an administrator would have that authority. A teacher wouldn't have the authority. A counselor wouldn't have the authority. Only an administrator. Another example of something that might come up is BAT. A BAT is listed as, I think, a category C weapon. We don't want kids bringing bats to school. They don't have a reason to bring

[00:25:15] bats to school, and there have been times, not necessarily here in Loudoun, but in other school districts where students have brought bats to school and used them as weapons. The question then comes up, well, what if you're on the baseball team? Should the baseball team be allowed to have their bats? Should they be kept in a special place in the building to the extent that they're allowed to have them. That, again, is a decision. Who gets to make that decision? It would have to be an administrator. I think what MSAC is suggesting is define administrator. Now,

[00:25:49] in a building, there are a number of people who are considered administrators. Your principal, your assistant principal, your director of student activities, probably your director of student services. I may not be using exactly the correct titles, which is why we discussed it in Dossal is specifically because it was going to come up here today who do we really want to extend that authority to and what we thought was appropriate was the principal or designee in the event that the principal is out of the building um and then the question becomes should the policy

[00:26:26] be narrowed to be explicit or is that really a training issue we will certainly train on it Yes. And in fact, the policy as it stands today just says, like school official, it doesn't narrow it to administrator.

[00:26:48] So we narrowed it to administrator. The question is, should that be even more specific? Which administrator? We will train on it. Do you want to amend the policy? I think is the train on it. Yeah, I think

that it's right, you know, your administrator, your principal might be out of the building when something happens, and you need to have someone else that's authorized to make decisions on what's going to happen.

[00:27:21] Okay, next on the MSAC page, they are concerned that, let's see, I think we've done both of these, A and B and the recommendations, record keeping.

[00:27:43] Do we keep record of how many violations there are? Is the administrator required to report every single one? Like if something happens and a student has safe harbor because, oh, I forgot.

[00:28:01] It was late this morning, grabbed my bag, didn't check it. So do we have something where we record the number of violations, and does it include safe harbor would be my question. So violations are recorded in our Phoenix system.

[00:28:19] It would be in the discipline module where they would have to record not only that there was a weapon, but the type of weapon and then the sanction and the intervention that was applied. The safe harbor issue, you know, the policy says if you benefit from safe harbor, it's not considered a violation.

[00:28:38] So you wouldn't put it in the discipline module. I would encourage and again I think it's a training issue that that should probably be documented but we have something in Phoenix called student conferences where they can document conferences with a family and a student and they could document for example we had a conference about this we had a conversation about this issue that should guard against a student who has repeatedly forgotten right right then you have a record that doesn't get lost.

[00:29:10] Good. Well, I think that needs to be in there. Would that just be in the training procedure, or do we need to make a correction when we're talking about safe harbor, that he will not be held responsible this time, but this incident will be recorded in his discipline background?

[00:29:28] Well, so when we were talking about how broadly safe harbor applies, and we talked about it applies as written to all weapons in the policy, and it also doesn't give the principal discretion.

[00:29:43] So that is an amendment that you could consider, is to modify the safe harbor piece to say that you would benefit from that provision at the principal's discretion, so that if the principal then saw that there was repeat behavior, the principal would have the authority to say you're not going to benefit from safe harbor in that circumstance, which isn't exactly the answer to your question.

[00:30:13] Your question was, should we add something to the policy that says any instance in which safe harbor is invoked shall be recorded in the student record? I think that's a good idea. We need to add the repeat behaviors to it.

[00:30:31] If you want to then give the principal discretion to not apply the safe harbor repeatedly, that also belongs as an amendment to the policy. Go ahead.

[00:30:49] I was just saying I think it needs to be said because that discretion is sometimes not applied equitably. Yeah. So it needs to be stated. To be the, then maybe it's not discretion.

[00:31:07] Maybe it's a specific instance in which Safe Harbor wouldn't apply, and that is a student may benefit from the Safe Harbor provision only one time. Well, it might be that at another point in time, maybe he's on, you know, baseball team and brings in the baseball bat, whatever.

[00:31:29] Accidentally brings in something else, not a knife. But if it becomes repetitious that he's always bringing in something, oh, I forgot it was in there, then that's the part that would signal to me that this is not a safe harbor issue.

[00:31:51] Okay, where is the safe harbor one? So I'm looking at the red-lined version. It's page 6 of the red-lined version, beginning on line 231. I think the easiest way to perhaps do that

[00:32:28] Is where you see on line 233 that that accidental possession shall not constitute a violation of this policy provided that the student immediately reports the same to a teacher or administrator upon discovery thereof by such student and before it is discovered or seen by LCPS staff or by other students.

[00:32:52] I wonder if we just put a semicolon and say and that the student has not previously benefited from the safe harbor provision.

[00:33:11] So essentially, you get one safe harbor. Yeah. Is that what you're looking for? Something like that, yes. But one safe harbor might be the hunting knife, and the other safe harbor might be the bat. Yeah. So what I'm saying is that when you limit it to one, you're putting the child...

[00:33:33] you're putting the highly active child at a higher risk. I'm just saying, and maybe you make another statement that I don't think it should be restricted to one, but every incident of Safe Harbor needs to be addressed with a conference.

[00:34:00] That's what I'm saying. Okay. And that means it's documented in that area where she said conferences are documented? And so that— If he comes in with a third, as described by our policy, that when the principal looks at his record, he can see, well, he had the first one, and then we gave him a second one, but now this is a third one, you know.

[00:34:32] So it's there that the principal can see it, and if this is a repetitious behavior, the principal may have the discretion to, the student may, will not be considered for safe harbor, something like that.

[00:34:55] I don't know, I don't want to use the word discretion, although that's really what it is. the principal can look at it and say, you know, yes or no. But the repetition is considered when considering safe harbor. I don't know how else to word that.

[00:35:15] And is that within one school year or is that in his whole school life, the child's whole school life? I mean, that's – middle school kids are silly and they do silly things. I think that when you're talking about taking situations into account, looking at each situation one by one by one, and is this silly behavior, are these honest mistakes, is there a rationale that what you're talking about is using discretion, right?

[00:35:54] So right now, the way that that safe harbor provision is written is there is no discretion. If the student does X, then there shall be safe harbor. So to the extent that you are concerned about a student repeatedly forgetting and bringing weapons to school, and you want to take account of that in a discretionary way, you would have to make an amendment that would allow for that, which we can do.

[00:36:29] Tell me what you want to do. I can write your amendment. I want to make sure that, okay, the student gets his first safe harbor. Then he comes in with something else, you know, and he goes into the administration. Oh, I forgot this.

[00:36:46] All right, maybe he deserves a second safe harbor. But when the third time comes around, it's like three strikes you're out. That's kind of it. Also, I'm concerned about, as Dr. Deans pointed out, does it carry from year to year?

[00:37:02] Okay, I did this in middle school, and they let me off all the time. Now I'm in high school this year. Maybe I'll give it another shot, you know. I don't know. This is a child that is misusing the policy in order to, I don't know what he benefits from by doing this.

[00:37:20] That's where I'm getting it. Why is he doing this? It can't be an honest mistake. He says, oh, well, that went okay. I just won't worry about it, and he does it again. So I think there are a couple of ways to think about that, right?

[00:37:38] One is to provide discretion, right, that would allow the principal to make the judgment about after the first time or the second time or whatever you think is appropriate. The other thing I think that we need to realize is that once you get into, so your category A, those are guns. Those are guns and bombs, right?

[00:38:02] Your category B are still statutory weapons. Those are really big knives, machetes, throwing stars. No student should have those items at school. And like, how do you do that accidentally? Because you shouldn't have the item to begin with. It is a statutory weapon.

[00:38:21] Once you get down to your C and your D, built into the policy already is some principal discretion about what the consequence should be, which is a major change of the policy. The current policy doesn't give principal discretion on the consequence at all.

[00:38:39] So if you have a student who accidentally brings a Category C weapon, which would be your smaller knives, your Boy Scout knives, the things that you might take fishing, there's already discretion built in for what that sanction should be.

[00:38:58] So that part I don't need to worry about. It's just the repetitious behavior. How many safe harbors do we allow them? Is that what I'm hearing? Yes, I think so. They were concerned about the track approvals, so that'll be covered too if we put it in the conference box.

[00:39:37] We could amend that. We could. So we've already got, I've drafted something that takes care of the idea that there will be a conference and that conference will be documented. So I have in every instance that Safe Harbor is invoked, there shall be a parent conference which shall be documented in the student information system.

[00:40:04] What's not addressed by that is the idea of your repeat safe harbor, but I'm not sure exactly where you want to go with that. I think that one safe harbor should be enough.

[00:40:31] I think if it happens again, it needs to be addressed, obviously, in a conference, because we already do that but how would that be reflected differently in the records well what would have to happen if if that were the case is if a student came forward and said oh my goodness I accidentally brought this knife to school then the administrator should be going back into the

[00:41:06] conference records to see if it had occurred before okay and if it had occurred before then if the policy says they can only benefit from one safe harbor, then it's just a violation of the policy, and it would get entered as a violation into the system.

[00:41:27] And they would receive the consequences of that action. And they would receive whatever consequence the policy sets forth. Okay. I think there needs to be a warning. You know, you get this one-time safe harbor, but if it happens again, this is what's going to happen.

[00:41:42] And that may prevent the repetitious behaviors we're talking about. But it happens in seventh grade and again in eleventh grade. That's what I'm talking about. So you could put a time limit on it, right? We do this with the drug regulation, right?

[00:42:00] Because we don't want a student to have a, like, fresh number of drug violations at the beginning of every school year. So with the drug violation, we do a 24-month look back. With something like this, you could say no student shall benefit from the Safe Harbor provision more than one time every X school years, every X calendar years, whatever you think is appropriate.

[00:42:29] Or maybe one time in elementary school, one time in middle school, and one time in high school. And that'll be your third track in your hour. I don't know. I just think that the younger kids, it's a decision-making.

[00:42:44] It's a lack of the wisdom to make good decisions. But then in middle and high school, they're more mature. They know what not to do. And so, for an example, I know I've had cases where autistic kids or special needs kids may do things inadvertently.

[00:43:11] Is there anything to give them a safe harbor because of their disability? Well, so if it's a consequence that's going to result in a 10-day suspension or potentially greater, there's a manifestation determination review.

[00:43:36] And that's where the disability is taken into account. Okay. Yeah, I was going to say. And if it is a function of the child's disability, then what? Or if, no, that is not.

[00:43:53] Well, this is manifestation. You either on a manifestation you're deciding it's a function of his disability or it's not a function of his disability. If it's not a function of a disability, yes, we're going to treat him the same way that we would treat any other student.

[00:44:09] But if it's a function of the disability, what is going to be the result? Is he excused or is he, yeah. So if it's a function of the disability, if it's a manifestation of the disability, then from a sanction standpoint, the student cannot be sanctioned in a way that would result in a cumulative 11th day of suspension for the school year.

[00:44:34] That doesn't mean they couldn't be suspended, but they couldn't be suspended beyond a cumulative 10 days. Okay, do we need to put that in there so that SEAC is a little more happy and doesn't come back at us? Well, we already have something in the policy that cross-references back to the discipline of students with disabilities policy.

[00:45:00] So those always have to be taken into account with every discipline situation. So I think you look at it like you said with the drugs, two-year period or however many years, but put a limit on it. I can't see elementary school students getting a Class A or a Class B weapon into the building.

[00:45:24] I mean, why would the parents send them out the door with a big hunting knife? Why did my friend in Newport News get shot? Well, yes, the six-year-old. Some mothers are not attentive. You're right. And Dana has said that she will not have that happen here.

[00:45:40] That what now? The teacher getting shot. You said no teacher's getting shot on my watch at our very first meeting. So I think maybe we can say, like with the drugs, over a two-year period. Safe Harbor can apply only over a two-year period.

[00:45:59] And I would recommend, because this is what we did with the drug regulation, is school years, as we know, are elastic, right? At the beginning of the year, we've got 10 months in front of us, but at the end of the year, we might only have two weeks in front of us.

[00:46:16] So instead of using school years, we used two calendar years. And the schools are used to that. They're used now because of the drug regulation. They're used to looking back two calendar years of history. That makes more sense.

[00:46:32] Okay. So let me draft something, and then I'll read it to you. I'm now going to change it from May to Will.

[00:46:51] Is that what they're saying? Yeah, well, it just may seem out of place since there's a requirement, or there's no requirement. And I went back and I looked at, which is on page 6, no, excuse me, 7, 2, so maybe we need to put, notwithstanding, before going, in other words, anything before us, yeah, but

[00:47:31] should we, should we reference the safe harbor, since we've made that so clear? They are referencing the Safe Harbor.

[00:47:47] They're saying notwithstanding the previous. So I've drafted up some language that I think will cover both things. Marna, I will read it for you. Marna will put it on the screen, Ms. Gettleman, and then if it looks okay.

[00:48:04] We can tweak it a bit if you'd like, but I'll read it first. It will just come in at the very end of the paragraph on Safe Harbor.

[00:48:13] In every instance that Safe Harbor is invoked, there shall be a parent conference, which shall be documented in the student information system.

[00:48:49] Oh, that's going to start getting messy.

[00:48:59] Do you want to try cutting and pasting the first sentence that you already typed in?

[00:50:03] So in every instance that Safe Harbor is invoked, there shall be a parent conference, which shall be documented in the student information system, period.

[00:50:48] No student shall benefit from the safe harbor provision more than once in any two calendar year period Does that sound comprehensive?

[00:51:23] It does I like that Okay So if you like that We're agreed Then we would need a motion I would like to see the policy amended to include the information regarding the use of safe harbor and reporting it on the, having a student conference and reporting it in the student information record.

[00:52:03] So moved. Because you have to motion and we need to vote. Okay. All in favor of the motion? Aye. Aye.

[00:52:19] As there is no opposition, this motion has passed. Okay. The last part that they are concerned about refers to lines 243 to 244, where we say notwithstanding the foreign foregoing, there may be a requirement to report a student's possession of a law to a law enforcement official as provided by state law.

[00:52:54] Now, if I'm not mistaken, aren't Class A and Class B weapons required to be reported? Yes. So when we get to Class C or otherwise, are they required to be reported?

[00:53:10] Not all of the weapons that are listed in this document, which is very holistic, are required to be reported under the law. Yes, but we did say in here that when we defined what the policy was, since they are Category A and B and some of C, the word may seems appropriate to me.

[00:53:40] I don't know. What do you think, Dr. Deans? But it says notwithstanding the foregoing. So they are, except for the safe harbor. Well, we're not talking safe harbor there. We're talking about whether things are going to be reported. If you look at the bottom here, whether things are going to be reported.

[00:53:59] I think that the statement, notwithstanding the foregoing, they're talking about the foregoing exceptions, which includes safe harbor, which is an exception. then a student's possession of a weapon shall be reported to law enforcement officials as provided in state law.

[00:54:18] So they're saying it shall be reported, not may be reported. Am I understanding that correctly? It says notwithstanding the foregoing. So essentially what it's saying is notwithstanding everything we've said above about what kind of weapon it is, what the sanction shall be, whether there's safe harbor or not, there may be a requirement to report the weapon to law enforcement anyway. And of course, if there's a requirement that we report

[00:54:58] the weapon to law enforcement, we will report the weapon to law enforcement regardless of whether the sanction was a suspension, regardless of whether safe harbor was invoked. If the law requires us to report, we will report it. So that's what they're saying, change it from made to shall, at the bottom of MSAC, at the bottom of the first page. Yeah, at the bottom of MSAC.

[00:55:28] Well, if we do that, the child that brings in a toy pop gun, does he need to be reported? Because that's not something that's required by state law. So, and that's really the issue. With this, It's worded the way it's worded, not that we might report.

[00:55:48] It's that there might be a law, there may be a law that requires us to report it. And if there's a law that requires us to report it, then we will. But not everything listed, again, because this is a very holistic policy, not everything is required to be reported to the police by state law.

[00:56:13] Now, that doesn't mean we wouldn't report it. right? Sometimes we would, whether it's required by state law or not. But if it's required by state law that we make the report, and it might be depending on the weapon in the situation, then of course we would report it. So how do we get MSAC to understand that so that they won't think that we ignored what they recommended? We get a lot of circling back. Well, there may be a require,

[00:56:52] I don't know. Well, it does say at the bottom that if it needs to be reported by state law and then it quotes the regulation that tells us what needs to be reported, it is a cross-reference.

[00:57:10] So I think that we've got that. Maybe, notwithstanding the foregoing, if state law requires that a student's possession of a weapon be reported to law enforcement officials, such shall occur.

[00:57:39] I mean, it's just rearranging the words. I get a little worried about that because Division Council has reviewed the order of the words. But any amendment that we make today, I can run back through Division Council anyway before it goes further.

[00:57:55] Okay. But I was just saying that MSAC will circle back to you. When they put it in writing, they feel like theirs should be taken or addressed, if I'm saying that right.

[00:58:11] Yes, I understand. Okay, thank you. Now I have a question. We have category A weapons listed. We have category B. We have category C. And the next thing that I see is category E. What happened to category D or don't we have one? Because it mentions it on the first page.

[00:58:35] so there should be let me find the clean copy yeah all right I am looking at the clean copy so if you have your clean copy um page one kind of in the middle of the page at line 20 you have category a at line 42 on page one you have category b on page two line 67 you have category c and

[00:59:09] And then page three, category D, is at line 98. Okay. So in looking at that, I missed seeing a D.

[00:59:25] Well, when you look at the red line, you can miss a lot. And it might be shears that you're using in a home ec class to cut fabric or things like that. Or one of those large metal water bottles. We allow those to be brought to school, and it's fine to have them.

[00:59:45] But if you hurt somebody with it, that's when it becomes a weapon, if it's used as a weapon to harm somebody. I'm looking, and I thought, wait a minute, where did D go? Did I drop a page somewhere? Okay, so that takes care of that one.

[01:00:03] And then the next page from MSAC. So do we need to vote on the amendment? I'm just making sure that we're addressing all the comments here. And it looks like we have. All right, so did we make the amendments that we needed to about the notwithstanding?

[01:00:30] No, we haven't written that. So maybe notwithstanding they're foregoing where there is a requirement, let me see, I'm kind of thinking out loud,

[01:00:55] where there is a requirement to report a student's possession of a weapon to law enforcement officials where state law requires that a student's possession of a weapon be reported to law enforcement officials, such shall occur.

[01:01:36] Let me try that again, and then we'll all look at it together.

[01:01:53] So notwithstanding the foregoing, comma, where state law requires that a student's possession

[01:02:05] of a weapon be reported to law enforcement officials, comma, such shall occur, or such

[01:02:39] report shall be made so what do you think ladies is that what you had in mind notwithstanding the foregoing where state law requires that a student's possession of a weapon be reported to law

[01:03:09] enforcement officials such shall occur yeah okay then we just need somebody to make a motion to amend the policy that way i move that we adjust the policy based on what was just read Can I say that?

[01:03:36] Yes, and that would be related to reporting to law enforcement. Okay. I move that we just amend the policy as was read related to reporting to law enforcement.

[01:03:55] Is that? Yes, I think that's fine. I second. There is a motion on the floor to amend the policy regarding reporting violations to the sheriff's department according to state law all in favor of this amendment say aye aye aye and no opposition the motion is passed so will we be reviewing this again once you make those amendments

[01:04:28] or may we follow send that on with the amendments as stated so what i would recommend um is if you want to go ahead and make a motion to send this to the full board as an info item, I, of course, will

always circle back to Division Council to take a look at any amendment, and anything that's truly substantive also would go through Cabinet.

[01:04:56] And if there were an issue, which I don't anticipate, but if there was an issue, then that would get pulled from the agenda, and we would discuss it here again. Okay. So then having these amendments due to be inserted into the policy, I recommend that we send this forward to information at the next board meeting.

[01:05:22] Do we need a motion? That is your motion. Thank you. I've got it. So moved. And you have to vote. You have to call this to vote. And then just the vote. And just vote. Mm-hmm. Exactly. All in favor of moving this forward to information, as amended, say aye.

[01:05:45] - Aye. - Aye. - No opposition. The motion is passed. Now, I notice that we are eight minutes past our time here. Do we want to continue and take a look at revised policy 8280, corporal punishment prohibited, or do we want to move that forward to our next meeting?

[01:06:13] - I can say what I need to say about it in less than 60 seconds. - All right. - So corporal punishment prohibited, you will see some red, But there's not much change there. I just added an introduction, which talks about our commitment to student safety.

[01:06:30] I added that at the beginning because we didn't really have an introduction. I reformatted for clarity. So the only thing substantive, and it's not really substantive so much as, again, it's clarification, is I did add as an action that would not be considered corporal punishment, I added as number six a restraint or seclusion procedure that is authorized by policy 5345, restraint and seclusion.

[01:07:09] And when I say it's more of a clarification, that policy was cross-referenced already, but it was cross-referenced without explanation. So I just added that to make it clear to everybody why the policy is cross-referenced, that if we have a restraint that is done in accordance with our policy, that would not be considered corporal punishment.

[01:07:32] We may be changing that policy and prohibiting restraint. So we might want to wait on passing that one forward because we're going to be voting in the coming session on restraint and seclusion.

[01:07:50] We'll see whether the restraint part is prohibited or still contained. So then perhaps we should just move this to the next agenda. That's what I see as the issue. I was going to ask you, why are we looking at restraint and seclusion here?

[01:08:08] But now it's obvious. And it's just a cross-reference such that if that policy does get changed, it's just cross-referencing the policy. It doesn't. But we don't need to make any comment about restraint then?

[01:08:25] No, because if that policy is changed, this policy accounts for any change that might get made in the future because it must always be done in accordance with the restraint and seclusion policy. Okay, that's one of the things that I had thought about when I saw this, if they take out restraint.

[01:08:50] So, would you like to redo this as an info item again next month, or do you want it to go to public comment and discuss it along with public comment next month? Well, I don't know whether the prohibition of restraint is going to pass and become part of the policy, so I think this might be something we need to postpone.

[01:09:16] What is your opinion, Dr. Dean? I don't think that we're going to be able to legally go to prohibit restraint. We might say it is to be done by a trained person, but for safety purposes, sometimes restraint is

required.

[01:09:38] And I'm not on that committee, so you can share with me. And what they're looking at is restraint is, I'm sorry, my back is killing me. I don't mean to be rude. They are, they have prohibited restraint in 14 states.

[01:09:56] It hasn't found to be effective. Now, there is the part that if the child is putting anyone in immediate danger, you have the, what is it called, Good Samaritan Clause where you may restrain them.

[01:10:13] But the policy clearly outlines what you may not do as restraint unless it's the very, very last option you have. So I don't know how that's going to fly in the committee, but it's going to be a big discussion, I think, on the board.

[01:10:34] So I think we're better off waiting. So we can keep that as an info item again next month? For next time. And then the new business was just about dates and times. We don't have to discuss that today, but can we presume that we will continue with SBAC meetings the fourth Monday from 4 to 5?

[01:10:59] fourth Monday of the month at least for next week and then again or next month yeah and then if you want to discuss it used to be 4:30 last year correct it was 4:30 and 5:30 and then the room became available at 4:00 so we moved into the four to five slot wonderful thank you I appreciate that okay so we'll keep those on the agenda also next month for new business in case you want to discuss that further mm-hmm so that means Monday February 3rd from 4 to 5 we'll

[01:11:34] have a meeting no that's our hearing which Monday is it the fourth Monday so it would be February 24th 4 o'clock okay so we'll have it on our calendar automatically mm-hmm I appreciate that is there any other business do we need to

[01:12:09] say anything about close student hearing dates other than we have one coming up what we had talked about if you're ready to discuss it as new business and you might want dr. Rashid here we had talked about scheduling sort of a standing meeting yeah every month in case we have an appeal that we know and what I would recommend is the two hours on the fourth Monday right before your SBAC hearing or meeting because you're here anyway is we could block out for you if that works for everybody the fourth Monday

[01:12:46] 2 to 3 30 as a standing hearing day so that we're not always looking at the calendar trying to figure out when to do a hearing. Do you think the parents would be that flexible or they wouldn't to have a choice? Well, I was going to say there would be times that that wouldn't work anyway because we have the 30-day rule and it depends when the appeal comes in and are we going to be able to make the next standing meeting. But what happens now is every time we get an appeal, we have to find a room. We have to make sure you are available. We have to make sure all the other

[01:13:23] people. It just, we would know we have a slot where we have a room and we have you at least, right? And then we would have to be flexible to accommodate division council, school staff, the people who are invited. Well, I think that we need Dr. Rasheed. She has kids. I don't know she'd be picking up between two and four. And not only that, her schedule has changed, her teaching schedule has changed, and she might be having class time in there too, So she might not be able to make it as early as 2.30.

[01:14:00] Yes, so maybe that's something to the extent you're interested in talking about that. We would just leave that on the agenda to discuss next month. Okay. Okay. I think that is an excellent decision.

[01:14:16] Is this next week going to be hard? Is this going to be hard? It's going to be hefty. I haven't read it yet. Is it going to be hard? Do I need it? What is that? They say give you clarity. Do I need it? Yeah. Start thinking about it now.

[01:14:33] Did you want to adjourn? Yes, that's where I was going when Dr. Dean wanted to know about this, but that's okay. Seeing as there is no other business tonight or this afternoon before the SBAC committee, I'm going to declare the meeting closed at 11, adjourned at 11.15.

[01:14:55] Thank you.



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