

# REGULATION

## ANNE ARUNDEL COUNTY PUBLIC SCHOOLS

**Related Entries:** Policy JCC (formerly Policy 902.17)  
**Responsible Office:** ASSISTANT SUPERINTENDENT FOR STRATEGIC INITIATIVES

### ATTACKS BY STUDENTS

#### A. PURPOSE

The Board of Education shall ensure a safe and orderly environment. Disruptive students must be disciplined so that teachers can teach and students can learn. A safe learning environment promotes accelerated achievement.

#### B. BACKGROUND

The Board recognizes that proper student behavior is essential to achieving a safe and orderly school environment. While student behavior is the shared responsibility of the school, the student, and the home, it is particularly important that school officials take appropriate disciplinary action against those students whose conduct is a threat to the safety of others in the school community and to the integrity of the educational process.

The Board regards any attack against a student, employee or person present in the Anne Arundel County Public Schools as a serious matter that will not be tolerated. This includes attacks on Board of Education property, including in school buildings or on school grounds; on school buses and other school vehicles; or during any school, school-related, or Board-sponsored activity, whether held on school property or at locations off school property, including, but not limited to, private clubs, businesses, or commercial establishments.

#### C. DEFINITIONS

1. **Attack:** Attack means an unprovoked aggressive action toward another that meets one of the sub-definitions below:
  - a. Category I Attack. A Category I attack is a physical attack causing serious physical injury. Serious physical injury means injury that:
    - (1) creates a substantial risk of death; or
    - (2) causes serious and permanent or serious and protracted disfigurement or loss or impairment of the function of any bodily member or organ.

b. Category II Attack. A Category II attack is a physical attack causing minor physical injury. Minor physical injury means injury that:

- (1) creates trauma and/or bruising; or
- (2) causes cuts and/or lacerations; or
- (3) any injury which school administrative staff could reasonably conclude appropriate for this category.

If possible, the school may choose to document the injury through the school health nurse and/or photographs.

c. Category III Attack. A Category III attack is a physical attack without injury but may include other aggressive physical action against another. This may include, but is not limited to, deliberate hitting, pushing, poking, shoving, kicking, pinching, ripping, biting, spitting on, punching, or scratching another person.

d. Category IV Attack (Threat). A Category IV attack is intentionally frightening another person with the threat of immediate offensive physical contact or physical harm. The school system must show:

- (1) that the student committed an act with the intent to place the victim in fear of immediate offensive physical contact or physical harm;
- (2) that the student had the apparent ability, at that time, to bring about offensive physical contact or physical harm;
- (3) that the victim reasonably feared immediate offensive physical contact or physical harm; and
- (4) that the student's actions were not legally justified.

2. Alternative Education Program. As used in this regulation, the term Alternative Educational Program includes, but is not limited to, the J. Albert Adams Academy, Mary E. Moss Academy, Evening Middle School, Evening High School, home teaching, Summer School, or other program of instruction offered by the Anne Arundel County Public Schools.

#### **D. PROCEDURES**

1. As with any incident of student misconduct, school administrators must exercise informed judgment as to whether a student's alleged actions constitute an attack under this regulation.
2. Compliance with the standards of conduct set forth in this regulation is mandatory. Any student who violates the regulation shall face disciplinary action,

which shall result in discipline, up to and including expulsion, in accordance with the Student Code of Conduct.

3. If a student is suspected of violating this regulation, the student shall be referred to the principal. The principal or the principal's designee shall investigate and determine whether a violation has occurred and notify local law enforcement officials as appropriate.
4. Disciplinary procedures for students with disabilities who violate this regulation shall be administered in accordance with federal and state law governing such action.
5. If it has been established to the satisfaction of the principal that the student has violated this regulation, the student shall be disciplined in accordance with the Student Code of Conduct. If a suspension or expulsion is warranted, the school system shall adhere to the requirements of the Board's policies and regulations governing suspension and expulsion.
6. In order for a suspended or expelled student to be re-admitted to school, the student must satisfy the requirements of the Board's policies and regulations governing suspension and expulsion. The school system may require that the student present evidence of participation in an anti-violence program or other behavior alternatives program approved by the school system.
7. Any student who is suspended or expelled as a result of committing a violation of this regulation shall be required to be enrolled in and complete some type of alternative education program approved by the school system before re-admission to school is considered.

*Regulation history: Developed by Superintendent 2/15/06  
Reviewed by Board of Education 5/17/06  
Issued 6/7/06*

*Note previous regulation history: Replaces Policy 902.17, adopted 4/19/95 and revised 8/4/04.*