

2026-2027

STUDENT

Code OF Conduct

in Montgomery County Public Schools

Federal and state laws, Montgomery County Board of Education policies, Montgomery County Public Schools (MCPS) administrative regulations, and other guidelines are subject to change and shall supersede the statements and references contained in this publication.

Student Name _____

Phone _____



VALUES

*Learning
Respect
Relationships
Excellence
Equity*

VISION

Future Ready

All students will graduate ready to thrive in a changing world—with the knowledge, skills, and confidence necessary to lead, adapt, and make a positive impact in their communities and beyond.

MISSION

To Unleash Potential

All students will receive a solid academic foundation, grounded in strong critical thinking skills, with opportunities to enhance and enrich their learning. All students will develop resilience, be adaptable, and have a lifelong passion for learning. All students will become effective communicators and collaborators predicated on meaningful relationships. All students will make a positive impact in their community and be ready for success in their personal and professional life.

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QUICK REFERENCE GUIDE RESOURCES FOR STUDENTS AND FAMILIES

CRISIS HOTLINES

24-hour information, Referrals, and Supportive Conversation

Montgomery County Crisis

Hotline/EveryMind/ 988
and <https://www.every-mind.org/>

Provides a staffed hotline as well as a 24-hour chat box on their website.

Montgomery County Crisis Center. 240-777-4000

The Crisis Center provides free crisis support services 24/7 for individuals who are experiencing a mental health crisis.

Trevor Project. 866-488-7386; Text 678 678

Youth Crisis Hotline of

Montgomery County. 988

Provides confidential and anonymous support by trained counselors through a 24-hour telephone active listening and referral service.

TO REPORT SAFETY AND SECURITY CONCERNS

MCPS Department of School Safety 240-720-3066

MCPS Student Conduct and Appeals

SWC@mcpsmd.org 240-740-3215

The MCPS districtwide Title IX coordinator and districtwide child abuse and neglect contact. The Student Conduct and Appeals (SCA) web page is at www.montgomeryschoolsmd.org/compliance/. SCA works collaboratively with schools, the Division of Legal Services and other MCPS offices, and community agencies to ensure consistency and coherence with implementation of policies, regulations, and guidelines, such as issues related to human relations; bullying, harassment (including Title IX sexual harassment), and intimidation; recognizing and reporting child abuse and neglect; incidents of hate-bias, hazing, and student gender identity.

MCPS Cyber Safety Abuse@mcpsmd.org

Dropbox to report inappropriate online activity within MCPS.

The Cyber Tipline 1-800-843-5678

A 24/7 hotline to report suspected online enticement of children for sexual acts, extra-familial child sexual molestation, child pornography, child sex tourism, child sex trafficking, unsolicited obscene materials sent to a child, misleading domain names, and misleading words or digital images on the Internet.

Safe Schools Maryland Hotline 833-MD-B-Safe (833-632-7233)

A 24/7 anonymous and free reporting system available to students, teachers, school staff members, parents, and the general public to report any school or student safety concerns, including mental health concerns. Information about incidents is shared with the appropriate offices at Montgomery County Public Schools, respecting anonymity of the caller.

Montgomery County Child Protective Services, Department of Health and Human Services

(24 hours) 240-777-4417 or 240-777-4815 TTY

A 24/7 reporting hotline to report suspected child abuse or neglect to Montgomery County Child Protective Services.

Montgomery County Adult Protective Services for

Vulnerable Adults . . . 240-777-3000, 240-777-4815 TTY

A 24/7 hotline to report suspected adult abuse and neglect.

Montgomery County Police Department, Special Victims Investigation Division (24 hours) 240-773-5400

A 24/7 hotline to report sex crimes against children and adults, physical child abuse, runaways, missing children, felony domestic violence, elder abuse/vulnerable adult abuse, and registration violations of sex offenders to Montgomery County Police Department.

Montgomery County Police:

Drug and Gang Tip Hotline. 240-773-GANG (4264) or
240-773-DRUG (3784)

A 24/7 hotline to leave an anonymous tip with information relating to illegal drug/gang activities in Montgomery County.

MCPS RESOURCES

Countywide Student Government

[www.montgomeryschoolsmd.org/departments/
student-leadership](http://www.montgomeryschoolsmd.org/departments/student-leadership)

Director, Student Leadership Activities 240-740-3977

Student Member of the Board

www.montgomeryschoolsmd.org/boe/members/student.aspx

Office of the Board of Education 240-740-3030

Chief of the Division of School Leadership

and Improvement 240-740-3100

Division of Specialized Support Services . . . 240-740-5630

Section 504 Coordinator 240-987-8031

MONTGOMERY NONEMERGENCY RESOURCES

Montgomery County Police

Nonemergency Line 301-279-8000

Montgomery County Health and Human Services Information Line

Contact the Department of Health and Human Services
General Information 311, 301-251-4850 TTY
Outside Montgomery County Residents. . . 240-777-0311

MCPS INFORMATION AND EMERGENCY ANNOUNCEMENTS

Stay Connected to MCPS . www.montgomeryschoolsmd.org

For systemwide information and emergency announcements:

MCPS on Facebook www.facebook.com/mcpsmd

MCPS en Español. www.facebook.com/mcpsespanol

Alert MCPS. . www.montgomeryschoolsmd.org/alertMCPS



MCPS INFORMATION AND EMERGENCY ANNOUNCEMENTS (CONTINUED)

MCPS QuickNotes Email Messages
and Newsletter www.mcpsQuickNotes.org

Ask MCPS Information Service

Telephone 240-740-3000
Spanish Hotline 240-740-2845
Email AskMCPS@mcpsmd.org

MCPS Public Information Office 240-740-2837

MCPS Television www.mcpsTV.org;
Comcast 34, 998; RCN 89, 1058; Verizon 36

Recorded Emergency and
Weather Information. 301-279-3673

MCPS RESOURCES ON THE WEB www.montgomeryschoolsmd.org

Search:

MCPS School Directory
MCPS Staff Directory
MCPS Strategic Plan
Athletics
Board of Education
Bullying, Harassment, and Intimidation
Bus Routes
Child Abuse and Neglect
College and Career Center
Common Sense Education
Course Bulletin
Cybercivility and CyberSafety
Diploma Requirements
Gangs and Gang Activity
Grading and Reporting

MCPS RESOURCES ON THE WEB (CONTINUED) www.montgomeryschoolsmd.org

Hate Bias
Guidelines for Respecting Religious Diversity
Guidelines for Student Gender Identity
LGBTQ Web Page
Lunch Menus
Maryland High School Assessments
Nondiscrimination
Online Pathway to Graduation
Physical Education
Policies and Regulations
Psychological Services
Pupil Personnel Services
Reporting Allegations of Child Abuse and Neglect
Restorative Justice
School Counseling Services
School Health Services
School Safety
Sexual Harassment
Social Media Digital Citizenship
Special Education
Special Programs
Strategic Planning
Student Code of Conduct
Student eLearning
Student Privacy
Student Service Learning
Suicide Prevention
Summer School
Title IX

INTRODUCTION

The *Student Code of Conduct* is an implementation guide for students, staff, and parents/guardians to create orderly and safe learning environments in Montgomery County Public Schools (MCPS). It does not create new policy, but applies Maryland law, Montgomery County Board of Education policies, and MCPS regulations (hereafter “rules”) with respect to behavior expectations, safety, and intervention. It references Board policies and MCPS regulations briefly, but anyone can reach the full text of Board policies and MCPS regulations in the *Policy and Regulations Handbook* on the MCPS website. For a brief summary of policies and regulations of most interest to students and families, please see the companion document, *A Guide to Student Rights and Responsibilities* in MCPS.

The *Student Code of Conduct* applies to students whenever they are on MCPS property, which includes any MCPS school or other MCPS facility, including grounds owned or operated by MCPS; MCPS buses and other vehicles owned, operated, or hired by MCPS; and the facility and/or the grounds of any MCPS-sponsored activity involving students (i.e., field trips, proms, or interscholastic athletic competitions). Student misconduct occurring outside school hours and away from school property may be subject to disciplinary action if the principal reasonably believes that the misconduct threatens the health or safety of students or staff in the school setting or if the misconduct causes or is reasonably expected to cause substantial disruption or material interference with school activities.

The first part of the *Student Code of Conduct* is a statement of the Board’s philosophy of behavior and safety, based on state and federal requirements for discipline policies. The second part of the *Student Code of Conduct* is a chart that lists Maryland State Department of Education (MSDE) misconduct codes and recommends possible behavior interventions in response to each. It is referred to as the Behavior Intervention Matrix and begins on page 5. Answers to *Frequently Asked Questions* are provided beginning on page 8. Appendices provide additional supporting information.

PART I: PHILOSOPHY OF BEHAVIOR AND SAFETY

The Montgomery County Board of Education Policy JGA, *Behavior Intervention, Safety, and Well-being Plan*, sets forth the Board’s expectation for orderly and safe learning environments, dedicated to teaching and learning—that MCPS schools will be positive, respectful, orderly, welcoming, and safe learning environments necessary for effective learning; increase student engagement; boost student achievement; and proactively foster positive school cultures and climates that prevent student misbehavior, when possible, before it occurs.

The use of progressive discipline and restorative approaches is an expectation for all MCPS schools and its staff. Progressive discipline and restorative approaches are supportive measures that help students learn from their mistakes and make positive choices. When a student does not meet school expectations, school staff work with the student and family to address the concern and provide opportunities for improvement. Responses may begin with reminders, conversations, or other supports and can become more serious if the behavior continues. Depending on the situation, schools may use strategies such as student conferences, detention, parent/guardian conferences, or other disciplinary consequences. In cases involving serious misconduct, schools may take more significant action right away resulting in a student being excluded from the classroom or school. The goals of progressive discipline and restorative approaches are to support student growth, maintain a safe and respectful learning environment, and ensure that disciplinary responses are appropriate to the situation.

The Board believes that MCPS is safest and the most successful when everyone—students, parents/guardians, and staff alike—collaborates, values, and respects each other’s roles, and is invested in common-sense behavior intervention practices that allow all to work together respectfully to maintain orderly and safe learning environments, focused on teaching and learning. Meeting this expectation requires all of the following people to do their part:

- **STUDENTS** are responsible for their own learning, their personal conduct, and for the manner in which they exercise their rights. Students are expected to participate actively in the educational community, accept the consequences of their actions, and abide by the Board policies and MCPS rules and regulations.
- **PARENTS/GUARDIANS** are expected to work collaboratively with MCPS staff to address behavioral concerns that their children may experience, including actions directed by or at their children. This means parents/guardians encourage their children to conduct themselves appropriately at school and parent/guardians, like their students, participate and collaborate constructively to create and promote positive, supportive, safe, and welcoming school environments that are conducive to teaching and learning for all students.
- **MCPS STAFF** shall model expected positive behavior and seek to provide an environment of mutual respect and dignity necessary for effective learning. Staff shall use an appropriate array of positive behavior-intervention strategies and supports to guide student behavior and responsive strategies to maintain a safe and secure environment.
- When necessary, staff shall intervene when student behavior adversely impacts the learning environment or breaches the safety and security of the learning environment, using consequences that are proportional, developmentally appropriate, consistent, and equitably applied in a manner that aligns with Board Policy ACA, *Nondiscrimination, Equity, and Cultural Proficiency*.
- **MARYLAND LAW** requires that MCPS utilize a restorative, relationship-focused approach to discipline that affords students opportunities to learn from their mistakes, correct any harm that results from their behavior, and restore relationships that are disrupted by their conduct. This means that;
 - » the primary purpose of any disciplinary measure is rehabilitative, restorative, and educational;
 - » methods must be primarily proactive and preventative;
 - » there is emphasis on repairing relationships and expectations; and
 - » there is accountability for responding to the harm.
- As required by **STATE LAW AND MSDE GUIDELINES**, MCPS shall employ a continuum of behavior interventions, including the use of appropriate de-escalation strategies and techniques designed to maintain a positive environment that is conducive to learning and supports academic achievement.
- **Class removals, suspensions and expulsions are to be used only as a last resort, in compliance with state law.**

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As set forth in Board Policy ACA, *Nondiscrimination, Equity, and Cultural Proficiency*, discrimination will not be tolerated. It impedes MCPS's ability to discharge its responsibilities to all students and staff and achieve our community's long-standing efforts to create, foster, and promote equity, inclusion, and acceptance for all.

PART II: BEHAVIOR INTERVENTION MATRIX

MCPS believes that learning appropriate behavior is a developmental process for children that requires strategies that meet students' varied behavioral and developmental needs with effective, tiered responses and interventions. See pages 6–7 for descriptions of **classroom interventions** (Level 1), **classroom interventions and supporting resources** (Level 2), **principal interventions** (Levels 3–5) and **superintendent interventions** (Level 6). The behavior intervention levels described in tables on the following pages should be utilized as follows:

- The infractions listed correspond directly to disciplinary codes set forth in the Maryland State Department of Education (MSDE) *Student Recordkeepers Manual*. Descriptions within each infraction are not exhaustive.
- Behavior responses must be developmentally and age-appropriate, and proportional consequences are to be applied to misbehavior consistently, fairly, and equitably and in a way that supports personal growth and learning opportunities for all students.
- Behavior responses must be implemented in a progressive disciplinary manner, beginning with the lowest response level first.
- Restorative approaches are expected to be implemented at disciplinary Levels 1–5 and should be documented in Synergy.
- Student suspensions must not be implemented without evidence of progressive discipline and restorative approaches at Levels 1–5.
- Staff members shall strive to –
 - » recognize and eliminate discriminatory bias and disproportionality in disciplining students and administer discipline rules consistently, fairly, and equitably;
 - » demonstrate that every person is a valued member of the community, trusted to contribute positively to its creation and maintenance; and
 - » remove students from the classroom only as a last resort¹, and return students to class as soon as possible.
- On the first instance of any inappropriate or disruptive behavior, school staff shall first consider one or more interventions or disciplinary responses from the lowest level indicated on the matrix for that behavior (or one or more interventions or disciplinary responses from a lower level). However, circumstances sometimes occur when school staff shall apply an elevated response for a first instance of a behavior. (See *Frequently Asked Questions*, page 8)
- The severity of the incident will result in consequences administered at higher levels on the behavior intervention matrix.

¹Code of Maryland Regulations 13A.08.01.11(A)(6)

TABLE 1: BEHAVIOR INTERVENTION LEVELS USED IN THE MATRIX

LEVEL 1	CLASSROOM- AND TEACHER-BASED Teachers use instructional techniques and behavior management strategies to teach and reinforce appropriate behavior in the classroom and within the student’s regular academic program so that students learn and contribute to a safe environment, thrive in and are accountable to their learning community. Strategies include the following, as age- and developmentally appropriate: • Restorative approaches (classroom based) must be administered at Level 1, prior to progressing to a Level 2 disciplinary response. • Verbal correction, reminders/redirection, written reflection/apology, role play, daily progress sheets. • Detention. • Parent/guardian outreach (contact parent/guardian via telephone, email, or text) to discuss, as appropriate— » the student’s experiences outside of the school day that may be relevant to their classroom conduct, » strategies implemented to date and going forward » informal and/or preventative school-based mentoring, and » school-based conflict resolution. • Referral to counselor or Student Well-being Team.
LEVEL 2	CLASSROOM- AND TEACHER-BASED WITH CONSULTATION AND SUPPORTING RESOURCES Teachers involve parents/guardians and other supporting staff in coordinating instructional techniques and behavior-management strategies to correct inappropriate behavior in the classroom and within the student’s regular academic program, emphasizing repairing the harm to others, being accountable to their learning community and the student’s own learning. In consultation with supporting resources, staff consider mitigating factors that may be influencing problematic behaviors. Level 2 strategies add one or more of the following: • All Level 1 options (at the discretion of the teacher). • Parent/guardian and student conference (with teacher and/or supporting staff). • Restorative Approaches (classroom-based or facilitated by a Restorative Approaches coach, specialist, or other supporting staff members) are expected to be implemented and documented at Level 2, prior to progressing to a Level 3 disciplinary response. • Educational Management Team consultation » Functional Behavioral Assessment/Behavioral Intervention Plan » Behavioral contract » Community service » Planned check-ins with school counselors/resource specialists » Referrals to MCPS or community resources
LEVEL 3	PRINCIPAL-BASED (IN-SCHOOL DISCIPLINE) Principals involve parents/guardians and other supporting staff in emphasizing to the student the importance of accountability: repairing harm to others or to the student’s learning community and the student’s own learning. Behavior management strategies seek to keep the student in their regular academic program but may briefly remove the student from a classroom as a last resort, returning the student to class as soon as possible. Level 3 responses utilize one or more of the following strategies: • All Level 1 and 2 options (at the discretion of the principal) • Parent/guardian and student conference (with principal) to discuss – » any of the options discussed at Level 2, » planned check-ins with the principal, school counselors, or resource specialists, and » teacher, student, parent/guardian conference. • Restorative practices (classroom-based or facilitated by a Restorative Approaches coach, specialist, or other supporting staff member) are expected to be implemented and documented at Level 3, prior to progressing to a Level 4 disciplinary response. • Restitution. • Time-specified restriction from participation in extracurricular activities. • In-school intervention. • In-school suspension. • Overnight suspension with student and parent readmission meeting.

TABLE 1: BEHAVIOR INTERVENTION LEVELS USED IN THE MATRIX	
LEVEL 4	PRINCIPAL-BASED (SHORT-TERM DISCIPLINE) Principals involve parents/guardians and other supporting staff in emphasizing to the student the importance of accountability: repairing harm to others or to the student’s learning community and the student’s own learning. Behavior management strategies seek to keep the student in their regular academic program but may briefly remove the student from school as a last resort, returning the student to class as soon as possible. Level 4 responses utilize one or more of the following strategies: • All Level 1, 2, and 3 options. Restorative Approaches at Levels 1, 2, and 3 are expected to be implemented if these levels exist and are part of the progressive discipline level of response chart. • There must be documented evidence of progressive discipline and restorative approaches prior to considering a student for a discipline consequence at Level 3. • Short-term suspension (up to 3 days).
LEVEL 5	PRINCIPAL-BASED (LONG-TERM DISCIPLINE) Principals involve parents/guardians and other supporting staff in emphasizing to the student the importance of accountability: repairing harm to others or to the student’s learning community and the student’s own learning. Behavior management strategies seek to keep the student in their regular academic program but may briefly remove the student from school as a last resort, returning the student to class as soon as possible. Level 5 responses utilize one or more of the following strategies: • All Level 1, 2, 3, and 4 options. Restorative Approaches at Levels 1, 2, 3, and 4 are expected to be implemented if these levels exist and are part of the progressive discipline level of response chart. • There must be documented evidence of progressive discipline and restorative approaches prior to considering a student for a discipline consequence at Level . • Long-term suspension (4–10 days).
LEVEL 6	SUPERINTENDENT/DESIGNEE-BASED These responses remove a student from their regular academic program with an extended suspension of 11–44 days or expulsion for 45 days or longer (Level 6). Progressive discipline and restorative approaches must be documented at Levels 1–5 prior to administering a Level 6 disciplinary response. Extended suspension or expulsion must meet criteria stated in Maryland law, that there is— • an imminent threat of serious harm to other students or staff; or • the student engaged in chronic and extreme disruption of the educational process that has created a substantial barrier to learning for other students across the school day, and other available appropriate behavioral and disciplinary interventions have been exhausted; • the superintendent/designee must limit the duration of the exclusion to the shortest period practicable; and • MCPS must provide the excluded student with — » comparable educational services and » appropriate behavioral support services to promote the student’s successful return to the student’s regular academic program.³ An imminent threat of serious harm means a situation in which a student’s behavior poses a likelihood of immediate and significant danger of serious bodily harm to the student or to others. Serious bodily injury (serious physical harm) is severe physical damage or harm caused to the structure or function of the body, caused by an outside agent or force requiring extensive medical treatment or hospitalization. Such injuries should include substantial risk of death; temporary or permanent loss of, or loss of the use of, any body part, organ, or mental faculty; unconsciousness; disfigurement; and/or prolonged physical pain.

FREQUENTLY ASKED QUESTIONS

WHERE CAN MY STUDENT GET HELP?

To maintain a safe, welcoming, and supportive environment for all students, both students and parents can contact a school administrator, counselor, or trusted staff member for support.

CAN THE PRINCIPAL OR TEACHER USE A LEVEL OF INTERVENTION LOWER THAN RECOMMENDED ON THE MATRIX?

Yes. Mitigating circumstances may lessen the gravity of the mistake and also the level of response. **Mitigating criteria** include—

- the student's age,
- the student's developmental understanding of their behavior's impact on others,
- undiagnosed or disguised learning needs or circumstances in the student's life that may contribute to misconduct, and/or
- cultural or linguistic factors that may provide context to understanding the student's behavior.

The goal of behavior intervention is to support individuals who have been harmed, while encouraging students who have harmed others to be accountable for their actions and understand, accept, and fulfill their obligation to repair the harm that has occurred so that they continue to be trusted to contribute positively to the creation and maintenance of the learning community. Students are afforded opportunities to learn from their mistakes.

WHEN CAN THE PRINCIPAL USE A HIGHER LEVEL OF INTERVENTION?

Aggravating circumstances may make a mistake or offense worse or more serious, and a higher level of response may be applied. While the expectation in Maryland law is that behavior interventions keep students in class and connected to school and their regular academic program, Maryland law allows principals some discretion in imposing discipline. Principals have the discretion to respond with an elevated level of intervention after the implementation and evidence of a progressive disciplinary and restorative approach. Principals must give consideration to the **aggravating criteria** below:

- Prior misconduct, the number of prior instances of misconduct, and progressive disciplinary measures that have been exhausted or deemed ineffective.
- Imminent threat of serious harm to other students or staff.
- Misconduct occurring in conjunction with another offense.
- Disruption of the educational process/operations.
- Injury resulting from behavior.
- Using language or displaying images and/or symbols that promote hate.

Principals must consult with their area associate superintendent in the Department of School Leadership and Improvement (DLSI) before taking action to respond at a level above the highest level or below the lowest level indicated on the matrix. See page 8 for considerations for aggravating the response to the level of suspension or expulsion.

The Board has further directed that using language or displaying images and/or symbols that promote hate may be considered as a factor that elevates the level of disciplinary response to incidents that include, but are not limited to, bullying, including cyberbullying, harassment or intimidation, or destruction of property, or may be reasonably expected to cause substantial disruption of school or district operations or activities. These may include references to, or the inclusion of, language or the display of images and/or symbols that promote hate or discrimination, based on personal characteristics identified in Board Policy ACA, *Non discrimination, Equity, and Cultural Proficiency*, including racial slurs.

WHAT IS PROGRESSIVE DISCIPLINE?

Progressive discipline is an expected practice in which school personnel address student performance or behavioral problems through a structured sequence of escalating disciplinary measures or consequences when an expectation is not met. The purpose of progressive discipline is to correct misconduct or poor performance by providing notice and an opportunity to improve, rather than proceeding directly to the highest consequence. The process can generally begin with a verbal warning, followed by a written warning, parent conferences, suspension, and ultimately expulsion from school if behaviors continue. Schools may adjust or bypass steps depending on the seriousness of the misconduct or applicable policy, provided the action is documented, and due process is followed.

WHAT ARE RESTORATIVE APPROACHES?

Restorative Approaches are an expected practice for all MCPS schools and staff. Restorative Approaches are a mindset and set of strategies for fostering positive school climate and community by centering relationships, accountability, repairing harm, and rehabilitation. Restorative Approaches promote learning from mistakes, restoring relationships, and supporting student well-being. They work alongside disciplinary consequences in alignment with Maryland State Department of Education Code 7-306 and the *Student Code of Conduct*.

Maryland law requires that the primary purpose of any disciplinary measure is rehabilitative, restorative, and educational. Accountability for one's actions is key to restorative approaches, and restorative approaches in no way conflict with a commitment to safety. The *Student Code of Conduct* addresses accountability and the restoration of learning communities when someone has been harmed. Restorative Approaches are expected to be implemented at levels 1-5 for appropriate consequences. Refer to the list of Behavior Interventions on pages 29–31.

DOES THE STUDENT CODE OF CONDUCT APPLY ON THE BUS?

Yes. The *Student Code of Conduct* applies to students whenever they are on any MCPS property, which includes buses and other vehicles owned, operated, or hired by MCPS.⁴

Students who violate the *Student Code of Conduct* and/or bus safety rules may have bus-riding privileges denied temporarily or permanently by the school principal, in accordance with the following procedures: (1) The bus operator notifies the principal of details pertaining to a disciplinary problem with a student on the school bus, using MCPS Form 555-3, *School Bus Disciplinary Report*. (2) If action taken by the school does not resolve the disciplinary problems, the operator contacts the MCPS Department of Transportation cluster supervisor for further action.

CAN A STUDENT BE DISCIPLINED FOR BEHAVIOR OUTSIDE OF SCHOOL?

Yes. Student misconduct away from MCPS property may be subject to MCPS disciplinary action when there is a connection back to the school setting, regardless of whether the instructional environment is in person or virtual; the conduct creates a risk of harm to other students while they are at school; or the conduct disrupts the educational environment.

WHEN CAN A STUDENT BE REMOVED FROM CLASS?

Removing students from the classroom should be implemented only as a last resort, with the expectation that students will return to class as soon as possible. "Removal" can mean a time out for a student to get control of themselves, detention, a trip to the principal's office, or more serious consequences. Students will be removed from a classroom when the behavior is repetitive, disruptive, and is creating an unsafe learning environment for students and staff. Please see the matrix for how "removal" is progressively reconstituted and by whom.

CAN RECESS BE WITHHELD?

Yes. It depends on why and how often. MSDE physical education guidelines require that school staff shall not withhold opportunities for physical activity and recess as a form of discipline, and Board policy affirms that young students shall have opportunities for play and gross motor physical development. However, it is

²Code of Maryland Regulations 13A.08.01.11(A)(6)

³Code of Maryland Regulations 13A.08.01.11B(2),(3)

⁴MCPS Regulation EEA-RA, Student Transportation

not considered “discipline” for a principal to address reasonable safety concerns about a child’s risk of harm to self or others at recess.

“Reasonable safety concerns” are determined at the discretion of the principal. The student’s behavior may require the attention of the principal/designee, counselor, school psychologist, pupil personnel worker, or other specialist, and this attention may occur during recess. However, a pattern of exclusion from recess, play, and physical activity is not permitted, and targeted student support shall be considered.

CAN A GROUP OF STUDENTS BE PUNISHED?

No. An entire group of students cannot be disciplined for the actions of some members of the group. For example, if one student disrupts class, the teacher cannot give everyone in the class detention. This rule applies even if the person responsible for the actions is unknown.

CAN A STUDENT OR A CLASS BE REQUIRED TO DO ACADEMIC WORK AS PUNISHMENT?

No. A teacher cannot assign work simply to be punitive (e.g., a teacher cannot make a student write a sentence over and over or copy from a dictionary). However, a student may be assigned work to teach something of value that is related to the class the student is taking. Writing a paper explaining how the student’s actions impacted another student is an example of an acceptable academic action.

Grades will never be adjusted as a form of behavior intervention. However, consequences for academic dishonesty (e.g., plagiarism or altering academic records) are set forth in MCPS Regulation IKA-RA, *Grading and Reporting*.

CAN MCPS DISCIPLINE A STUDENT USING PHYSICAL FORCE AS PUNISHMENT?

No. A student can never be disciplined by the use of physical force. However, under Maryland law, MCPS personnel may use reasonable force to break up a fight, prevent violence, or restrain a disruptive student. The use of physical restraint is prohibited in MCPS, except under limited circumstances specified in MCPS Regulation JGA-RA, *Student Behavior Interventions*, and Regulation COB-RA, *Reportable Incidents*.

CAN A STUDENT BE DISCIPLINED MORE THAN ONCE FOR THE SAME BEHAVIOR INFRACTION?

Yes. Student behavior that is repeated can be disciplined in a progressive manner. Particularly when there is a pattern of the same or similar behavior. Schools will work to implement supportive measures and behavior interventions to address repeated behavior infractions in a progressive manner. A single student incident should result in one disciplinary response, not multiple separate consequences for the same conduct. Discipline must be proportionate, progressive, and based on a specific behavior/incident (COMAR 13A.08.01). Schools should not stack multiple consequences on a student for the same incident.

CAN A CLASS OR SCHOOL DEVELOP THEIR OWN CODES OF CONDUCT?

Yes. Students are encouraged to use their own words to affirm how they will take responsibility for their own learning and personal conduct, as long as school or class codes of conduct do not contradict law, Board policy, and MCPS regulations or rules, including systemwide handbooks and guidelines.

WHAT HAPPENS WHEN A CRIME IS REPORTED ON MCPS PROPERTY?

MCPS has a Memoranda of Understanding with Montgomery County law enforcement agencies for responding to crimes (e.g., robbery, gang-related incidents/crimes, firearms, non-consensual sexual acts) or other serious incidents (e.g., bomb threats/destructive devices/explosives, arson/threat of arson, distribution of controlled dangerous substances, destruction of property) that threaten the safety of students and staff. (See Regulation COB-RA, *Incident Reporting*, for additional information.)

WHAT HAPPENS WHEN A STUDENT IS INVOLVED IN A CRIME OCCURS OFF OF MCPS PROPERTY?

If a student's offense occurred off MCPS property and involved certain crimes of violence defined in Code of Maryland Regulations (COMAR) 13A.08.01.17.A.(8) (c), it is called a Reportable Offense. An arrest for a Reportable Offense means a student is alleged to have committed a certain specified crime of violence off MCPS property. Maryland law requires the law enforcement agency to notify the superintendent of schools/designee and the school principal within 24 hours of the arrest or as soon as practical. A Reportable Offense can result in a suspension, expulsion, or a change in the student's regular school program.

WHEN CAN A STUDENT BE SUSPENDED OR EXPELLED?

Under Maryland law, an "in-school" suspension (not more than 10 days in a school year), "short-term" out-of-school suspension (up to 3 school days), or "long-term" out-of-school suspension (4–10 school days) may be administered at the discretion of the principal where the Behavior Intervention Matrix indicates Level 4.

An extended suspension of 11–44 days or expulsion for 45 days or longer (Level 6) must meet criteria stated in Maryland law and may be administered when the superintendent/designee determines the following:

1. There is an imminent threat of serious harm to other students or staff.
2. The student engaged in chronic and extreme disruption of the educational process that has created a substantial barrier to learning for other students across the school day, and other available appropriate behavioral and disciplinary interventions have been exhausted;
3. The superintendent/designee limited the duration of the exclusion to the shortest period practicable; and
4. MCPS provided the excluded student with comparable educational services and appropriate behavioral support services to promote the student's successful return to the student's regular academic program.

Under state law, suspension and expulsion generally may be used only for children in Grades PreK–2 under very limited circumstances. Maryland law places heightened restrictions on the suspension and expulsion of Pre-K–2 students. Principals/designees must consult with a school psychologist or other mental health professional to determine if there is an imminent threat of serious harm to other students or staff that cannot be reduced or eliminated through other interventions and supports. If the school principal/designee decides to proceed with a suspension, the principal/designee must contact the appropriate director of learning, achievement, and administration in the DLSI for approval. The length of suspension may not exceed 5 school days. Expulsions for children in Grades Pre-K–2 are limited to circumstances required by federal law. See MCPS Regulation JGA-RB, *Suspension and Expulsion*.

WHAT IS THE DIFFERENCE BETWEEN IN-SCHOOL INTERVENTION (ISI) AND IN-SCHOOL SUSPENSION (ISS)?

In-school intervention is a supportive and corrective intervention resulting in a temporary removal, for time not equal to or greater than a full school day, to another setting within the school while the student continues to receive instruction and progress in the curriculum with no formal suspension designation. COMAR defines in-school suspension as the removal of a student within the school building from the student's current educational program for up to, but not more than 10 school days in a school year, for disciplinary reasons by the principal. It is still a form of suspension where the student is physically still in school but removed from the regular classroom program. For ISI and ISS, schools must provide comparable services and behavior supports to facilitate the regular program.

CAN SUSPENSIONS OR EXPULSIONS BE APPEALED?

Yes. A suspension or expulsion may be appealed.

Short-term or Long-term Suspensions (10 days or fewer): A parent/guardian may ask the principal to reconsider a suspension of 10 days or fewer if they think additional information needs to be considered. Parents/Guardians should send that information in an email or letter to the principal immediately. If the principal does not reconsider their decision, the parent/guardian may ask the director of the Division of Student Support and Attendance Services (DSSAS) to review the

principal's decision to see if the principal applied the suspension rules correctly, based on the information available. If they are not satisfied with the DSSAS's decision, parents/guardians may appeal to the superintendent by contacting the Department of Student Conduct and Appeals within 15 calendar days. *The suspension will continue during the appeal process.*

Extended Suspensions or Expulsions (longer than 10 days): If the principal has recommended expulsion, the process for asking for a review is a little different. Any decision to suspend a student for 10 days or more must be requested through the Department of Student Conduct and Appeals, which is the acting as the superintendent's designee. It is the superintendent's decision to expel a student, so if the parent/guardian believes the superintendent applied the rules incorrectly based on the information available, they may appeal directly to the Board of Education within 10 calendar days.

If a student is assigned to an alternative instructional program for disciplinary reasons, it will be considered an extended suspension or expulsion, depending on the duration.

Note that an appeal may last longer than the suspension term.

CAN STUDENTS WITH DISABILITIES BE SUSPENDED OR EXPELLED?

Yes. Following established procedures. Federal law sets forth the due process rights of students with disabilities who are recommended for suspension or expulsion. These rights are fully explained in MCPS Regulation JGA-RC, *Suspension and Expulsion of Students with Disabilities*.

If a student has an Individualized Education Plan (IEP) or 504 and a school team wants to request an extended suspension and/or expulsion, they must first hold either a manifestation (IEP) or causation (504) meeting to determine if the student's behavior qualifies. If the student's behavior was a result of their disabilities, the extended suspension and/or expulsion process stops. Please see the Special Education Requirement on page 32 and Board Regulation JGA-RC for additional information.

If a student is assigned to an alternative instructional program for disciplinary reasons, it will be considered an extended suspension or expulsion, depending on the duration, except as otherwise described in MCPS Regulation JGA-RC, *Suspension and Expulsion of Students with Disabilities*.

WHAT IS DUE PROCESS?

Due process is about fair notice, an opportunity to be heard, and procedural safeguards. Due process at the school level must inform the student of what they are accused of, share the evidence in a way the student can understand, and must provide the student with an opportunity to tell their side of the story. Schools should provide a written decision explaining the findings, consequences imposed, and rationale for their disciplinary decision. Students and parents/guardians have a right to know how the students will continue to access educational services, if a class or school removal is warranted. For students with an IEP or 504, schools must reference their plan's goals and objectives when administering discipline (Board Regulation JGA-RC).

WHAT IS SERIOUS BODILY INJURY (SERIOUS PHYSICAL HARM)?

Serious bodily injury (serious physical harm) is severe physical damage or harm caused to the structure or function of the body caused by an outside agent or force requiring extensive medical treatment or hospitalization. Such injuries should include substantial risk of death; temporary or permanent loss of, or loss of the use of, any body part, organ, or mental faculty; unconsciousness; disfigurement; and/or prolonged physical pain.

WHAT IS CYBERBULLYING?

Cyberbullying, a form of bullying, is intentional conduct transmitted by means of electronic communication that allows individuals to view or share content. Cyberbullying includes, but is not limited to, sending, posting, or sharing personal or private information about someone, causing embarrassment or humiliation. This includes, but is not limited to, the use of personal mobile devices, chrome books, laptops, and artificial intelligence, such as a deepfake. Whether cyberbullying occurs on or off school property, students are subject to the same disciplinary

consequences if the behavior directly impacts school safety and operations. Montgomery County Public Schools (MCPS) prohibits bullying, harassment, and intimidation in all forms on MCPS property (Board Policy JHF).

CAN STUDENTS USE PERSONAL MOBILE DEVICES DURING THE ACADEMIC DAY?

No. Regulation COG-RA, *Personal Mobile Devices*, prohibits the use of personal mobile devices by MCPS students during the Academic Day.

Academic Day means any structured or unstructured learning experience that occurs, beginning when the first bell rings at the start of the school day until the dismissal bell rings at the end of the school day, including instructional periods, lunch, recess, passing and transitional periods.

A personal mobile device (PMD) refers to any non-MCPS-issued device used to connect to the Internet, and send or receive data via voice, video, or text. Mobile phones, e-readers, tablets, chromebook, personal computers, smart watches, smart glasses, or other devices equipped with microphones, headphones (including airpods, earbuds), speakers, and/or cameras are all considered PMDs. However, students may possess PMDs on MCPS property and at MCPS-sponsored activities.

Any student who violates this regulation will be subject to disciplinary action, in accordance with the *MCPS Student Code of Conduct*. MCPS will assume no responsibility or liability for loss, theft, or damage to a device or for the unauthorized use of any such PMD.

(See Regulations COG-RA, *Personal Mobile Devices*, ILA-RA, *Assessments with Security and Reporting Requirements*, and IGT-RA, *User Responsibilities for Computer Systems, Electronic Information, and Network Security*, for additional information.)

STUDENT BEHAVIORS AND INTERVENTIONS LEVELS OF RESPONSE

	LEVEL 1 Classroom and Teacher- led Responses	LEVEL 2 Teacher-led/referred and Administrative Supported Responses	LEVEL 3 Administrative Supported and/or Removal Responses (In-School Intervention or In-School Suspension)	LEVEL 4 Administrative Supported and Short-term Out- of-school Exclusionary Responses (1-3 days)	LEVEL 5 Administrative Supported and Long-term Out-of- school Exclusionary Responses (4-10 days)	LEVEL 6 Administrative Supported and Out-of-School Exclusionary Responses, Extended Suspension (11-44 days) or Expulsion (45 or more days)	Context and factors to be considered in determining levels of response
Progressive Discipline, Restorative Approaches, "Mitigating" and "Aggravating" criteria on page 8, must be considered prior to determining an appropriate level of intervention.							

CLASS CUTTING (101)	Failing to attend a class after arrival at school without an excused reason. ¹						Secondary Only Maryland Education Code 7-305 does not allow students to be suspended solely for attendance related offenses. The higher-level disciplinary response (In School Suspension) must be beyond attendance related behavior alone.
		Persistently failing to attend a scheduled class after arrival at school without excused reasons. ^{1,2}					

TARDINESS (102) <i>See MCPS Regulation JEA-R.A, Student Attendance</i>	Arriving late more than once to class or school without an excused reason. ^{1,2}						Secondary Only Elementary school students who are late should not be given any punitive or exclusionary consequences, but parents/guardians should be notified.
		Persistently arriving late to class or school without an excused reason. ^{1,2}					

TRUANCY (103) <i>See MCPS Regulation JEA-R.A, Student Attendance</i>	Being absent from school without an excused reason. ^{1,2}						Students with excessive absences and/or tardies, both lawful and unlawful, may be referred to the Student Well-being Team (SWBT). SWBTs implement a process to determine the root cause for repetitive absences and appropriate interventions designed to increase regular attendance. Parents/guardians of students who accumulate absences will receive regular notification regarding their children's attendance
		Being truant. ³					
			Leaving campus without permission.				

¹ A student may not be suspended out of school or expelled from school "solely for attendance-related offenses." MD. ANN. CODE, EDUCATION § 7-305. This applies to all behaviors listed on this page: class cutting, tardiness, and truancy.

² Excused reasons for absence include death in the immediate family, illness of the student or the student's child, pregnancy and parenting-related conditions, court summons, hazardous weather conditions, observance of a religious holiday, state emergency, suspension, work approved or sponsored by the school, and other specified circumstances set forth in MCPS Regulation JEA-R.A, Student Attendance; COMAR. 13A.08.01.03.

³ A student is "truant" if unlawfully absent from school for more than 8 days in any semester, or 20 days in a school year (approximately 10%). MD. ANN. CODE, EDUCATION § 7-355.

STUDENT BEHAVIORS AND INTERVENTIONS LEVELS OF RESPONSE

	LEVEL 1 Classroom and Teacher- led Responses	LEVEL 2 Teacher-led/referred and Administrative Supported Responses	LEVEL 3 Administrative Supported and/or Removal Responses (In-School Intervention or In-School Suspension)	LEVEL 4 Administrative Supported and Short-term Out- of-school Exclusionary Responses (1-3 days)	LEVEL 5 Administrative Supported and Long-term Out-of- school Exclusionary Responses (4-10 days)	LEVEL 6 Administrative Supported and Out-of-School Exclusionary Responses, Extended Suspension (11-44 days) or Expulsion (45 or more days)	Context and factors to be considered in determining levels of response
Progressive Discipline, Restorative Approaches, "Mitigating" and "Aggravating" criteria on page 8, must be considered prior to determining an appropriate level of intervention.							
GOVERNANCE	ALCOHOL (201) Board Policy IGN, <i>Preventing Alcohol, Tobacco, and Other Drug Abuse in MCPS</i> ; MCPS Regulations: COF-RA, <i>Alcohol, Tobacco, and Other Drugs on MCPS Property</i> ; and IGO-RA, <i>Guidelines for Incidents of Alcohol, Cannabis, Tobacco, and Other Drug Use Involving Students</i>		Being under the influence of and using or possessing alcohol. ^{6,8}		Distributing/selling alcohol. ⁷		As part of any disciplinary response, the school should refer to the Montgomery County Dept. of Health and Human Services, a community provider, or an MCPS program for prevention and treatment.
INHALANTS (202)⁸ Board Policy IGN, <i>Preventing Alcohol, Tobacco, and Other Drug Abuse in MCPS</i> ; MCPS Regulations: COF-RA, <i>Alcohol, Tobacco, and Other Drugs on MCPS Property</i> ; and IGO-RA, <i>Guidelines for Incidents of Alcohol, Cannabis, Tobacco, and Other Drug Use Involving Students</i>			Being under the influence of and using or possessing inhalants ^{6,8}		Distributing/selling inhalants. ^{7,9}		As part of any disciplinary response, the school should refer to the Montgomery County Dept. of Health and Human Services, a community provider, or an MCPS program for prevention and treatment.

⁶It may be necessary to send a student home and refer the student to the Montgomery County Department of Health and Human Services or a community provider, if the student is found under the influence of alcohol, drugs, or other substances and health services are not available at the school. Before sending a student home, a school should take every precaution to ensure that the student is leaving school grounds in the care of a family member or someone who is able to provide assistance. See also MCPS Policy IGN, Preventing Alcohol, Tobacco, and Other Drug Abuse in Montgomery County Public Schools.

⁷For school-based disciplinary purposes, distribution requires either a sale or intent to sell alcohol, inhalants, or drugs/controlled substances.

⁸For purposes of record keeping, for students with disabilities ONLY, use code 892. ("Illegal drugs" for students with disabilities are defined as those substances that are not legally possessed, used under the supervision of a licensed health-care professional, or used under any other authority under the Controlled Substance Act or under any other provision of federal law.)

⁹For purposes of record keeping, for students with disabilities ONLY, use code 891 for the selling of a drug or substance identified under the schedules of controlled substances in 21 U.S.C. § 812; 21 C.F.R. pt. 1308.

STUDENT BEHAVIORS AND INTERVENTIONS LEVELS OF RESPONSE

Governance	LEVEL 1 Classroom and Teacher-led Responses	LEVEL 2 Teacher-led/referred and Administrative Supported Responses	LEVEL 3 Administrative Supported and/or Removal Responses (In-School Intervention or In-School Suspension)	LEVEL 4 Administrative Supported and Short-term Out-of-school Exclusionary Responses (1-3 days)	LEVEL 5 Administrative Supported and Long-term Out-of-school Exclusionary Responses (4-10 days)	LEVEL 6 Administrative Supported and Out-of-School Exclusionary Responses, Extended Suspension (11-44 days) or Expulsion (45 or more days)	Context and factors to be considered in determining levels of response
Progressive Discipline, Restorative Approaches, "Mitigating" and "Aggravating" criteria on page 8, must be considered prior to determining an appropriate level of intervention.							
DRUGS/CONTROLLED SUBSTANCES (203) ¹⁰ Board Policy IGN, Preventing Alcohol, Tobacco, and Other Drug Abuse in MCPS; MCPS Regulations: COB-RA, Incident Reporting; COFRA, Alcohol, Tobacco, and Other Drugs on MCPS Property; and IGO-RA, Guidelines for Incidents of Alcohol, Cannabis, Tobacco, and Other Drug Use Involving Students; JPC-RA, Administration of Medication to Students *See Regulation IGO-RA for drugs which include substances when used for unintended or harmful purposes and addresses student use of over-the-counter and prescription medications and products that may not be consumed legally in Maryland by individuals under the age of 21.			"Self-carry" of over-the-counter medication" in violation of Regulation JPC-RA, <i>Administration of Medication to Students</i> .				
				"Self-carry" of a prescription medication (by the prescribed user) without the approval of the school community health nurse, in violation of Regulation JPC-RA.			
				Using, possessing or being under the influence of medications in violation of Regulation JPC-RA or Regulation IGO-RA.			
				Sharing, selling, possessing, or using over-the-counter medications in violation of Regulation JPC-RA.			As part of any disciplinary response, the school should refer to the Montgomery County Department of Health and Human Services, a community provider, or an MCPS program for prevention and treatment. After consultation with the principal/director/designee, the appropriate law enforcement agency may take the lead in responding to and investigating the incident.
				Sharing, selling, possessing, or using prescription medications in violation of Regulation JPC-RA.			
				Sharing, selling, possessing, or using illegal drugs or substances that are legal in Maryland, but may not be consumed legally for individuals under the age of 21, such as cannabinoids. ¹¹ <i>(Under no circumstances are students permitted to self-carry cannabis or cannabinoids for medical use or otherwise)</i>			

¹¹ Behavior threat assessments should not take the place of or limit the school's disciplinary responses.

STUDENT BEHAVIORS AND INTERVENTIONS LEVELS OF RESPONSE

	LEVEL 1 Classroom and Teacher- led Responses	LEVEL 2 Teacher-led/referred and Administrative Supported Responses	LEVEL 3 Administrative Supported and/or Removal Responses (In-School Intervention or In-School Suspension)	LEVEL 4 Administrative Supported and Short-term Out- of-school Exclusionary Responses (1-3 days)	LEVEL 5 Administrative Supported and Long-term Out-of- school Exclusionary Responses (4-10 days)	LEVEL 6 Administrative Supported and Out-of-School Exclusionary Responses, Extended Suspension (11-44 days) or Expulsion (45 or more days)	Context and factors to be considered in determining levels of response
Progressive Discipline, Restorative Approaches, "Mitigating" and "Aggravating" criteria on page 8, must be considered prior to determining an appropriate level of intervention.							
TOBACCO (204) Board Policy IGN, <i>Preventing Alcohol, Tobacco, and Other Drug Abuse in MCPS</i> ; MCPS Regulations: COB-RA, <i>Incident Reporting</i> ; COFRA, <i>Alcohol, Tobacco, and Other Drugs on MCPS Property</i> ; and IGO-RA, <i>Guidelines for Incidents of Alcohol, Cannabis, Tobacco, and Other Drug Use Involving Students</i> ; IPC-RA, <i>Administration of Medication to Students</i> Cannabinoids are addressed under "Drugs/Controlled Substances (203).				Using, carrying, possessing, or distributing any smoking device as defined in Regulation IGO-RA as a cigar, cigarette, pipe, or other tobacco product of any kind. This includes devices of any kind that simulate smoking. <i>(Under no circumstances are students permitted to self-carry cannabis for medical use or otherwise)</i>			As part of any disciplinary response ⁶ , the school should refer to the Montgomery County Department of Health and Human Services, a community provider, or an MCPS program for prevention and treatment.
FIREARMS (301)						Possessing a firearm (e.g., handgun) ¹¹	The incident must be reported immediately to the appropriate law enforcement agency as well as the Department of School Safety. The appropriate law enforcement agency shall take the lead in responding to and investigating. See Regulation COB-RA, <i>Incident Reporting</i> .

¹¹ Under federal and Maryland state law: A student who has brought a firearm onto school property "shall be expelled for a minimum of 1 year," but a county superintendent "may specify on a case-by-case basis, a shorter period of expulsion or an alternative educational setting, if alternative educational settings have been approved by the county board." MD. ANN. CODE, EDUCATION § 7-305(f)(2)-(3); COMAR 13A.08.01.12-1. However, discipline of a student with a disability who has brought a firearm onto school property, including the suspension, expulsion, or interim alternative placement, shall be conducted in conformance with the requirements of the IDEA. MD. ANN. CODE, EDUCATION § 7-305(g); COMAR 13A.08.01.12-1(C). For purposes of record keeping, use code 893 for students with disabilities.

STUDENT BEHAVIORS AND INTERVENTIONS LEVELS OF RESPONSE

Governance	LEVEL 1 Classroom and Teacher- led Responses	LEVEL 2 Teacher-led/referred and Administrative Supported Responses	LEVEL 3 Administrative Supported and/or Removal Responses (In-School Intervention or In-School Suspension)	LEVEL 4 Administrative Supported and Short-term Out- of-school Exclusionary Responses (1-3 days)	LEVEL 5 Administrative Supported and Long-term Out-of- school Exclusionary Responses (4-10 days)	LEVEL 6 Administrative Supported and Out-of-School Exclusionary Responses, Extended Suspension (11-44 days) or Expulsion (45 or more days)	Context and factors to be considered in determining levels of response
Progressive Discipline, Restorative Approaches, "Mitigating" and "Aggravating" criteria on page 8, must be considered prior to determining an appropriate level of intervention.							
OTHER GUNS (302) <i>* See MCPS Regulation COE- RA, Weapons</i>			Possessing a firearm facsimile (e.g., toy gun, water gun, or other look-alike firearm)				"Brandish" means to wave or flourish the weapon as a threat, in anger or excitement.
				Possessing (without brandishing or threatening to use) gun designed to propel projectiles (such as a BB, pellet, cap, gel blaster, or airsoft gun)			
				Possessing, displaying, brandishing, using, or threatening to use a gun designed to propel projectiles (such as a BB, pellet, cap, gel blaster, or airsoft gun)			
KNIVES AND OTHER WEAPONS (303) <i>* See MCPS Regulation COE- RA, Weapons</i>				Possessing a knife or other implement that could cause serious bodily harm, motivated to use as a weapon.			"Brandish" means to wave or flourish the weapon as a threat, in anger or excitement.
					Displaying, brandishing, using, or threatening to use a knife, or other implement as a weapon, motivated to cause serious bodily harm.		
ATTACK ON ADULT (401) MCPS Regulation COB- RA, Incident Reporting					Physically attacking an MCPS staff member or other adult, including intentionally shoving, pushing, or otherwise being physically aggressive; intentionally engaging in a fight; or intentionally striking a staff member who is intervening to prevent or de-escalate a fight or other disruptive behavior. When disciplining a student with an IEP or 504, you are expected to reference these plans prior to administering consequences. In some instances, a manifestation or causation meeting may be required.	When a student demonstrates behaviors of a concerning nature that may be indicative of behavioral health issues, teachers and other school staff shall refer the student to the appropriate team who is qualified and trained to problem-solve the presenting concerns and plan appropriate support for the student as set forth in Regulation IOH-RA, <i>Referrals to Behavioral Health Services for Students</i> . Intervention may be elevated for prior instances of same behavior, or use of images or symbols specified in Policy ACA and Regulation JFA-RA. After consultation with the principal/director/designee, the Department of School Safety, or other law enforcement officers, the appropriate law enforcement agency may take the lead in responding to and investigating the incident.	

STUDENT BEHAVIORS AND INTERVENTIONS LEVELS OF RESPONSE

Governance	LEVEL 1 Classroom and Teacher-led Responses	LEVEL 2 Teacher-led/referred and Administrative Responses	LEVEL 3 Administrative Supported and/or Removal Responses (In-School Intervention or In-School Suspension)	LEVEL 4 Administrative Supported and Short-term Out-of-school Exclusionary Responses (1-3 days)	LEVEL 5 Administrative Supported and Long-term Out-of-school Exclusionary Responses (4-10 days)	LEVEL 6 Administrative Supported and Out-of-School Exclusionary Responses, Extended Suspension (11-44 days) or Expulsion (45 or more days)	Context and factors to be considered in determining levels of response
Progressive Discipline, Restorative Approaches, "Mitigating" and "Aggravating" criteria on page 8, must be considered prior to determining an appropriate level of intervention.							
ATTACK ON STUDENT (402) MCPS Regulation COB-RA, <i>Incident Reporting</i>				Physically attacking an MCPS student, including intentionally shoving, pushing, or otherwise being physically aggressive (e.g., body check, intentionally bumping, but NOT horseplay).	Physically attacking an MCPS student in a manner that results in major injuries like a broken limb or otherwise especially serious injury, based on the listed factors.		Schools should consider the following: - Whether the student acted in the heat of the moment, as opposed to planning ahead - Whether the student was provoked or if the student provoked others to fight - Whether the student acted in self-defense After consultation with the principal/director/designee, the Department of School Safety, or other law enforcement officers, the appropriate law enforcement agency may take the lead in responding to and investigating the incident.
THREAT TO ADULT (403) THREAT TO STUDENT (404) <i>Board Policy COA; MCPS Regulation COA-RA</i>				Using threatening language and/or images (verbal, written, digital/electronic; implicit or explicit) or physical gestures directed toward a staff member, student, or anyone else.			In addition to disciplinary response, schools should conduct a Behavior Threat Assessment.
FIGHTING (405) <i>*See Board Policy JHF, Bullying, Harassment, or Intimidation, and MCPS Regulation JHF-RA, Student Bullying, Harassment, or Intimidation, and MCPS Form 230-35, Bullying, Harassment, or Intimidation Reporting Form</i> <i>**MCPS Regulation JHG-RA, Gangs, Gang Activity, or Other Similar Destructive or Illegal Group Behavior Prevention, MCPS Form 230-37, Gang-related Incident Reporting Form</i>			Engaging in a fight that results in minor cuts, scrapes, and bruises.		GRADES 6-12		Schools should consider multiple factors, including the following: - Whether the student acted in the heat of the moment, as opposed to planning ahead - Whether the student was provoked and was acting in self-defense, or if the student provoked others to fight - Whether the student was taking reasonable actions to deescalate violence or intervene or intervene in a fight to separate students
					Engaging in an individual or group fight that disrupts school operations and/or results in major injuries like a broken limb or other serious injuries based on the listed factors.		

STUDENT BEHAVIORS AND INTERVENTIONS LEVELS OF RESPONSE

Governance	LEVEL 1 Classroom and Teacher- led Responses	LEVEL 2 Teacher-led/referred and Administrative Supported Responses	LEVEL 3 Administrative Supported and/or Removal Responses (In-School Intervention or In-School Suspension)	LEVEL 4 Administrative Supported and Short-term Out- of-school Exclusionary Responses (1-3 days)	LEVEL 5 Administrative Supported and Long-term Out-of- school Exclusionary Responses (4-10 days)	LEVEL 6 Administrative Supported and Out-of-School Exclusionary Responses, Extended Suspension (11-44 days) or Expulsion (45 or more days)	Context and factors to be considered in determining levels of response	
Progressive Discipline, Restorative Approaches, "Mitigating" and "Aggravating" criteria on page 8, must be considered prior to determining an appropriate level of intervention.								
EXTORTION (406) MCPS Regulation COB-RA				Using a threat, fear, or force (without a weapon) to get a person to turn over property.			In addition to disciplinary response, schools should conduct a Behavior Threat Assessment.	
					Using a threat, fear, or force (with a weapon) to get a person to turn over property.			
BULLYING/ HARASSMENT (407) Board Policy ACF, JHF; MCPS Regulations ACF- RA, ACF-RA, COB-RA, JHF-RA				BULLYING —Participating in/instigating unwanted, demeaning behavior among students that meets the criteria for prohibited conduct in Policy JHF. CYBERBULLYING —Bullying transmitted by means of electronic communication that allows individuals to view or share content. Cyberbullying includes sending, posting, or sharing personal or private information about someone causing embarrassment or humiliation. This includes but is not limited to the use of personal mobile devices and artificial intelligence such as deep fake. HARASSMENT —Participating in/instigating actual or perceived negative action that offends, ridicules, or demeans another individual regarding an individual's actual or perceived personal characteristics. Harassment involving sexual misconduct includes sexual activity, sexual attack, and sexual harassment.			As part of any disciplinary response, schools should emphasize intervention strategies and refer students to appropriate counseling. A student's actions, motivated by the victim's race, color, national origin, religion's beliefs, sexual orientation, gender, gender identity, homelessness or disability must be reported immediately to school administration. Cyberbullying includes the use of communication technologies, social media, or artificial intelligence to target individuals. This explicitly encompasses digital impersonation, creating unauthorized or fraudulent social media profiles, and using voice cloning technology or generative audio systems to fabricate statements, deceive, or humiliate others. For Sexual Misconduct or Sexual Harassment incidents, an administrator must consult staff in the Department of Student Conduct and Appeals for additional guidance.	
					INTIMIDATION —Participating in/instigating conduct that is directed against another individual that threatens or induces a sense of fear or inferiority. Retaliation or reprisal may be considered a form of intimidation.			
				Using language or displaying images and/or symbols that promote hate or discrimination that can reasonably be expected to cause substantial disruption of school or district operations or activities.				

STUDENT BEHAVIORS AND INTERVENTIONS LEVELS OF RESPONSE

	LEVEL 1 Classroom and Teacher- led Responses	LEVEL 2 Teacher-led/referred and Administrative Supported Responses	LEVEL 3 Administrative Supported and/or Removal Responses (In-School Intervention or In-School Suspension)	LEVEL 4 Administrative Supported and Short-term Out- of-school Exclusionary Responses (1-3 days)	LEVEL 5 Administrative Supported and Long-term Out-of- school Exclusionary Responses (4-10 days)	LEVEL 6 Administrative Supported and Out-of-School Exclusionary Responses, Extended Suspension (11-44 days) or Expulsion (45 or more days)	Context and factors to be considered in determining levels of response
Progressive Discipline, Restorative Approaches, "Mitigating" and "Aggravating" criteria on page 8, must be considered prior to determining an appropriate level of intervention.							
SERIOUS BODILY INJURY (408)				Engaging in behavior that unintentionally causes serious bodily injury or loss of consciousness.	Engaging in behavior that intentionally causes serious bodily injury or loss of consciousness.		Serious bodily injury (serious physical harm) is severe physical damage or harm caused to the structure or function of the body caused by an outside agent or force requiring extensive medical treatment or hospitalization. Such injuries should include substantial risk of death; temporary or permanent loss of, or loss of the use of, any body part, organ, or mental faculty; unconsciousness; disfigurement; and/or prolonged physical pain.
ARSON/FIRE (501)				Setting or attempting to set a fire or helping others to set a fire, without intent to endanger others.	Setting a fire or helping others to set a fire, with intent to endanger others or destroy property.		After consultation with the principal/ director/designee, the Department of School Safety, or other law enforcement officers, the appropriate law enforcement agency may take the lead in responding to and investigating the incident.
FALSE ALARM (502)				Initiating a warning of a fire or other catastrophe without cause, either over a phone, PMD, or in person (e.g., pulling a fire alarm, misuse of 911); discharging a fire extinguisher without cause.			After consultation with the principal/ director/designee, the Department of School Safety, or other law enforcement officers, the appropriate law enforcement agency may take the lead in responding to and investigating the incident.
BOMB THREAT (502) <i>See MCPS Regulation COB-RA, Incident Reporting</i>				Making a bomb threat or threatening a school shooting. Threats include the distribution of information through venues such as, but not limited to, verbal, written, images, online, and/or electronic sources of communication.			In addition to disciplinary response, schools should conduct a Behavior Threat Assessment. After consultation with the principal/ director/designee, the Department of School Safety, or other law enforcement officers, the appropriate law enforcement agency may take the lead in responding to and investigating the incident.

STUDENT BEHAVIORS AND INTERVENTIONS LEVELS OF RESPONSE

	LEVEL 1 Classroom and Teacher- led Responses	LEVEL 2 Teacher-led/referred and Administrative Supported Responses	LEVEL 3 Administrative Supported and/or Removal Responses (In-School Intervention or In-School Suspension)	LEVEL 4 Administrative Supported and Short-term Out- of-school Exclusionary Responses (1-3 days)	LEVEL 5 Administrative Supported and Long-term Out-of- school Exclusionary Responses (4-10 days)	LEVEL 6 Administrative Supported and Out-of-School Exclusionary Responses, Extended Suspension (11-44 days) or Expulsion (45 or more days)	Context and factors to be considered in determining levels of response
Progressive Discipline, Restorative Approaches, "Mitigating" and "Aggravating" criteria on page 8, must be considered prior to determining an appropriate level of intervention.							
Governance							
EXPLOSIVES (503) * See MCPS Regulation COB- RA, <i>Incident Reporting</i>				Possessing an incendiary or explosive device, material, or any combination of combustible or explosive substances, other than a firearm, that can cause harm to people or property (e.g., firecrackers, smoke bombs, flares; but NOT "snap pops," which should be treated as a disruption).			
				Detonating or possessing and threatening to detonate an incendiary or explosive device or material, as described above.			
*SEXUAL ATTACK (601) * Follow MCPS reporting protocols such as contacting the Department of Student Code and Appeals					Engaging in behavior toward another that is physically, sexually aggressive.		As part of any disciplinary response, school staff should refer students to appropriate counseling. Rape and/or nonconsensual sexual acts must be reported to the appropriate law enforcement agency immediately, who shall take the lead in responding to and investigating. Regulation COB- RA, <i>Incident Reporting</i>
*SEXUAL HARASSMENT (602) Board Policy ACF, JHF; MCPS Regulations ACF- RA, ACI-FRA, COB-RA					Making unwelcome sexual advances, requests for sexual favors, and/or other inappropriate verbal, written, digital, electronic, or physical conduct of a sexual nature.		As part of any disciplinary response, school staff should refer students to appropriate counseling. In consultation with the Title IX coordinator, schools will respond in a legally compliant manner, while also taking into consideration the age, grade, developmental level, prior offenses, intentionality, and circumstance in determining an appropriate course of action and consequences.
SEXUAL ACTIVITY (603)				Inappropriate behavior of a sexual nature (e.g., indecent exposure, inappropriate texts of a sexual nature, sexual acts on school property).			As part of any disciplinary response, school staff should refer students to appropriate counseling. Rape and/or nonconsensual sexual acts must be reported to the appropriate law enforcement agency immediately, who shall take the lead in responding to and investigating. Regulation COB- RA, <i>Incident Reporting</i>

STUDENT BEHAVIORS AND INTERVENTIONS LEVELS OF RESPONSE

	LEVEL 1 Classroom and Teacher- led Responses	LEVEL 2 Teacher-led/referred and Administrative Supported Responses	LEVEL 3 Administrative Supported and/or Removal Responses (In-School Intervention or In-School Suspension)	LEVEL 4 Administrative Supported and Short-term Out- of-school Exclusionary Responses (1-3 days)	LEVEL 5 Administrative Supported and Long-term Out-of- school Exclusionary Responses (4-10 days)	LEVEL 6 Administrative Supported and Out-of-School Exclusionary Responses, Extended Suspension (11-44 days) or Expulsion (45 or more days)	Context and factors to be considered in determining levels of response
Progressive Discipline, Restorative Approaches, "Mitigating" and "Aggravating" criteria on page 8, must be considered prior to determining an appropriate level of intervention.							
DISRESPECT (701) <i>*Incubordination has been incorporated into disrespect.</i>	Making inappropriate or offensive gestures, verbal or written comments, or symbols to others (e.g., verbal put- downs, cursing, talking back).						Disrespect may become disruption, if the conduct is persistent or habitual and significantly impacts the learning environment.
		Repeatedly or persistently defying or refusing to follow the directions of teachers, staff, or administrators.					
DISRUPTION (704)	Engaging in minor behavior that distracts from the learning environment.						Disruption is student conduct that interrupts teaching and learning, distracts others or the classroom environment, or interferes with the orderly operations or safety of the school and/or district.
		Engaging in moderate to serious behavior that distracts from teaching and learning and directly affects the safety of others.					
					Posing an immediate danger to persons or property, or posing an ongoing threat of disrupting the educational process.		
					GRADES 6-12		
					Using language or displaying images and/or symbols that promote hate or discrimination that can reasonably be expected to cause substantial disruption of school or district operations or activities. See Board Policy ACA, <i>Non discrimination, Equity, and Cultural Proficiency</i>		
DRESS CODE (706) MCPS Regulation JFA- RA, Student Rights and Responsibilities	Violating dress code after student has been warned.						
		Persistently violating dress code after student has been warned.					

STUDENT BEHAVIORS AND INTERVENTIONS LEVELS OF RESPONSE

Governance	LEVEL 1 Classroom and Teacher- led Responses	LEVEL 2 Teacher-led/referred and Administrative Supported Responses	LEVEL 3 Administrative Supported and/or Removal Responses (In-School Intervention or In-School Suspension)	LEVEL 4 Administrative Supported and Short-term Out- of-school Exclusionary Responses (1-3 days)	LEVEL 5 Administrative Supported and Long-term Out-of- school Exclusionary Responses (4-10 days)	LEVEL 6 Administrative Supported and Out-of-School Exclusionary Responses, Extended Suspension (11-44 days) or Expulsion (45 or more days)	Context and factors to be considered in determining levels of response
Progressive Discipline, Restorative Approaches, "Mitigating" and "Aggravating" criteria on page 8, must be considered prior to determining an appropriate level of intervention.							
ACADEMIC DISHONESTY (801) *See MCPS Regulation IKA-RA, Grading and Reporting, for grading consequences.	Academic Dishonesty includes, but are not limited to (1) plagiarism, taking credit for work or ideas created by others or artificial intelligence (AI), (2) cheating, acting unfairly in order to gain or give an advantage, including the unauthorized use of resources or AI, and (3) forgery, such as faking the signature of a teacher or parent/guardian. Sharing or otherwise distributing information contained on assessments or other graded work.						
					Tampering with, or assisting another to tamper with, the MCPS computer network or exams. Repeatedly or widely distributing information contained on assessments or other graded work.		
INAPPROPRIATE USE OF PERSONAL ELECTRONICS (802) ⁴ MCPS refers to these as "Personal Mobile Devices" or "PMDs" See MCPS Regulations: COG-RA, Personal Mobile Devices; IGT- RA, User Responsibilities for Computer Systems, Electronic Information, and Network Security; ILA-RA, Assessments with Security and Reporting Requirements	Persistently using or displaying a personal mobile device in defiance of MCPS rules for PMDs ^{4,5}						Misconduct away from MCPS property may be subject to disciplinary action when there is a connection back to the school setting, regardless of whether the instructional environment is in person or virtual, when the conduct creates a risk of harm to other students while they are at school; or the conduct interferes with the educational environment. Student Data Privacy Violations: Students are prohibited from uploading, feeding, or inputting any Personally Identifiable Information (PII), confidential district data, or private personal records of peers or MCPS staff (including grading sheets, drafts of peer work, or private messages) into unauthorized, public generative AI platforms. The dissemination of misinformation or disinformation (i.e. deep fakes) and surveillance based use on PMDs are a significant risk to student safety.
		Using or displaying a personal mobile device in violation of MCPS rules for PMDs, after student has been warned					
	Communicating information using a PMD that violates the privacy of others; to record or post fights, jeopardizes the health or safety of students or employees; is obscene or libelous; causes disruption of school activities or MCPS operations; perpetrates academic dishonesty; or violates the security of MCPS computer systems, related technology, or electronic information (including grades or other student information)						
			Using a PMD in a manner that causes disruption to the MCPS network or operations, including using a PMD to alter records or destroy electronic property, or using an MCPS device in combination with an external proxy or virtualized browser in an attempt to disrupt the MCPS network. The use of artificial intelligence (i.e., deep fakes) to create harm.				

STUDENT BEHAVIORS AND INTERVENTIONS LEVELS OF RESPONSE

	LEVEL 1 Classroom and Teacher- led Responses	LEVEL 2 Teacher-led/referred and Administrative Supported Responses	LEVEL 3 Administrative Supported and/or Removal Responses (In-School Intervention or In-School Suspension)	LEVEL 4 Administrative Supported and Short-term Out- of-school Exclusionary Responses (1-3 days)	LEVEL 5 Administrative Supported and Long-term Out-of- school Exclusionary Responses (4-10 days)	LEVEL 6 Administrative Supported and Out-of-School Exclusionary Responses, Extended Suspension (11-44 days) or Expulsion (45 or more days)	Context and factors to be considered in determining levels of response
Progressive Discipline, Restorative Approaches, "Mitigating" and "Aggravating" criteria on page 8, must be considered prior to determining an appropriate level of intervention.							
THEFT (803) MCPS Regulation COB- RA, <i>Incident Reporting</i>		Taking or obtaining property valued at less than \$500. (Compensation for stolen, loss, or damaged property may be required.)					Robbery/attempted robbery must be reported to law enforcement immediately, who shall take the lead in investigating. After consultation with the principal/ director/designee, the Department of School Safety, or other law enforcement officers, the appropriate law enforcement agency may take the lead in responding to and investigating any single incident or series of incidents committed by the same student where the value of the stolen property is \$1500 or more. Schools should consider the following factors: • The student's purpose in taking the property • The monetary value of the property • Whether the student acted in the heat of the moment, as opposed to intentionally planning ahead • Whether the student knew the property was valuable or expensive to replace • Whether the property was returned or recovered
				Taking or obtaining property valued at \$500 or more. Prior incidents of theft and/or conspiracy to engage in predetermined organized theft. (Compensation for stolen, loss, or damaged property may be required.)			
TRESPASSING (804) *See MCPS Regulation COC- RA, <i>Trespassing or Willful Disturbance on MCPS Property.</i>			Being on any MCPS property without permission, including while on suspension or expulsion.				Trespass/willful disturbance, or assisting another person to trespass/ cause a willful disturbance, in conjunction with another offense, may be considered an aggravating factor that elevates the level of disciplinary response. Examples of other offenses may include, but are not limited to, fighting, an attack on a student or staff member, or drug-related offenses.
					Trespassing with the motivation to cause a disturbance, fight, attack another student or staff member, or deface property.		

⁴ A PMD has three distinguishing features: 1) MCPS does not own or issue the device. 2) The device has the capability to obtain an Internet, wi-fi, or cellular connection to send and receive data. 3) The device has the capability to create and capture sound and images/video.

⁵ Information may not be communicated using a personal mobile device (PMD) if it violates the privacy of others, jeopardizes the health or safety of students, is obscene or libelous, causes disruption of school activities, plagiarizes the work of others, or is a commercial advertisement.

STUDENT BEHAVIORS AND INTERVENTIONS LEVELS OF RESPONSE

Governance	LEVEL 1 Classroom and Teacher-led Responses	LEVEL 2 Teacher-led/referred and Administrative Supported Responses	LEVEL 3 Administrative Supported and/or Removal Responses (In-School Intervention or In-School Suspension)	LEVEL 4 Administrative Supported and Short-term Out-of-school Exclusionary Responses (1-3 days)	LEVEL 5 Administrative Supported and Long-term Out-of-school Exclusionary Responses (4-10 days)	LEVEL 6 Administrative Supported and Out-of-School Exclusionary Responses, Extended Suspension (11-44 days) or Expulsion (45 or more days)	Context and factors to be considered in determining levels of response
	Progressive Discipline, Restorative Approaches, "Mitigating" and "Aggravating" criteria on page 8, must be considered prior to determining an appropriate level of intervention.						
DESTRUCTION OF PROPERTY (806) <i>See Regulation COG-RA, Personal Mobile Device, ECC-RA, Loss of or Damage to Montgomery County Public Schools Property, and ECC-RA, Parking Facilities and Student Driving, JNA-RB, Collection of Student Financial Obligations</i>	Causing accidental damage.						For incidents that do not meet the criteria of a crime, schools should consider the following: • The student's purpose in taking the property • The monetary value of the property • Whether the student acted in the heat of the moment, as opposed to planning ahead • Whether the student knew the property was valuable or expensive to replace • The reason the student destroyed the property Damaging property of a person, motivated by the victim's race, color, national origin, religious beliefs, sexual orientation, gender, gender identity, homelessness, or disability must be reported immediately to the appropriate law enforcement agency. Vandalism must be reported to the Department of School Safety within an hour of discovery and procedures followed as established in Regulation COB-RA.
			Causing intentional damage of less than \$500 to property to MCPS, staff, or other students.				
				Causing intentional damage of \$500 or more to property to MCPS, staff, or other students.			
					Using language or displaying images or symbols that promote hate or discrimination based on race, religion, gender identity, or sexual orientation, that can be reasonably expected to cause substantial disruption of school or district operation		

BEHAVIOR INTERVENTIONS AND DEFINITIONS

Behavioral Contract	Correcting inappropriate or disruptive student behavior through a formal plan designed by school staff to offer positive behavioral interventions, strategies, and supports.
Check-in with School Counselor/Resource Specialists	Student is prompted by school staff to have an informal check-in with a school counselor, resource teacher, school psychologist, school social worker, or coach who has a relationship with the student.
Classroom-based Responses	Prompting students to reflect on their behavior using classroom strategies such as timeout, teacher-student conference, reflection chair, redirection (e.g., role play), seat change, parent outreach, loss of classroom privilege, or apology letter.
Community Service	Allowing students to participate in an activity that serves and benefits the community (e.g., working at a soup kitchen, cleaning up public spaces, in school or elsewhere, or helping at a facility for the elderly). Note: the hours committed to such activities do not qualify as Student Service Learning.
Conflict Resolution	(School-based or Outside-facilitated) Using strategies to assist students in taking responsibility for resolving conflicts peacefully. Students, parents/guardians, teachers, school staff, and/or principals engage in activities that promote problem-solving skills and techniques, such as conflict and anger management, active listening, and effective communication.
Detention	Requiring a student to report to a designated classroom before school, during lunch, during a free period, after school, or on the weekend for a set period of time. Schools should strive to notify parents/guardians before students serve detention.
Expulsion	The exclusion of the student from the student's regular school program for 45 school days or longer, with notice to the parent/guardian, which may occur only under the following circumstances: • The superintendent of schools' designee has determined that the student's return to school prior to the completion of the expulsion period poses an imminent threat of serious harm to other students or staff; • The superintendent of schools' designee limits the duration of the exclusion to the shortest period practicable; and • The school system provides the excluded student with comparable educational services and appropriate behavioral support services to promote successful return to the student's regular academic program. COMAR 13A.08.01.11(B)(2)(a-c).
Functional Behavioral Assessment and Behavioral Intervention Plan	A Functional Behavioral Assessment (FBA) (MCPS Form 336-64) gathers information about a student's inappropriate or disruptive behavioral patterns and determines approaches that school staff should take to correct or manage that behavior. The information is then used to develop a Behavioral Intervention Plan (using MCPS Form 336-65) for the student. Using an FBA, a school staff team and the student's parent/guardian develop appropriate behavioral goals and interventions to prevent and respond to the problem behavior and strategies to teach replacement or alternative behavior.
In-school Intervention	Removing a student within the school building from their regular education program but the student is still afforded the opportunity to continue to— - progress appropriately in the general curriculum; - receive the special education and related services specified in the student's IEP, if the student is a student with a disability in accordance with the law; - receive instruction commensurate with the program afforded to the student in the regular classroom; and - participate with peers as they would in their current education program, to the extent appropriate. COMAR 13A.08.01.11(C)(2)(a).
Mentoring Program	(Informal and/or preventative school-based) Pairing students with mentors (e.g., counselor, teacher, staff member, fellow student, or community member) who help their personal, academic, and social development.

BEHAVIOR INTERVENTIONS AND DEFINITIONS (CONTINUED)

Parent Outreach	Informing parents/guardians of their children's behavior and, in the context of discipline, seeking their assistance in correcting inappropriate or disruptive behavior.
Parent/Guardian and Student/Teacher Conference	Involving students, parents/guardians, teachers, school staff, and/or principals in discussion about the student's behavior and potential solutions that address social, academic, and personal issues related to the behavior.
Peer Mediation	Employing a form of conflict resolution in which trained students serve as mediators and help their peers deal with and develop solutions to conflicts.
Recommend for Further Action	Recommending a student to a school administrator(s) for long-term suspension, expulsion, referral to alternative instruction, or contact with law enforcement.
Referral to Alternative Education	Recommending a student to a school administrator(s) for placement in an alternative program, consistent with MCPS Regulation IOI-RA, <i>Placement Procedures for Alternative Programs</i> .
Referral to Appropriate Substance Abuse Counseling Services	In consultation with principal or designee, referring students to services, both in and out of school, such as a local health department or a community-based service for counseling related to substance abuse.
Referral to Community-based Organizations	In consultation with principal or designee, referring students for a variety of services, including after-school programming, individual or group counseling, leadership development, conflict resolution, and/or tutoring.
Referral to Health/Mental Health Services	In consultation with principal or designee, referring students to school-based or community-based health and mental health clinics or other social services for the purpose of providing counseling and assessments to students in need. Students are encouraged to privately share issues or concerns that lead to inappropriate or disruptive behavior or negatively affect academic success, and discuss goals and learn techniques that help them overcome personal challenges. These services may include anger-management classes and formal or informal behavior coaching.
Referral to Student Support Team	In consultation with principal or designee, bringing together a student support team that may include school counselors, pupil personnel workers, teachers, principals, social workers, health services, mental health clinicians, school psychologists, and external agency representatives under a case manager to help develop prevention and intervention techniques and alternative strategies designed to improve student outcomes. If the behavior does not improve after implementation of the plan created by the student support team, the team may request a placement review for an alternative program, consistent with MCPS Regulation IOI-RA, <i>Placement Procedures for Alternative Programs</i> .
Removal from Extracurricular Activities/Loss of Privileges	In consultation with principal or designee, revoking a student's privilege to participate in extracurricular activities, including sports and clubs, or revoking a student's privilege to participate in school events or activities, such as attending a field trip or participating in a school dance. If the behavior warrants this consequence, any monies paid by the student for the missed activity should be refunded, if possible.
Restitution	Requiring a student to compensate others for any loss, damage, or injury that has resulted because of a student's behavior. Compensation may be made monetarily or by a student's assignment to a school work project, or both. Pursuant to COMAR 13A.08.01.11(D), if a student violates a state or local law or regulation and, during or as a result of the commission of that violation, damaged, destroyed, or substantially decreased the value of school property or property of another that was on school property at the time, the principal shall require the student or the student's parent/guardian to make restitution after a conference on the matter with the student, the student's parent/guardian, and other appropriate individuals. Monetary restitution shall not exceed \$2,500 or the fair market value of the property, whichever is less.

BEHAVIOR INTERVENTIONS AND DEFINITIONS (CONTINUED)

Restorative Approaches	(Classroom-based or specialist-facilitated) Restorative Approaches are used proactively to establish and maintain a positive school climate and establish a structured approach to teaching appropriate social skills. Restorative Approaches employ interventions, responses, and practices designed to identify and address the harm caused by an incident, including harm to a person, and to develop a plan for the student who caused the harm to heal and correct the situation. See MCPS Regulation JGA-RB, <i>Suspension and Expulsion</i> , for more information.
School-based or Community Conferencing	Bringing together students, school staff, and others involved in a conflict to discuss the topic, resolve issues, and propose solutions (e.g., “Daily Rap,” “Morning Meetings”).
School Readmission (Intake) Meeting	A school readmission (intake) meeting is expected to occur with the principal/assistant principal on the day a student is expected to return to school after a disciplinary consequence (suspension). School readmission (intake) meetings can also occur after an extended absence or some other event where a student has missed multiple days of school attendance.
Suspension (Short-term, Out-of-School)	The removal of a student from school for up to, but no more than, 3 school days for disciplinary reasons by the principal, with notice to the parent/guardian.
Suspension (Long-term, Out-of-School)	The removal of a student from school for a time period between 4 and 10 school days for disciplinary reasons by the principal, with notice to the parent/guardian.
Suspension (Overnight)	The removal of a student from school for the remaining part of a school day for disciplinary reasons by the principal, with notice to the parent/guardian. The student is expected to return the next school day. A student readmission meeting, outlining expectations for behavior with the principal/assistant principal and a parent/guardian is expected to occur on the student’s return date to school. Students may not participate in or attend any MCPS related activities or programs during and outside of regular school hours. This includes but not limited to athletic events, clubs, performances, or any other school-related functions.
Suspension (In-school)	The removal within the school building of a student from the student’s current education program for up to, but not more than, 10 school days in a school year for disciplinary reasons by the school principal, with notice to the parent/guardian. Students may not participate in or attend any MCPS related activities or programs during and outside of regular school hours. This includes but not limited to athletic events, clubs, performances, or any other school-related functions.
Suspension (Extended, Out-of-School)	The exclusion of a student from a student’s regular school program for an extended suspension (for a time period between 11 and 44 school days), with notice to the parent/guardian, which may occur only under the following circumstances: The superintendent of schools’ designee, has determined that— a. the student’s return to school prior to the completion of the suspension period would pose an imminent threat of serious harm to other students and staff; or b. the student has engaged in chronic and extreme disruption of the educational process that has created a substantial barrier to learning for other students across the school day, and other available and appropriate behavioral and disciplinary interventions have been exhausted. The superintendent of schools’ designee limits the duration of the exclusion to the shortest period practicable. The school system provides the excluded student with comparable educational services and appropriate behavioral support services to promote a successful return to the student’s regular academic program. Students may not participate in or attend any MCPS related activities or programs during and outside of regular school hours. This includes but not limited to athletic events, clubs, performances, or any other school-related functions.
Temporary Removal from Class	Removing students within the school building from their regular education program for up to, but not more than, one class period.

STUDENT CODE OF CONDUCT AND SPECIAL EDUCATION REQUIREMENTS

Board Regulation JGA-RA, *Suspension and Expulsion of Students with Disabilities*

MANIFESTATION DETERMINATION AND 45-DAY IAES

QUICK GUIDE

Manifestation IEP Team Meetings and Interim Alternative Educational Settings • Systemwide Reference for MCPS Leaders

CODE OF CONDUCT—DISCIPLINARY ACTIONS FOR STUDENTS WITH DISABILITIES (SWD)

Overview: Montgomery County Public Schools maintains high expectations for all students and is committed to ensuring safe, supportive, and equitable learning environments.

Students with Individualized Education Programs (IEPs) are held to **the same Student Code of Conduct expectations and behavioral standards** as all students. However, federal and state law establish additional procedural requirements intended to ensure that disciplinary decisions appropriately consider the relationship between a student’s disability and the conduct in question.

These protections do not excuse behavior; rather, they help ensure that decisions are educationally appropriate, legally compliant, and aligned with student needs.

UNDERSTANDING THE MANIFESTATION DETERMINATION RULE

A **Manifestation Determination Review (MDR)** is required when a disciplinary action results in—

- a removal beyond **10 cumulative school days** that constitutes a change of placement; or
- consideration of certain disciplinary removals permitted under federal and state law.

During this process, the IEP Team reviews available information to determine—

1. Whether the conduct was caused by, or had a direct and substantial relationship to, the student’s disability; or
2. Whether the conduct was the direct result of a failure to implement the student’s IEP.

The team then determines appropriate next steps and supports consistent with IDEA, COMAR, and procedural safeguard requirements.

INTERIM ALTERNATIVE EDUCATIONAL SETTING (IAES)

In limited circumstances, established by federal and state law, an IEP Team may consider placement in an **Interim Alternative Educational Setting (IAES) for up to 45 days**.

An IAES is—

- a temporary educational placement,
- a setting designed to maintain access to educational services and supports,
- a placement that allows continued progress toward IEP goals and participation in instruction, and
- considered only under specific legal circumstances and procedural requirements at the discretion of the principal.

Placement decisions are individualized and based on student needs, available information, and applicable legal requirements.

STUDENT CODE OF CONDUCT AND ALTERNATIVE EDUCATION PROGRAM REQUIREMENTS

In Montgomery County Public Schools (MCPS), Alternative Education Programs are specialized educational programs for middle and high school students whose needs are not being successfully met in a traditional comprehensive school setting. These programs provide additional academic, behavioral, social, and emotional supports beyond what is available in a regular school program.

UNDERSTANDING ALTERNATIVE EDUCATION PROGRAMS

MCPS Alternative Education Programs are part of a continuum of supports for students who may be experiencing:

1. Significant academic difficulties
2. Chronic attendance problems
3. Behavioral challenges
4. Social-emotional or mental health concerns
5. Difficulty succeeding in a comprehensive middle or high school environment

Alternative Education Programs are located at dedicated alternative education sites such as the Blair G. Ewing Center. The goal is to help students stay engaged in school, earn credits, improve behavior and attendance, and ultimately graduate.

HOW DOES A STUDENT QUALIFY FOR AN ALTERNATIVE EDUCATION PROGRAM?

A MCPS student does not apply directly like they would for a magnet or special academic program. Instead, MCPS requires that the student's home school first try a variety of interventions and supports. Schools are expected to use a continuum of instructional and behavioral strategies such as restorative approaches and progressive discipline before referring a student to an Alternative Education Program unless the severity of the behavior warrants an immediate change in an educational setting placement.

Typical factors that may lead to consideration include:

1. Repeated academic failure despite interventions
2. Significant behavioral concerns
3. Social-emotional challenges affecting school success
4. Situations where the regular school environment is no longer meeting the student's needs

CAN PARENTS REQUEST ENROLLMENT IN AN ALTERNATIVE EDUCATION PROGRAM?

Parents can discuss concerns with the student's counselor, administrator, or school support team and ask whether an Alternative Education Program evaluation would be appropriate. However, a parent request alone does not automatically qualify a student. MCPS makes placement decisions through its referral and review process.

IS AN ALTERNATIVE EDUCATION PROGRAM CONSIDERED SPECIAL EDUCATION?

Alternative Programs are separate from special education services. Students with or without an IEP may attend an alternative program if MCPS determines it is the appropriate educational placement. A student with an IEP are expected to be provided educational services as outlined in federal and state laws and Board Regulation JGA-RA, *Suspension and Expulsion of Students with Disabilities*. (Refer to page 31, Student Code of Conduct and Special Education Requirements for additional information.)

DUE PROCESS PROTOCOL

Flow Chart for School-level Investigating

Incident Notification

- School administration is notified of an incident
- Contact DSLI director and cluster security coordinator, as needed

Ensure Safety

- Separate involved students
- Provide medical attention, as needed
- Initiate Hold, Secure, Lockdown, if appropriate

First Things First

- Ensure due process rights per Student Rights and Responsibilities and Supportive Measures Plan

Collect Student Statements

- Collect statements separately from all involved:
 - » Students
 - » Staff
 - » Security
- Use MCPS Form 230-45, *Student Incident Statement Form*

Students being issued discipline **MUST be provided the **OPPORTUNITY** to provide a witness statement**

Objective Approach

- Interview and question witnesses
- Develop a timeline of events
- Follow MCPS search and seizure procedures

Gather Available Evidence

- Video evidence
 - » Security cameras
 - » School bus
 - » Cell phones
- Electronic Devices
 - » MCPS computers
 - » Screenshots

Outcome Determination

- Issuance of discipline per Student Code of Conduct
- Consider Behavioral Threat Assessment Team (BTAT) meeting, when available
- Develop Restorative Approaches Plan

Communication Decisions

- Issues of
 - » Suspension letter
 - » School-community letter*
- Notification of suspension to
 - » Admin team
 - » Pupil Personnel Worker
 - » Attendance Secretary
 - » School Security
 - » Teachers

Record Keeping

- Record and update the incident in Synergy
- Notify Department of Student Conduct and Appeals for 10&E requests

Synergy documentation is an expectation, not a consideration

Planned Next Steps

- Supportive Measures Plan
- Counseling support
- SWBT referrals
- Implement Restorative Approaches Plan
- Re-entry plan
- Intake meeting

BOARD OF EDUCATION POLICIES AND MCPS REGULATIONS REGARDING STUDENT BEHAVIOR INTERVENTION, SAFETY, AND WELL-BEING

Policy ACA, *Nondiscrimination, Equity, and Cultural Proficiency*
Policy ACF, *Sexual Misconduct and Sexual Harassment of Students*
Policy ACI, *Sexual Harassment of Employees*
Policy COA, *Student Well-being and School Safety*
Policy EEA, *Student Transportation*
Policy IGN, *Preventing Alcohol, Cannabis, Tobacco, and Other Drug Abuse in Montgomery County Public Schools*
Policy IGA, *Social Emotional and Mental Health Programming and Services for Students*
Policy JFA, *Student Rights and Responsibilities*
Policy JGA, *Behavior Interventions, Safety and Well-being Plan*
Policy JHF, *Bullying, Harassment, or Intimidation*
Regulation ACA-RA, *Nondiscrimination, Equity, and Cultural Proficiency*
Regulation ACF-RA, *Investigation of Title IX Sexual Harassment of MCPS Students*
Regulation ACG-RB, *Reasonable Accommodations and Modifications for Students Eligible Under Section 504 of the Rehabilitation Act of 1973*
Regulation COA-RA, *Behavior Threat Assessment*
Regulation COC-RA, *Trespassing or Willful Disturbance on MCPS Property*
Regulation COE-RA, *Weapons*
Regulation COF-RA, *Alcohol, Cannabis, Tobacco, and Other Drugs on Montgomery County Public Schools Property*
Regulation COG-RA, *Personal Mobile Devices*
Regulation ECC-RA, *Loss of or Damage to Montgomery County Public Schools Property*
Regulation EEA-RA, *Student Transportation*
Regulation EEB-RA, *Operation of Care of MCPS Buses*
Regulation IGO-RA, *Guidelines for Incidents of Alcohol, Cannabis, Tobacco, and Other Drug Abuse Involving Students*
Regulation IGT-RA, *User Responsibilities for Computer Systems, Electronic Information, and Network Security*
Regulation ILA-RA, *Assessments with Security and Reporting Requirements*
Regulation IOI-RA, *Placement Procedures for Alternative Programs*
Regulation JEA-RA, *Student Attendance*
Regulation JEE-RA, *Student Transfers and Administrative Placements*
Regulation JFA-RA, *Student Rights and Responsibilities*
Regulation JGA-RA, *Student Behavior Interventions*
Regulation JGA-RB, *Suspension and Expulsion*
Regulation JGA-RC, *Suspension and Expulsion of Students with Disabilities*
Regulation JGB-RA, *Search and Seizure*
Regulation JHF-RA, *Student Bullying, Harassment, or Intimidation*
Regulation JHG-RA, *Gangs, Gang Activity, or Other Similar Destructive or Illegal Group Behavior Prevention*
Regulation JNA-RB, *Collection of Student Financial Obligations*
Regulation JPC-RA, *Administration of Medication to Students*

MCPS NONDISCRIMINATION STATEMENT

Montgomery County Public Schools (MCPS) prohibits illegal discrimination based on race, ethnicity, color, ancestry, national origin, nationality, religion, immigration status, sex, gender, gender identity, gender expression, sexual orientation, family structure/parental status, marital status, age, ability (cognitive, social/emotional, and physical), poverty and socioeconomic status, language, or other legally or constitutionally protected attributes or affiliations. Discrimination undermines our community's long-standing efforts to create, foster, and promote equity, inclusion, and acceptance for all. The Board prohibits the use of language and/or the display of images and symbols that promote hate and can be reasonably expected to cause substantial disruption to school or district operations or activities. For more information, please review Montgomery County Board of Education Policy ACA, *Nondiscrimination, Equity, and Cultural Proficiency*. This Policy affirms the Board's belief that each and every student matters, and in particular, that educational outcomes should never be predictable by any individual's actual or perceived personal characteristics. The Policy also recognizes that equity requires proactive steps to identify and redress implicit biases, practices that have an unjustified disparate impact, and structural and institutional barriers that impede equality of educational or employment opportunities. MCPS also provides equal access to the Boy/Girl Scouts and other designated youth groups.*

It is the policy of the state of Maryland that all public and publicly funded schools and school programs operate in compliance with:

- (1) Title VI of the federal *Civil Rights Act of 1964*; and
- (2) Title 26, Subtitle 7 of the Education Article of the Maryland Code, which states that public and publicly funded schools and programs may not
 - (a) discriminate against a current student, a prospective student, or the parent or guardian of a current or prospective student on the basis of race, ethnicity, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, or disability;
 - (b) refuse enrollment of a prospective student, expel a current student, or withhold privileges from a current student, a prospective student, or the parent or guardian of a current or prospective student because of an individual's race, ethnicity, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, or disability; or
 - (c) discipline, invoke a penalty against, or take any other retaliatory action against a student or parent or guardian of a student who files a complaint alleging that the program or school discriminated against the student, regardless of the outcome of the complaint.**

Please note that contact information and federal, state, or local content requirements may change between editions of this document and shall supersede the statements and references contained in this version. Please see the online version for the most up-to-date information at www.montgomeryschoolsmd.org/info/nondiscrimination.

For inquiries or complaints about discrimination against MCPS students***	For inquiries or complaints about discrimination against MCPS staff***
Department of Student Conduct and Appeals Student Welfare and Compliance Team Division of Equity and Organizational Development 850 Hungerford Drive, Suite 200, Rockville, MD 20850 240-740-3215 SWC@mcpsmd.org	Human Resource Compliance Officer Division of Human Resources and Talent Management Department of Compliance and Investigations 15 West Gude Drive, Suite B400, Rockville, MD 20850 240-740-2888 DCI@mcpsmd.org
For student requests for accommodations under Section 504 of the Rehabilitation Act of 1973	For staff requests for accommodations under the Americans with Disabilities Act
Section 504 Coordinator Division of Specialized Support Services, Department of School Counseling 850 Hungerford Drive, Room 170, Rockville, MD 20850 240-987-8031 504@mcpsmd.org	ADA Compliance Coordinator Division of Human Resources and Talent Management Department of Compliance and Investigations 15 West Gude Drive, Suite B400, Rockville, MD 20850 240-740-2888 DCI@mcpsmd.org
For inquiries or complaints about sex discrimination under Title IX, including sexual harassment, against students or staff***	
Department of Student Conduct and Appeals, Title IX Team Division of Equity and Organizational Development 850 Hungerford Drive, Suite 200, Rockville, MD 20850 240-740-3215 TitleIX@mcpsmd.org	

*This notification complies with the federal *Elementary and Secondary Education Act*, as amended.

**This notification complies with the *Code of Maryland Regulations Section 13A.01.07*.

***Discrimination complaints may be filed with other agencies, such as the following: U.S. Equal Employment Opportunity Commission (EEOC), Baltimore Field Office, GH Fallon Federal Building, 31 Hopkins Plaza, Suite 1432, Baltimore, MD 21201, 1-800-669-4000, 1-800-669-6820 (TTY); Maryland Commission on Civil Rights (MCCR), William Donald Schaefer Tower, 6 Saint Paul Street, Suite 900, Baltimore, MD 21202, 410-767-8600, 1-800-637-6247, mccr@maryland.gov; Agency Equity Officer, Office of Equity Assurance and Compliance, Office of the Deputy State Superintendent of Operations, Maryland State Department of Education, 200 West Baltimore Street, Baltimore, MD 21201-2595, oeac.msde@maryland.gov; or U.S. Department of Education, Office for Civil Rights (OCR), 61 Forsyth St. S.W., Suite 19T10, Atlanta, GA 30303, 404-974-9406 and TDD: 800-877-8339, OCR.Atlanta@ed.gov, 1-800-421-3481, 1-800-877-8339 (TDD), OCR@ed.gov, or www2.ed.gov/about/offices/list/ocr/complaintintro.html.

This document is available, upon request, in languages other than English and in an alternate format under the *Americans with Disabilities Act*, by contacting the MCPS Office of Communications at 240-740-2837, 1-800-735-2258 (Maryland Relay), or PIO@mcpsmd.org. Individuals who need sign language interpretation or cued speech transliteration may contact the MCPS Office of Interpreting Services at 240-740-1800, 301-637-2958 (VP) mcpsinterpretingservices@mcpsmd.org, or MCPSInterpretingServices@mcpsmd.org.

