

Parental Notification & Involvement in School Disciplinary Process

WHEREAS, parental involvement is the primary indicator of students' academic success; and

WHEREAS, Fairfax County Public Schools (FCPS) introduces its "Student Responsibilities and Rights" with a letter from the superintendent which states "Fairfax County Public Schools is committed to providing a safe learning environment that stimulates intellectual curiosity, develops positive personal qualities, fosters respect for individual differences, welcomes parental involvement, and emphasizes high expectations for student achievement and behavior;" and

WHEREAS, the current version of the Code of Virginia § 22.1 – 279.3 includes Parental Responsibility and Involvement Requirements: *A. Each parent of a student enrolled in a public school has a duty to assist the school in enforcing the standards of student conduct and compulsory school attendance in order that education may be conducted in an atmosphere free of disruption and threat to persons or property, and supportive of individual rights; and C.These materials[1] shall include a notice to the parents that by signing the statement of receipt, parents shall not be deemed to waive, but to expressly reserve, their rights protected by the constitutions or laws of the United States or the Commonwealth and that a parent shall have the right to express disagreement with a school's or school division's policies or decisions.*

WHEREAS, the Supreme Court of the United States has held that parents have a fundamental right to control the upbringing and education of their children; and

WHEREAS, Virginia Code (§ 22.1-279.6.) requires the Virginia Board of Education to develop guidelines and model policies for student

codes of conduct; these guidelines and policies do not require parent involvement in the development, dissemination or review of the policies by local school boards; and

WHEREAS, FCPS Regulation 2601.24P “Student Responsibilities & Rights” (SR&R) designates school resource officers (members of the Fairfax County Police Department) as school employees, blurring the provision of individual rights during questioning about prohibited student conduct; and

WHEREAS, students are entitled to have a parent(s) present before being questioned by School employees about a potential violation of the law; now, therefore, be it

RESOLVED, the FCCPTA Executive Board requests the Fairfax County School Board modify Regulation 2601.24P to include parent representation in the development, dissemination and periodic review of the FCPS student conduct code, known as the SR & R; and be it further

RESOLVED, the FCCPTA Executive Board requests the Fairfax County School Board modify the SR & R to require that, except in cases of immediate physical danger to staff or students, parents/guardians must be notified immediately before a child is questioned by an administrator or school resource officer for conduct likely to result in a suspension or expulsion, or is removed from the school for disciplinary reasons, or when an action will affect the child’s permanent academic record; and be it further

RESOLVED, the FCCPTA Executive Board supports changes in the FCPS discipline process to prevent students from signing or executing any written statements except in the presence of a parent or guardian; and be it further

RESOLVED, the FCCPTA Executive Board supports changing the title of FCPS Regulation 2601.24P from “Student Responsibilities and

Rights” to “Student Rights and Responsibilities;” and be it further

RESOLVED, the FCCPTA Executive Board supports and seeks legislative action to amend Virginia Code § 22.1-279.6 to require parent involvement in the development, dissemination and/or review of local school boards’ student codes of conduct; and be it further

RESOLVED, the FCCPTA Executive Board strongly encourages the Virginia PTA and its constituent organizations to support and seek legislative and or executive action which requires parent involvement in the development, dissemination and/or review of local school boards’ student codes of conduct.

[1] Notice of requirements of the Virginia Code referenced, the school board’s standards of conduct, and a copy of the compulsory school attendance law.

FCCPTA Executive Board Disposition:

Adopted

Adopted with Amendments

Not Adopted

Date

 X

April 4, 2011