



OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION

NOTICE OF PROPOSED RULEMAKING

(59 *D.C. Register* pp. 10007-10021; Aug. 17, 2012)

The State Superintendent of Education, pursuant to the authority set forth in sections 2, 2a, 3(b), and 7c of the State Education Office Establishment Act of 2000, as amended, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code §§ 38-2601.01, 38-2602(b)(11), (12), (15), 38-2609 (2001 ed. & 2012 Supp.)); sections 4141 and 4155 of the Elementary and Secondary Education Act of 1965, as amended, approved October 20, 1994 (Pub. L. 89-10, 20 U.S.C. §§ 7151, 7165; the Individuals with Disabilities Education Act, as amended, approved April 13, 1970 (Pub. L. 91-230, 84 Stat. 191), and the implementing regulations in Part 300 of Title 34 of the Code of Federal Regulations, specifically 34 C.F.R §§ 300.170, 300.199, 300.201 & 300.209; and section 504 of the Rehabilitation Act of 1973, as amended, approved September 26, 1973 (Pub. L. 93-112, 87 Stat. 394) and the implementing regulations in Part 104 of Title 34 of the Code of Federal Regulations, hereby gives notice of her intent to adopt, in not less than thirty (30) days after the publication of this notice in the *D.C. Register*, a new chapter 25, entitled “Standards for Student Code of Conduct and Discipline,” of subtitle A (Office of the State Superintendent of Education) of title 5 (Education) of the District of Columbia Municipal Regulations (DCMR). This proposed rulemaking takes into consideration public comments received on previous Notices of Proposed Rulemaking published in the *D.C. Register* (DCR) on February 6, 2009 (56 DCR 1301), on November 13, 2009 (56 DCR 8855), and on September 17, 2010 (57 DCR 8423), as well as comments made during a public hearing held before the District of Columbia State Board of Education on January 6, 2010. This notice is being circulated throughout the District for a period until September 14, 2012, providing opportunity to submit written comments and attend public hearings on this proposed rulemaking. Two (2) public hearings have been scheduled on September 11 and 12, 2012, 5:30 p.m. to 7:00 p.m., at OSSE, 3rd Floor-Grand Hall, 810 1st Street, N.E., Washington, D.C. 20002.

The proposed rules address state-wide standards for student conduct policies and procedures at local educational agencies (LEAs) in the District of Columbia. The proposed rules recognize that there must be a balance between individual rights and responsibilities and the rights and responsibilities of the school community. The proposed rules give LEAs flexibility to develop standardized expectations relating to student conduct and disciplinary responses consistent with the state standards and due process requirements. LEAs are encouraged to establish policies and procedures with a broad range of strategies and interventions. The Office of the State Superintendent of Education (OSSE) recognizes the necessity to make available to LEAs ongoing state-level guidance to assist with implementation of this chapter. To that end, OSSE will provide LEAs with technical assistance in the form of training and templates prior to deadlines for implementation of student conduct policies that conform to the requirements of these rules.

Consistent with best practices, the July 31, 2009, policy letter from the U.S. Secretary of



Education to chief state education officers, and the fifteen principles contained in the May 12, 2012, *Restraint and Seclusion: Resource Document* issued by the U.S. Department of Education, these revisions address the appropriate and selective use of, and review of, restraint and emergency separation techniques in schools, as well as provisions to address bullying.

Subtitle A (Office of the State Superintendent of Education) of title 5 (Education) of the District of Columbia Municipal Regulations (DCMR) is amended by adding a new chapter 25 (Standards for Student Code of Conduct and Discipline):

**CHAPTER 25 STANDARDS FOR STUDENT CODE OF
CONDUCT AND DISCIPLINE**

2500 AUTHORITY AND PURPOSE

2500.1 The legal authority for this chapter includes sections 2, 2a, 3(b), and 7c of the State Education Office Establishment Act of 2000, as amended, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code §§ 38-2601, 38-2602(b)(11), (12), (15), 38-2609 (2012 Supp.)); sections 4141 and 4155 of the Elementary and Secondary Education Act of 1965, as amended, approved October 20, 1994 (Pub. L. 89-10, 20 U.S.C. §§ 7151, 7165; the Individuals with Disabilities Education Act, as amended, approved April 13, 1970 (Pub. L. 91-230, 84 Stat. 191), and the implementing regulations in Part 300 of Title 34 of the Code of Federal Regulations, specifically 34 C.F.R §§ 300.170, 300.199, 300.201 & 300.209; and section 504 of the Rehabilitation Act of 1973, as amended, approved September 26, 1973 (Pub. L. 93-112, 87 Stat. 394), and the implementing regulations in Part 104 of Title 34 of the Code of Federal Regulations.

2500.2 The purpose of this chapter is to establish uniform, state-wide standards for the development of policies and procedures governing student conduct and discipline that allow an LEA to develop a broad spectrum of strategies to address student conduct and ensure the health and safety of District students.

2501 APPLICABILITY

2501.1 This chapter applies to all publicly-funded schools in the District of Columbia.

2502 LEA POLICIES AND PROCEDURES

2502.1 Each LEA shall adopt and implement written policies and procedures governing student conduct and discipline, including a school-wide crisis intervention plan, that conform to the standards set forth in this chapter. The policies and procedures shall be implemented by January 31, 2013, or within ninety (90) days of establishment of the LEA, whichever occurs later.

- 2502.2 Each LEA to which rulemaking authority has been granted by statute or Mayoral delegation shall review and amend its rules as necessary to conform to the requirements of this chapter.
- 2502.3 The disciplinary responses to inappropriate student conduct contained in the policies and procedures of the LEA shall be uniform and developmentally appropriate; minimize disruption to a student's instructional program; limit school exclusion for students thirteen (13) and under; and foster the health and safety of all students.
- 2502.4 LEAs shall utilize research-based strategies for effective school-wide, classroom, and individual behavior support to create a safe school climate.
- 2502.5 Each LEA shall post in an accessible format and distribute student conduct and discipline policies and procedures to students and their parents or guardians no later than February 1, 2013, and for all subsequent years by the first (1st) day of each school year.
- 2502.6 Student code of conduct and discipline policies and procedures of the LEA shall include, at a minimum, the following basic elements:
- (a) Statement of purpose and philosophy regarding student conduct that includes the utilization of progressive measures of discipline that is developmentally appropriate;
 - (b) Possible consequences that may be imposed for prohibited conduct;
 - (c) Clear delineation of where and when students' conduct will be covered by the policies and procedures, including conduct that occurs:
 - (1) On school grounds immediately before, during, or after school hours; or at any other time the school is being used for an activity or event;
 - (2) Off school grounds at a school-sponsored activity or event;
 - (3) On school-sponsored transportation to or from school, or a school-sponsored activity, function, or event;
 - (4) On or through official school communications systems (e.g., using a school-issued email address or communicating on a school-sponsored website); and
 - (5) Off-site activity that contributes to a hostile school environment.

- (d) Standards and expectations for student conduct, including specific grounds for developmentally-appropriate disciplinary actions;
- (e) A requirement that all behavioral interventions and identifications of emergencies comply with the LEA's crisis intervention plan and the requirements of this chapter;
- (f) A process for ensuring parental notice and involvement;
- (g) Procedures for reporting and investigating violations of student conduct standards;
- (h) Tiered interventions and strategies to prevent and address prohibited student conduct, which take into consideration a student's developmental level;
- (i) Procedural safeguards, including:
 - (1) A statement that the LEA's procedural safeguards align with the procedural safeguards applicable to students with disabilities under IDEA and Section 504 of the Rehabilitation Act;
 - (2) A requirement that conferences be held prior to the start of a suspension or expulsion, except as provided in § 2503.3;
 - (3) A hearing process for review of disciplinary actions that includes the following elements:
 - (A) Neutral decision maker(s) not directly involved in the original discipline decision;
 - (B) Requirement that the school or LEA will bear the burden of proof;
 - (C) Determination by the LEA about whether rules of evidence will apply;
 - (D) Opportunity for the student to present testimony and documentary evidence and to cross-examine any school witnesses;
 - (E) Opportunity for the student to be represented at the hearing, including by legal counsel;
 - (F) Description of the possible relief for the student; and

- (G) An appeals process that provides for appeals of disciplinary decisions to a neutral hearing officer or panel that can overturn disciplinary decisions based on substantive or procedural violations. The appeals reviewer(s) must be different than the hearing officer(s) and have authority over the school, student, and disciplinary decisions;
- (j) A process for re-entry of students to school upon completion of an off-site suspension or expulsion including a plan for addressing academic and behavioral issues;
- (k) Maintenance of disciplinary records, including without limitation records of notices, proposed discipline actions; results of conferences and discipline actions and appeals; and compliance with District and federal data collection and reporting requirements;
- (l) Public access to the student conduct and discipline policies and procedures through an effective means of communication such as printed copies or electronic links to copies of the policy and procedure on the LEA's website;
- (m) Prohibitions with regard to bullying conduct that shall affirm that the LEA does not tolerate bullying of any kind; and
- (n) Standards for searches of students and their property by school personnel.

2503 SUSPENSION AND EXPULSION

- 2503.1 Use of in-school suspension, off-site suspension, and expulsion shall take into consideration limits on exclusion for behaviors that do not cause serious harm to others and shall comply with clearly-defined procedures established by the LEA.
- 2503.2 Prior to implementation of a suspension or expulsion, same day notice shall be provided to the parent or guardian of a student who has committed conduct warranting suspension or expulsion. Such notice shall include:
 - (a) A description of the misconduct;
 - (b) A description of the proposed disciplinary action, including the duration of the suspension or expulsion;
 - (c) The authority for the proposed disciplinary action;

- (d) An explanation of the student's rights, including the right to request a conference or hearing; and
- (e) A description of the disciplinary process, procedures, and potential consequences.

- 2503.3 Prior to implementation of a suspension or expulsion, the student shall have the right to request a hearing, unless the student's conduct involved violence, a threat of violence, or possession of a weapon, in which case the student may be suspended for a period of not more than two (2) school days prior to the hearing and during the pendency of the hearing, which shall be concluded within three (3) school days of the request.
- 2503.4 During any period of suspension of three (3) days or more (whether in-school or off-site), the school shall develop an education plan for the student that enables the student to maintain academic work and obtain academic credit on pace with work that the student would have completed if the student was not subject to any disciplinary action, and shall continue to provide supplemental educational services that may be required for a homeless student, an English language learner, a student under court supervision, or any other subgroup of students identified by federal law of which the suspended student is a member.
- 2503.5 The LEA shall continue to provide educational services to students with disabilities who are suspended or expelled, as required by the IDEA and Section 504.
- 2503.6 Expulsion of students shall be governed by the following requirements:
- (a) Expulsion shall be the appropriate discipline only for the most serious classifications of misconduct that may result in serious physical injury or are a major disruption to the school environment; and
 - (b) LEAs shall require that the school consider placement of a student in an alternative education program prior to expulsion.
- 2503.7 An LEA may not consider prior incidents of discipline, including suspension and expulsion, in enrollment decisions, except that an LEA may deny enrollment to a student who at the time of enrollment is subject to a mandated, one (1) year expulsion from another public school of the District for possession of weapon in violation of D.C. Official Code § 38-231 (2001).

2504 RESTRAINT

2504.1 The use of prone or supine restraint, mechanical restraint, chemical restraint, or aversive intervention is prohibited under any circumstance.

2504.2 Physical restraint, as a crisis management technique, may only be used in a situation that qualifies as an emergency, as defined by this chapter, and may not be used as a means of discipline, coercion, convenience, or retaliation.

2504.3 Physical restraint, as a crisis management technique, may only be employed by school personnel trained and certified in the appropriate use of specific, authorized restraint techniques and knowledgeable of the requirements of this chapter. Training in the use of restraints must include prevention and de-escalation techniques and must provide alternatives to the use of restraint. The number of seat hours and type of acceptable training must comply with OSSE guidance regarding professionally- accepted practices and standards. Copies of such certifications shall be maintained on file by the school.

2504.4 Instances of physical restraint shall:

- (a) Be implemented in a manner that does not physically injure the student, restrict the student's breathing, or impair the student's ability to communicate, including when a student communicates through sign language, unless a member of the school personnel determines that such freedom appears likely to result in harm to the student or others;
- (b) Be authorized only when other less intrusive, nonphysical interventions have failed or have been deemed by a trained and certified school official to be inappropriate;
- (c) Be limited to the use of reasonable force necessary to protect the student or other person from imminent, serious physical harm;
- (d) Be supervised by trained school personnel who shall:
 - (1) Provide the student with an explanation of the behavior that resulted in the physical restraint and instructions on the behavior required to be released from the restraint;
 - (2) Observe the student during the entire duration of the use of the physical restraint in order to assess the need for continued restraint; and
 - (3) Continuously assess the student to determine if medical attention is required; and

- (e) Conclude as soon as the student or other person is no longer in danger of imminent, serious physical harm.

2504.5 Physical restraint may not be employed as a crisis intervention technique for:

- (a) A student that has a medical or psychological condition contraindicative to restraint, if documented in records available to the LEA or school; or
- (b) A student who has been sexually or physically abused, if documented in records available to the LEA or school.

2504.6 Nothing in this section regarding the use of physical restraints shall be construed as prohibiting a school official from taking appropriate action to defuse a physical student fight or altercation.

2504.7 Each LEA shall maintain written reports for each incident involving physical restraint. A copy of the incident report shall be provided to the parent within twenty-four (24) hours of the incident and placed in the student's permanent file along with other disciplinary records. Each incident report shall include the following:

- (a) The student's name;
- (b) The date of the incident;
- (c) The beginning and end times of the incident, and beginning and end times of the actual physical restraint;
- (d) A description of relevant events leading up to the incident;
- (e) A description of any interventions used prior to the implementation of the physical restraint;
- (f) A log of events that occurred during the physical restraint;
- (g) A description of any injuries (whether to students, personnel or others) or property damage;
- (h) A list and signatures of the school personnel who participated in the implementation, monitoring, and supervision of the physical restraint; and
- (i) A description of the short-term planned approach to addressing the student's behavior in the future.

2504.8 LEAs shall meet with parents within fifteen (15) school days of any incident involving a restraint to discuss concerns regarding student conduct, develop non-physical de-escalation strategies, and consider the need for a new or updated Functional Behavior Analysis (FBA) or Behavior Intervention Plan (BIP). In cases where a student has an existing BIP as part of an IEP or Section 504 Accommodation Plan, the LEA shall convene the student's IEP team or Section 504 services team to review and revise the plan as appropriate. If the student is unable or unwilling to attend the meeting, appropriate school personnel shall meet with the student individually to discuss the incident.

2505 EMERGENCY SEPARATION FROM THE STUDENT POPULATION

2505.1 Separation from the student population, as a crisis management technique, may only be used in a situation that qualifies as an emergency, as defined by this chapter, and may not be used as a means of discipline, coercion, convenience, or retaliation.

2505.2 Separation from the student population, as a crisis management technique, may only be employed by school personnel who are trained and certified in evidence-based crisis management and de-escalation techniques and knowledgeable of the requirements of this chapter. The number of seat hours and type of acceptable training must comply with OSSE guidance regarding professionally-accepted practices and standards. Copies of such certifications shall be maintained on file by the school.

2505.3 Instances of separation from the student population shall:

- (a) Occur in school building areas commonly used for instruction or administration, so long as the areas are free of dangerous objects or conditions;
- (b) Be supervised, at all times, by trained school personnel who shall:
 - (1) Provide the student with an explanation of the behavior that resulted in the separation;
 - (2) Instruct that student on the appropriate behavior required to enable reintegration back into the student population; and
 - (3) Reassess the situation every ten (10) minutes to determine whether the student's conduct has sufficiently de-escalated to allow reintegration into the student population; and

- (c) Conclude immediately upon the determination that neither the student nor any other person is in danger from imminent, serious physical harm.

2505.4 Each LEA shall maintain written reports for each incident involving separation from the student population. A copy of the incident report shall be provided to the parent within twenty-four (24) hours of the incident and placed in the student's permanent file along with other disciplinary records. Each incident report shall include the following:

- (a) The student's name;
- (b) The date of the incident;
- (c) The beginning and end times of the incident, and beginning and end times of the actual separation from the student population;
- (d) A description of relevant events leading up to the incident;
- (e) A description of any interventions used prior to the implementation of the separation from the student population;
- (f) A log of events that occurred during the separation from the student population;
- (g) A description of any injuries (whether to students, personnel or others) or property damage;
- (h) A list and signatures of the school personnel who participated in the implementation, monitoring, and supervision of the separation from the student population; and
- (i) A description of the short-term planned approach to addressing the student's behavior in the future.

2506 REVIEW OF INCIDENTS OF RESTRAINT OR EMERGENCY SEPARATION

2506.1 Each LEA shall establish a team of professionals which shall evaluate all incidents involving the use of restraint or emergency separation from the student population.

2506.2 The team shall include parents and school representatives from various disciplines, including without limitation general education and special education teachers

2506.3 The team review shall occur at least two (2) times during each school year, or more frequently as required, to review incidents.

2506.4 Written reports shall be issued with respect to each review.

- 2506.5 A team review report shall include written recommendations designed for implementation at the LEA or school-wide level to reduce the use of restraints and separation from the student population, such as the implementation or improvement of effective school-wide behavior management strategies that shall give due regard for best practices and appropriate responses to student conduct and training for school staff..

2507 DISCIPLINE OF STUDENTS WITH DISABILITIES

- 2507.1 Each LEA shall ensure compliance with procedures for students with disabilities as defined by Section 504 of the Rehabilitation Act of 1973 and the Individuals with Disabilities Education Act (IDEA), and regulations thereunder, and the utilization of procedural safeguards to prevent disproportionate disciplinary actions against the population of individuals covered by Section 504 or the IDEA, including school removals, placement changes, manifestation determinations, special circumstances, notification, and procedural safeguards.
- 2507.2 Students who have not yet been determined to be eligible for specialized education services and who engage in behavior that violates a code of student conduct may assert any of the protections provided for in this part, if the public agency had a basis of knowledge, as defined by IDEA, that the student was a child with a disability before the behavior that precipitated the disciplinary action occurred. *Knowledge* as used in this subsection shall have the meaning set forth in IDEA regulations at 34 C.F.R. § 300.534(b).

2508 RECORDS RETENTION AND REPORTING

- 2508.1 Each LEA shall maintain a copy of its student conduct and discipline policies and procedures. LEA student code of conduct policies and procedures shall be made available to the Office of the State Superintendent of Education (OSSE) upon request.
- 2508.2 An LEA shall provide to OSSE, upon request and in the format designated by OSSE, all information necessary to comply with this chapter, including student-level and LEA-level data related to disciplinary actions/hearings, restraint/separation, suspensions, and expulsions.
- 2508.3 Each LEA shall ensure that all data and information related to disciplinary actions are maintained and reported in a manner that complies with all laws, regulations, and policies established by the OSSE and the U.S. Department of Education.
- 2508.4 Each LEA shall report to the Metropolitan Police Department any suspected or alleged violent crime involving a student.

2599 DEFINITIONS

2599.1 For the purposes of this chapter, the following terms shall have the meanings ascribed.

Alternative education program – has the same meaning as ascribed in D.C. Official Code § 38-2901(2001).

Aversive Intervention – specific strategies for behavioral-treatment interventions, including but not limited to:

- (a) Noxious, painful, or intrusive stimuli or activities designed to or likely to cause physical pain;
- (b) Any form of noxious, painful, or intrusive spray or inhalant;
- (c) Electric shock or use of a graduated electronic decelerator;
- (d) Pinches and deep muscle squeezes;
- (e) Withholding adequate sleep, shelter, clothing, bedding, or bathroom facilities;
- (f) Slapping, hitting, or punching;
- (g) Deprivation of the use of senses, including sight, hearing, touch, taste, or smell;
- (h) Forcible standing, sitting, squatting, or bending in uncomfortable positions or for extended periods of time, including but not limited to, standing with nose to the wall, standing while holding hands over head, or sitting on hands or knees; and
- (i) Withholding meals, essential nutrition, or hydration, or intentionally altering staple food or drink to make it distasteful.

Behavior Intervention Plan (BIP) – plan based on functional behavior analysis that includes positive strategies, program modifications, and supplementary aids designed to target a student's disruptive behaviors so that they do not reoccur and to develop positive replacement behaviors.

Bullying – any severe, pervasive, or persistent act or conduct directed at a student, whether physical, electronic, or verbal that:

- (a) May be based on a student's actual or perceived race, color, ethnicity, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, intellectual ability, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intrafamily

offense, place of residence or business, or any other distinguishing characteristic, or on a student's association with a person, or group with any person, with one or more of the actual or perceived foregoing characteristics; and

- (b) Shall be reasonably predicted to:
 - (1) Place the student in reasonable fear of physical harm to his or her person or property;
 - (2) Cause a detrimental effect on the student's physical or mental health;
 - (3) Interfere with the student's academic performance; or
 - (4) Interfere with the student's ability to participate in or benefit from the services, activities, or privileges provided by an educational institution or agency.

Chemical Restraint – administration of a medication to an individual to restrict his or her freedom of movement, other than medication administered as ordered by a physician, determined to be medically necessary, and administered in conformance with the student's medical treatment plan.

Crisis Intervention Plan – plan designed to provide emergency psychological care aimed at assisting a student in a crisis situation to restore equilibrium.

Emergency – a temporary and non-recurring circumstance in which intervention is reasonably believed to be necessary to protect a student or other person from imminent, serious physical harm. Property destruction, disruption of school order, or failure of a student to follow the directive of a school official shall not alone constitute imminent, serious physical harm.

Expulsion – denial of the right of a student to attend a school or program for disciplinary purposes, including all classes and school activities, except alternative settings.

Functional Behavior Analysis (FBA) – process of analyzing the “function” of a particular problematic behavior to inform intervention strategies that will assist student's in developing appropriate replacement behaviors. The analysis includes observations of the student across settings and interviews with teachers, parents, and others who work with the student, to document the antecedent (what comes before the behavior), the behavior, and the consequence (what happens after the behavior).

In-school suspension – the temporary removal of a student from his or her regular classroom(s) for disciplinary purposes, but remains under the direct supervision of school personnel, meaning that school personnel are physically present in the same location as the student.

Individuals with Disabilities Education Act, or IDEA – the Individuals with Disabilities Education Act, approved April 13, 1970 (84 Stat. 191; 20 U.S.C. §1400 *et seq.*), as amended by Pub. L. 108-446, approved December 3, 2004 (118 Stat. 2647).

Local educational agency or LEA – the District of Columbia Public School system or any individual or group of public charter schools operated under a single charter in the District of Columbia.

Mechanical Restraint – use of an object or device, such as a harness, flexible handcuff, or tape, to limit an individual’s movement or normal function of a portion of an individual’s body. A protective or stabilizing device ordered by a physician or authorized in a student’s Individualized Education Program (IEP) or required by law, such as a seat belt, shall not be considered mechanical restraint.

Off-site suspension – the temporary removal of a student from his or her regular school for disciplinary purposes.

Physical Restraint – an extreme level of intervention in which an adult uses direct physical contact with a student to prevent or significantly restrict a student’s movement for the sole purpose of preventing serious, imminent physical harm to the student or another person. The term physical restraint does not include prohibited restraint techniques, including mechanical, chemical, prone, or supine restraint. Physical restraint additionally does not include minimal and consensual physical contact for the purpose of guiding a student to a location, teaching or assisting a student with completing a task or learning a skill, or comforting or calming a student.

Prone Restraint – the placement of an individual in a position with his or her front or face downward on a horizontal surface.

Rehabilitation Act of 1973 – an Act approved September 26, 1973 (Pub. L. 93-112; 87 Stat 394; 29 U.S.C. § 794).

School Grounds – LEA-owned or leased building and land adjacent to the school building.

Supine Restraint – the placement of an individual in a position in which the individual is on his or her back, face upward, on a horizontal surface.

Violent crime – any of the following offenses, documented by an official police report, that is designated a “crime of violence” under D.C. Official Code § 22-4501(1) (2001): murder; manslaughter; first degree sexual abuse; second degree sexual abuse; malicious disfigurement of another; abduction; kidnapping; assault with intent to kill, commit first degree sexual abuse, second degree sexual abuse, or child sexual abuse or robbery; assault with a dangerous weapon; assault with intent to commit any offense punishable by imprisonment; and extortion or blackmail accompanied by threats of violence or aggravated assault.

Weapon – weapons as enumerated in D.C. Official Code § 22-4514 (2001); firearms as enumerated in § 921(a)(3) of Title 18 of the U.S. Code; and knives, razors, martial arts devices and other objects or instruments designed to be or commonly used as weapons.

All persons desiring to comment on the subject matter of this proposed rulemaking should file comments in writing not later thirty (30) days after publication in the *D.C. Register* by mail or hand delivery to the Office of the State Superintendent of Education, Attn: Jamai Deuberry re: “Student Code of Conduct”, 810 First Street, NE 9th Floor, Washington, DC 20002 [(202) 727-6436] or by email to Jamai.Deuberry@dc.gov with subject “Attn: Jamai Deuberry, Student Code of Conduct.” Additional copies of this rule are available from the above address and on the Office of the State Superintendent of Education website at www.osse.dc.gov.