

HB1300/383125/1

BY: Delegate Morgan

AMENDMENTS TO HOUSE BILL 1300
(First Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 3, in line 42, after “Maryland;” insert “authorizing a teacher to, in response to certain student behavior, remove the student from the classroom under certain circumstances, document the student’s behavior, and submit the documentation to the principal; requiring a teacher to send a certain student to certain school officials under certain circumstances; authorizing a principal to take certain disciplinary actions under certain circumstances; prohibiting a principal from returning a certain student to a certain classroom under certain circumstances without consent from a certain teacher; requiring a guidance counselor to administer discipline using restorative approaches under certain circumstances; prohibiting a county board of education from disciplining a certain teacher based on a certain action by the teacher; prohibiting a certain student from being considered removed from the classroom for certain reporting requirements;”.

On page 5, in line 29, after “7–202.1;” insert “7–306.1;”.

AMENDMENT NO. 2

On page 162, after line 2, insert:

“7–306.1.

(A) IN THIS SECTION, “RESTORATIVE APPROACHES” HAS THE MEANING STATED IN § 7–306 OF THIS SUBTITLE.

(B) IN RESPONSE TO BEHAVIOR BY A STUDENT THAT DOES NOT CONFORM TO THE BEHAVIORAL GUIDELINES ADOPTED BY THE COUNTY BOARD IN ACCORDANCE WITH § 7–306(D) OF THIS SUBTITLE, A TEACHER MAY:

(Over)

(1) REMOVE A STUDENT FROM THE CLASSROOM IF:

(i) THE STUDENT HAS REPEATEDLY INTERFERED WITH THE TEACHER'S ABILITY TO COMMUNICATE WITH OTHER STUDENTS IN THE CLASSROOM OR WITH OTHER STUDENTS' ABILITY TO LEARN EFFECTIVELY AND THE TEACHER HAS PREVIOUSLY DOCUMENTED THE STUDENT'S CONDUCT; OR

(ii) THE STUDENT EXHIBITS BEHAVIOR THAT IS UNRULY, DISRUPTIVE, OR ABUSIVE AND THE BEHAVIOR SIGNIFICANTLY INTERFERES WITH THE TEACHER'S ABILITY TO COMMUNICATE WITH OTHER STUDENTS IN THE CLASSROOM OR WITH OTHER STUDENTS' ABILITY TO LEARN EFFECTIVELY;

(2) DOCUMENT THE STUDENT'S BEHAVIOR; AND

(3) SUBMIT DOCUMENTATION OF THE BEHAVIOR TO THE PRINCIPAL.

(C) IF A STUDENT IS REMOVED FROM A CLASSROOM IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION, THE TEACHER SHALL SEND THE STUDENT TO:

(1) THE PRINCIPAL; OR

(2) THE GUIDANCE COUNSELOR.

(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IF A STUDENT IS SENT TO THE PRINCIPAL UNDER SUBSECTION (C) OF THIS SECTION, THE PRINCIPAL MAY:

(I) PLACE THE STUDENT INTO ANOTHER CLASSROOM;

(II) PLACE THE STUDENT IN IN-SCHOOL SUSPENSION;

(III) PLACE THE STUDENT INTO AN ALTERNATIVE PROGRAM ESTABLISHED IN ACCORDANCE WITH § 7-304 OF THIS SUBTITLE; OR

(IV) LIMIT OR PROHIBIT THE STUDENT'S ATTENDANCE OR PARTICIPATION IN SCHOOL-SPONSORED OR SCHOOL-RELATED ACTIVITIES.

(2) A PRINCIPAL MAY NOT RETURN THE STUDENT TO THE TEACHER'S CLASS WITHOUT THE CONSENT OF THE TEACHER UNLESS THE PRINCIPAL, GUIDANCE COUNSELOR, AND TEACHER JOINTLY DETERMINE THAT RETURNING THE STUDENT TO THE CLASSROOM IS THE BEST OR ONLY ALTERNATIVE AVAILABLE.

(E) IF A TEACHER SENDS A STUDENT TO THE GUIDANCE COUNSELOR IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION, THE GUIDANCE COUNSELOR SHALL ADMINISTER DISCIPLINE USING RESTORATIVE APPROACHES.

(F) A COUNTY BOARD MAY NOT DISCIPLINE A TEACHER BASED ON DOCUMENTATION SUBMITTED IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION.

(G) A STUDENT WHO IS REMOVED FROM A CLASSROOM IN ACCORDANCE WITH THIS SECTION MAY NOT BE CONSIDERED REMOVED FROM THE CLASSROOM FOR PURPOSES OF A REPORTING REQUIREMENT UNDER § 7-306 OF THIS SUBTITLE.”.