

Department of Legislative Services
Maryland General Assembly
2019 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 578 (Senator Salling)
Education, Health, and Environmental Affairs

Public Schools - Student Discipline - In-School Suspensions

This bill authorizes a public school principal to require (1) a student to serve an in-school suspension for cause and (2) the student's parent or guardian to attend one day of the in-school suspension with the student for a conference with appropriate school personnel. **The bill takes effect July 1, 2019.**

Fiscal Summary

State Effect: None. The bill applies only to local public schools.

Local Effect: None. The bill is authorizing in nature and does not affect local governmental operations or finances.

Small Business Effect: Potential minimal.

Analysis

Current Law:

Suspension and Expulsion in General

In accordance with rules developed by each local school board, a principal may suspend a student for cause for up to 10 school days. The principal must provide the suspended student and the student's parents with a conference during the suspension period and a list of community resources. Upon request by a principal, a local superintendent may suspend a student for more than 10 days or expel a student, subject to investigation, conferencing,

and appeal procedures in statute. A student may not be suspended or expelled only for attendance-related offenses but may be subject to in-school suspension for those offenses.

A student who has been suspended or expelled may not return to the classroom until the principal confers with (1) the teacher(s) who referred the student (if appropriate); (2) other appropriate school personnel; (3) the student; and (4) the student's parent or guardian.

If disruptive behavior results in action less than suspension, the principal or designee must confer with the teacher who referred the student prior to the student returning to the teacher's classroom.

Suspension and Expulsion of Young Children

Chapters 843 and 844 of 2017 prohibit students in public prekindergarten, kindergarten, or first or second grades from being suspended or expelled, except that:

- a student in those grades may be expelled if required by federal law (generally, for bringing a firearm to school); and
- a student in those grades may be suspended for up to five days if the school administration, in consultation with a school psychologist or other mental health professional, determines that there is an imminent threat of serious harm to other students or staff that cannot be reduced or eliminated through interventions and supports.

For students in prekindergarten through grade 2 who are suspended or who commit an act that would otherwise be grounds for suspension, local school systems must provide intervention and support to address the student's behavior. Intervention and support include (1) positive behavior interventions and supports; (2) a behavior intervention plan; (3) a referral to a student support team; (4) a referral to an individualized education program; and (5) a referral for appropriate community-based services. The school system must remedy the effect of a student's behavior through appropriate intervention methods including restorative practices.

Background: During the 2017-2018 school year, 8,139 students (0.9% of total enrollment) were suspended *in school* a total of 12,091 times. In addition, 38,502 students (4.5%) were subject to *out-of-school suspension or expulsion* a total of 63,606 times.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland State Department of Education; Baltimore City Public Schools; Department of Legislative Services

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