

# SENATE BILL 242

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By: **Senators Britt, Conway, Dyson, Kramer, Lenett, Muse, Pugh, and Rosapepe**

Introduced and read first time: January 29, 2007

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 20, 2007

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Education – Multiple ~~Student Suspensions – Services and Actions Required~~**  
3 **Services Pilot Program**

4 FOR the purpose of establishing the Multiple Suspensions Services Pilot Program;  
5 requiring the State Superintendent of Schools to select certain school systems to  
6 participate in the Pilot Program; requiring certain county boards of education to  
7 select a certain school to participate in the Pilot Program based on certain  
8 criteria; requiring certain principals to report certain suspensions of certain  
9 students in writing to certain county superintendents within certain periods of  
10 time; requiring certain principals to refer certain students to certain pupil  
11 services teams and give certain notice to certain students and certain parents or  
12 guardians that certain pupil services teams shall meet within a certain period of  
13 time; requiring certain notice to be provided in certain languages or certain  
14 modes of communication; requiring certain pupil services teams to meet with  
15 certain students and certain parents or guardians to develop certain plans,  
16 determine certain dates and times for certain subsequent meetings, identify  
17 certain resources to be used for certain purposes, and review certain student  
18 records within a certain period of time; requiring certain pupil services teams to  
19 refer to certain community resources lists in developing certain plans; requiring  
20 the State Department of Education to reimburse certain county boards for

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 certain expenses; requiring the Department to submit a certain report on or  
 2 before a certain date; defining a certain term; providing for the termination of  
 3 this Act; and generally relating to ~~student suspensions~~ the Multiple  
 4 Suspensions Services Pilot Program.

5 BY adding to

6 Article – Education  
 7 Section ~~7-305(e-1)~~ 7-305.1  
 8 Annotated Code of Maryland  
 9 (2006 Replacement Volume)

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
 11 MARYLAND, That the Laws of Maryland read as follows:

12 **Article – Education**

13 ~~7-305.~~

14 **7-305.1.**

15 **(A) IN THIS SECTION, “PILOT PROGRAM” MEANS THE MULTIPLE**  
 16 **SUSPENSIONS SERVICES PILOT PROGRAM.**

17 **(B) (1) THERE IS A MULTIPLE SUSPENSIONS SERVICES PILOT**  
 18 **PROGRAM.**

19 **(2) THE PURPOSE OF THE PILOT PROGRAM IS TO STUDY THE**  
 20 **EFFECTIVENESS OF SERVICES AND ACTIONS FOR STUDENTS WHO ARE SUBJECT**  
 21 **TO MULTIPLE SUSPENSIONS IN A SCHOOL YEAR.**

22 **(C) (1) THE STATE SUPERINTENDENT SHALL SELECT TWO PUBLIC**  
 23 **SCHOOL SYSTEMS TO PARTICIPATE IN THE PILOT PROGRAM FOR A PERIOD OF 3**  
 24 **YEARS.**

25 **(2) A COUNTY BOARD SELECTED UNDER PARAGRAPH (1) OF THIS**  
 26 **SUBSECTION SHALL SELECT, FOR PARTICIPATION IN THE PILOT PROGRAM, ONE**  
 27 **SCHOOL THAT HAS A HIGH NUMBER OF STUDENTS WHO HAVE BEEN SUBJECT TO**  
 28 **MULTIPLE SUSPENSIONS.**

29 ~~(C-1)~~ **(D) (1) IF A STUDENT WHO IS ENROLLED IN A SCHOOL THAT**  
 30 **PARTICIPATES IN THE PILOT PROGRAM IS SUBJECT TO MULTIPLE**

1 SUSPENSIONS THAT BRING THE CUMULATIVE NUMBER OF DAYS THAT THE  
2 STUDENT IS ABSENT FROM SCHOOL TO MORE THAN 10 SCHOOL DAYS IN A  
3 SCHOOL YEAR, THE PRINCIPAL IMMEDIATELY SHALL REPORT ANY SUBSEQUENT  
4 SUSPENSIONS IN WRITING TO THE COUNTY SUPERINTENDENT.

5 (2) WITHIN 5 DAYS AFTER A SUSPENSION THAT BRINGS THE  
6 CUMULATIVE NUMBER OF DAYS THAT THE STUDENT IS ABSENT FROM SCHOOL  
7 TO MORE THAN 10 SCHOOL DAYS IN A SCHOOL YEAR THE PRINCIPAL SHALL:

8 (I) REFER THE STUDENT TO THE SCHOOL'S PUPIL  
9 SERVICES TEAM; AND

10 (II) GIVE WRITTEN NOTICE TO THE STUDENT AND THE  
11 PARENT OR GUARDIAN OF THE STUDENT THAT THE SCHOOL'S PUPIL SERVICES  
12 TEAM SHALL MEET.

13 (3) THE NOTICE REQUIRED UNDER PARAGRAPH (2)(II) OF THIS  
14 SUBSECTION SHALL BE PROVIDED IN THE NATIVE LANGUAGE OR OTHER MODE  
15 OF COMMUNICATION OF THE PARENT OR GUARDIAN OF THE STUDENT.

16 (4) WITHIN 10 DAYS AFTER THE REFERRAL TO THE SCHOOL'S  
17 PUPIL SERVICES TEAM, THE PUPIL SERVICES TEAM SHALL MEET WITH THE  
18 STUDENT AND THE PARENT OR GUARDIAN OF THE STUDENT IN ORDER TO:

19 (I) DEVELOP A PLAN TO PREVENT FURTHER SUSPENSIONS;

20 (II) DETERMINE DATES AND TIMES FOR SUBSEQUENT  
21 MEETINGS TO REVIEW AND REVISE THE PLAN AS NECESSARY;

22 (III) IDENTIFY ADDITIONAL RESOURCES THAT MAY BE USED  
23 TO MINIMIZE THE LIKELIHOOD OF ADDITIONAL SUSPENSIONS INCLUDING:

24 1. REFERRAL TO COMMUNITY CONFERENCING OR  
25 MEDIATION, OR BOTH;

26 2. REFERRAL TO COMMUNITY MENTAL HEALTH  
27 SERVICES; AND

28 3. STAFF TRAINING ON POSITIVE BEHAVIOR  
29 INTERVENTIONS AND SUPPORTS; AND

1                   (IV) REVIEW THE STUDENT’S RECORD AND OTHER  
 2 RELEVANT INFORMATION TO DETERMINE WHETHER THE STUDENT MAY HAVE A  
 3 DISABILITY THAT WARRANTS A REFERRAL TO THE SCHOOL-BASED  
 4 INDIVIDUALIZED EDUCATION PROGRAM TEAM.

5                   (5) THE SCHOOL’S PUPIL SERVICES TEAM SHALL REFER TO A  
 6 COMMUNITY RESOURCES LIST PROVIDED BY THE COUNTY BOARD IN  
 7 ACCORDANCE WITH § 7-310 OF THIS SUBTITLE IN DEVELOPING A PLAN UNDER  
 8 PARAGRAPH (4)(I) OF THIS SUBSECTION.

9                   (E) THE DEPARTMENT SHALL REIMBURSE A COUNTY BOARD THAT  
 10 PARTICIPATES IN THE PILOT PROGRAM UNDER THIS SECTION FOR AT LEAST  
 11 HALF OF THE COST OF IMPLEMENTING THE PILOT PROGRAM.

12                   SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December  
 13 31, 2009, the Maryland State Department of Education shall report to the Governor  
 14 and, in accordance with § 2-1246 of the State Government Article, the General  
 15 Assembly regarding the effectiveness of the Multiple Suspensions Services Pilot  
 16 Program.

17                   SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take  
 18 effect ~~October~~ July 1, 2007. It shall remain effective for a period of 3 years and, at the  
 19 end of June 30, 2010, with no further action required by the General Assembly, this  
 20 Act shall be abrogated and of no further force and effect.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.