

HOUSE BILL 139

F1

(8lr1492)

ENROLLED BILL

—Ways and Means/Education, Health, and Environmental Affairs—

Introduced by **Delegates Stukes, Ali, Anderson, Cane, Conaway, Glenn, Harrison, Haynes, McDonough, McIntosh, Morhaim, Nathan-Pulliam, Oaks, Rice, Robinson, Rosenberg, Tarrant, and Walker**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 ~~Education—Multiple Suspensions~~
3 **Task Force to Study Issues Related to Students Subject to Multiple**
4 **Suspensions**

5 FOR the purpose of ~~requiring certain principals to report certain suspensions of~~
6 ~~certain students in writing to certain county superintendents within certain~~
7 ~~periods of time; requiring certain principals to refer certain students to certain~~
8 ~~pupil services teams and give certain notice to certain students and certain~~
9 ~~parents or guardians that certain pupil services teams shall meet within a~~
10 ~~certain period of time; requiring certain notice to be provided in certain~~
11 ~~languages or certain modes of communication; requiring certain pupil services~~
12 ~~teams to meet with certain students and certain parents or guardians to develop~~
13 ~~certain plans, determine certain dates and times for certain subsequent~~

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.

Italics indicate opposite chamber / conference committee amendments.



1 ~~meetings, identify certain resources to be used for certain purposes, and review~~
 2 ~~certain student records within a certain period of time; requiring certain pupil~~
 3 ~~services teams to refer to certain community resources lists in developing~~
 4 ~~certain plans; and generally relating to student suspensions~~ establishing a Task
 5 Force to Study Issues Related to Students Subject to Multiple Suspensions;
 6 establishing the membership of the Task Force; providing for the designation of
 7 the chair of the Task Force; requiring the Task Force to evaluate and make
 8 recommendations regarding certain issues; requiring the Task Force to submit a
 9 certain report to the Governor and the General Assembly by a certain date;
 10 prohibiting a member of the Task Force from receiving certain compensation;
 11 authorizing a member of the Task Force to receive certain reimbursements;
 12 providing for the termination of this Act; and generally relating to the Task
 13 Force to Study Issues Related to Students Subject to Multiple Suspensions.

14 ~~BY adding to~~

15 ~~Article — Education~~

16 ~~Section 7-305(e-1)~~

17 ~~Annotated Code of Maryland~~

18 ~~(2006 Replacement Volume and 2007 Supplement)~~

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

21 ~~Article — Education~~

22 ~~7-305.~~

23 ~~(c-1) (1) IF A STUDENT IS SUBJECT TO MULTIPLE SUSPENSIONS THAT~~
 24 ~~BRING THE CUMULATIVE NUMBER OF DAYS THAT THE STUDENT IS ABSENT~~
 25 ~~FROM SCHOOL TO MORE THAN 10 SCHOOL DAYS IN A SCHOOL YEAR, THE~~
 26 ~~PRINCIPAL IMMEDIATELY SHALL REPORT ANY SUBSEQUENT SUSPENSIONS IN~~
 27 ~~WRITING TO THE COUNTY SUPERINTENDENT.~~

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

31 ~~(i) REFER THE STUDENT TO THE SCHOOL'S PUPIL~~
 32 ~~SERVICES TEAM; AND~~

33 ~~(ii) GIVE WRITTEN NOTICE TO THE STUDENT AND THE~~
 34 ~~PARENT OR GUARDIAN OF THE STUDENT THAT THE SCHOOL'S PUPIL SERVICES~~
 35 ~~TEAM SHALL MEET.~~

1 ~~(3) THE NOTICE REQUIRED UNDER PARAGRAPH (2)(H) OF THIS~~
2 ~~SUBSECTION SHALL BE PROVIDED IN THE NATIVE LANGUAGE OR OTHER MODE~~
3 ~~OF COMMUNICATION OF THE PARENT OR GUARDIAN OF THE STUDENT.~~

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

7 ~~(I) DEVELOP A PLAN TO PREVENT FURTHER SUSPENSIONS;~~

8 ~~(II) DETERMINE DATES AND TIMES FOR SUBSEQUENT~~
9 ~~MEETINGS TO REVIEW AND REVISE THE PLAN AS NECESSARY;~~

10 ~~(III) IDENTIFY ADDITIONAL RESOURCES THAT MAY BE USED~~
11 ~~TO MINIMIZE THE LIKELIHOOD OF ADDITIONAL SUSPENSIONS INCLUDING:~~

12 ~~1. REFERRAL TO COMMUNITY CONFERENCING OR~~
13 ~~MEDIATION, OR BOTH;~~

14 ~~2. REFERRAL TO COMMUNITY MENTAL HEALTH~~
15 ~~SERVICES; AND~~

16 ~~3. STAFF TRAINING ON POSITIVE BEHAVIOR~~
17 ~~INTERVENTIONS AND SUPPORTS; AND~~

18 ~~(IV) REVIEW THE STUDENT'S RECORD AND OTHER~~
19 ~~RELEVANT INFORMATION TO DETERMINE WHETHER THE STUDENT MAY HAVE A~~
20 ~~DISABILITY THAT WARRANTS A REFERRAL TO THE SCHOOL-BASED~~
21 ~~INDIVIDUALIZED EDUCATION PROGRAM TEAM.~~

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

26 (a) There is a Task Force to Study Issues Related to Students Subject to
27 Multiple Suspensions.

28 (b) The Task Force consists of the following members:

29 (1) One member of the Senate of Maryland, appointed by the
30 President of the Senate;

31 (2) One member of the House of Delegates, appointed by the Speaker
32 of the House;

1 (3) The State Superintendent of Schools, or the State Superintendent's
2 designee;

3 (4) The Secretary of Health and Mental Hygiene, or the Secretary's
4 designee;

5 (5) The following members appointed by the Governor:

6 (i) One local school superintendent, as a representative of the
7 Public Schools Superintendents Association of Maryland;

8 (ii) One member of a local board of education, as a
9 representative of the Maryland Association of Boards of Education;

10 (iii) Four directors of student services from local school systems,
11 selected to reflect the geographic diversity of the State;

12 (iv) Three school principals, one each from an elementary school,
13 a middle school, and a high school;

14 (v) A supervisor of school counseling from a local school system;

15 (vi) A supervisor of psychological services from a local school
16 system;

17 (vii) A supervisor of health services from a local school system;

18 (viii) A supervisor of pupil personnel from a local school system;

19 (ix) Two teachers from local school systems, selected to reflect
20 the geographic diversity of the State;

21 (x) ~~Two~~ ~~One~~ parent ~~representatives~~ *representative* of students
22 enrolled in local school systems, selected to reflect the geographic diversity of the
23 State; ~~and~~

24 (xi) ~~Two students~~ *One student who represent* *represents a*
25 statewide ~~organizations~~ *organization* of students enrolled in local school systems;

26 (xii) *One representative of a child advocacy group;*

27 (xiii) *One representative of an organization that represents special*
28 *education students;*

29 (xiv) *One representative from a local law enforcement agency; and*

- 1 (xv) One representative of the juvenile justice system in the State.
- 2 (c) The Governor shall designate the chair of the Task Force.
- 3 (d) The State Department of Education shall provide staff support for the
4 Task Force.
- 5 (e) A member of the Task Force:
- 6 (1) May not receive compensation for serving on the Task Force; but
- 7 (2) Is entitled to reimbursement for expenses under the Standard
8 State Travel Regulations, as provided in the State budget.
- 9 (f) The Task Force shall:
- 10 (1) Study the feasibility of mandating that local school systems
11 throughout the State establish student services teams to provide case management to
12 students who incur one or more suspensions in a school year that result in the
13 student's absence for 10 or more school days;
- 14 (2) Examine the fiscal impact of mandating that local school systems
15 throughout the State establish student services teams to provide case management to
16 students who incur one or more suspensions in a school year that result in the
17 student's absence for 10 or more school days;
- 18 (3) Examine and make findings regarding parent/guardian
19 involvement in matters related to student suspensions from school and recommend
20 ways to enhance parent/guardian roles and responsibilities to curb student
21 suspensions; and
- 22 (4) Make recommendations regarding the practices and processes
23 encompassed in a mandate to establish student services teams to provide case
24 management to students who incur one or more suspensions in a school year that
25 result in the student's absence for 10 or more school days, including:
- 26 (i) Timelines for providing case management;
- 27 (ii) Engagement of parents/guardians; and
- 28 (iii) Case management follow-up and related services.
- 29 (g) On or before January 15, 2009, the Task Force shall report its findings
30 and recommendations to the Governor and, in accordance with § 2-1246 of the State
31 Government Article, the General Assembly.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 2 ~~October~~ June 1, 2008. It shall remain effective for a period of 1 year and, at the end of
 3 May 31, 2009, with no further action required by the General Assembly, this Act shall
 4 be abrogated and of no further force and effect.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.