

HOUSE BILL 139

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HB 639/07 – W&M

8lr1492

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

Introduced and read first time: January 18, 2008

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Multiple Suspensions**

3 FOR the purpose of requiring certain principals to report certain suspensions of
4 certain students in writing to certain county superintendents within certain
5 periods of time; requiring certain principals to refer certain students to certain
6 pupil services teams and give certain notice to certain students and certain
7 parents or guardians that certain pupil services teams shall meet within a
8 certain period of time; requiring certain notice to be provided in certain
9 languages or certain modes of communication; requiring certain pupil services
10 teams to meet with certain students and certain parents or guardians to develop
11 certain plans, determine certain dates and times for certain subsequent
12 meetings, identify certain resources to be used for certain purposes, and review
13 certain student records within a certain period of time; requiring certain pupil
14 services teams to refer to certain community resources lists in developing
15 certain plans; and generally relating to student suspensions.

16 BY adding to

17 Article – Education

18 Section 7–305(c–1)

19 Annotated Code of Maryland

20 (2006 Replacement Volume and 2007 Supplement)

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

23 **Article – Education**

24 7–305.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(C-1) (1) IF A STUDENT IS SUBJECT TO MULTIPLE SUSPENSIONS THAT**
2 **BRING THE CUMULATIVE NUMBER OF DAYS THAT THE STUDENT IS ABSENT**
3 **FROM SCHOOL TO MORE THAN 10 SCHOOL DAYS IN A SCHOOL YEAR, THE**
4 **PRINCIPAL IMMEDIATELY SHALL REPORT ANY SUBSEQUENT SUSPENSIONS IN**
5 **WRITING TO THE COUNTY SUPERINTENDENT.**

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

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

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

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

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

20 **(I) DEVELOP A PLAN TO PREVENT FURTHER SUSPENSIONS;**

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

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

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

27 **2. REFERRAL TO COMMUNITY MENTAL HEALTH**
28 **SERVICES; AND**

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

31 **(IV) REVIEW THE STUDENT'S RECORD AND OTHER**
32 **RELEVANT INFORMATION TO DETERMINE WHETHER THE STUDENT MAY HAVE A**

1 **DISABILITY THAT WARRANTS A REFERRAL TO THE SCHOOL-BASED**
2 **INDIVIDUALIZED EDUCATION PROGRAM TEAM.**

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

7 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
8 **October 1, 2008.**