

HOUSE BILL 139

F1
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

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 19, 2008

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~~
14 ~~meetings, identify certain resources to be used for certain purposes, and review~~
15 ~~certain student records within a certain period of time; requiring certain pupil~~
16 ~~services teams to refer to certain community resources lists in developing~~
17 ~~certain plans; and generally relating to student suspensions~~ establishing a Task
18 Force to Study Issues Related to Students Subject to Multiple Suspensions;
19 establishing the membership of the Task Force; providing for the designation of
20 the chair of the Task Force; requiring the Task Force to evaluate and make
21 recommendations regarding certain issues; requiring the Task Force to submit a
22 certain report to the Governor and the General Assembly by a certain date;
23 prohibiting a member of the Task Force from receiving certain compensation;
24 authorizing a member of the Task Force to receive certain reimbursements;

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 providing for the termination of this Act; and generally relating to the Task
 2 Force to Study Issues Related to Students Subject to Multiple Suspensions.

3 ~~BY adding to~~
 4 ~~Article—Education~~
 5 ~~Section 7-305(c-1)~~
 6 ~~Annotated Code of Maryland~~
 7 ~~(2006 Replacement Volume and 2007 Supplement)~~

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

10 ~~Article—Education~~

11 ~~7-305.~~

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

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

20 ~~(I) REFER THE STUDENT TO THE SCHOOL'S PUPIL~~
 21 ~~SERVICES TEAM; AND~~

22 ~~(II) GIVE WRITTEN NOTICE TO THE STUDENT AND THE~~
 23 ~~PARENT OR GUARDIAN OF THE STUDENT THAT THE SCHOOL'S PUPIL SERVICES~~
 24 ~~TEAM SHALL MEET.~~

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

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

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

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

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

3 ~~1. REFERRAL TO COMMUNITY CONFERENCING OR~~
4 ~~MEDIATION, OR BOTH;~~

5 ~~2. REFERRAL TO COMMUNITY MENTAL HEALTH~~
6 ~~SERVICES; AND~~

7 ~~3. STAFF TRAINING ON POSITIVE BEHAVIOR~~
8 ~~INTERVENTIONS AND SUPPORTS; AND~~

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

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

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

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

20 (1) One member of the Senate of Maryland, appointed by the
21 President of the Senate;

22 (2) One member of the House of Delegates, appointed by the Speaker
23 of the House;

24 (3) The State Superintendent of Schools, or the State Superintendent's
25 designee;

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

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

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

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

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

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

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

6 (vi) A supervisor of psychological services from a local school
7 system;

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

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

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

12 (x) Two parent representatives of students enrolled in local
13 school systems, selected to reflect the geographic diversity of the State; and

14 (xi) Two students who represent statewide organizations of
15 students enrolled in local school systems.

16 (c) The Governor shall designate the chair of the Task Force.

17 (d) The State Department of Education shall provide staff support for the
18 Task Force.

19 (e) A member of the Task Force:

20 (1) May not receive compensation for serving on the Task Force; but

21 (2) Is entitled to reimbursement for expenses under the Standard
22 State Travel Regulations, as provided in the State budget.

23 (f) The Task Force shall:

24 (1) Study the feasibility of mandating that local school systems
25 throughout the State establish student services teams to provide case management to
26 students who incur one or more suspensions in a school year that result in the
27 student's absence for 10 or more school days;

28 (2) Examine the fiscal impact of mandating that local school systems
29 throughout the State establish student services teams to provide case management to
30 students who incur one or more suspensions in a school year that result in the
31 student's absence for 10 or more school days;

1 (3) Examine and make findings regarding parent/guardian
2 involvement in matters related to student suspensions from school and recommend
3 ways to enhance parent/guardian roles and responsibilities to curb student
4 suspensions; and

5 (4) Make recommendations regarding the practices and processes
6 encompassed in a mandate to establish student services teams to provide case
7 management to students who incur one or more suspensions in a school year that
8 result in the student’s absence for 10 or more school days, including:

9 (i) Timelines for providing case management;

10 (ii) Engagement of parents/guardians; and

11 (iii) Case management follow-up and related services.

12 (g) On or before January 15, 2009, the Task Force shall report its findings
13 and recommendations to the Governor and, in accordance with § 2-1246 of the State
14 Government Article, the General Assembly.

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.