

Department of Legislative Services
Maryland General Assembly
2009 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 241 (Senator Pugh, *et al.*)

Education, Health, and Environmental Affairs

Ways and Means

Education - Suspension and Expulsion Procedures - Attendance-Related Offenses

This bill prohibits a student from being suspended or expelled from school solely for attendance-related offences. There is an exception for in-school suspensions.

This bill takes effect July 1, 2009.

Fiscal Summary

State Effect: None. The bill is directed at public schools.

Local Effect: Schools and school systems can comply with the bill's requirements without impacting local school budgets.

Small Business Effect: None.

Analysis

Current Law: Each local board of education must establish special programs for public school students who exhibit disruptive classroom behavior. For cause, a public school principal may suspend a student in the principal's school for up to 10 days. A suspension for longer than 10 days or an expulsion must be made by the local superintendent of schools at the request of a principal, and a student may appeal the suspension or expulsion to the local board of education.

Background: Suspension offenses are classified into eight major categories of suspension in the *Maryland Student Records System Manual, 2008*, with attendance offenses – comprising class cutting, tardiness, and truancy – being one major category.

The total number of suspensions, the number of suspensions for attendance reasons, and the percentage of suspensions for attendance reasons in each local school system during the 2007-2008 school year are shown in **Exhibit 1**. In total, there were 167,822 suspensions; of those, 16,524 were attendance-related suspensions. Statewide 9.8% of suspensions were for attendance-related offenses. The largest number of attendance-related suspensions was recorded in Anne Arundel County (2,221). The highest percentages of attendance-related suspensions were recorded in St. Mary's (23.3%), Allegany (21.8%), Cecil (20.8%), and Calvert (20.6%) county school systems. Prince George's County school system reported no suspensions due to attendance-related offenses.

The Maryland State Department of Education (MSDE) advises that suspension should always be used as an intervention of last resort, and suspending a student who is chronically absent sends an ambiguous message that may not be in the student's best interest. However, according to MSDE, suspensions are sometimes used by administrators to reach parents to discuss a child's continued absences; to build a case for an alternative setting where a student's needs can be met more effectively; or for students older than 16, to require a parent's presence to discuss a possible change in placement to an alternative setting or a GED program if other interventions to engage the student have failed.

Local Effect: Schools and school systems can comply with the bill's requirements without impacting local school budgets. MSDE advises that the required policies and procedures are already in place, and chronically absent students already require extensive time and resources from school personnel.

Exhibit 1
Combined In-school and Out-of-school
Attendance Suspension Incidents and Percentage by County
2007-2008 School Year

<u>County</u>	<u>Total Suspensions</u>	<u>Attendance Suspensions</u>	<u>% Attendance-related Suspensions</u>
Allegany	2,780	607	21.8%
Anne Arundel	14,485	2,221	15.3%
Baltimore City	15,277	408	2.7%
Baltimore	21,046	1,452	6.9%
Calvert	5,348	1,100	20.6%
Caroline	2,877	384	13.3%
Carroll	3,522	532	15.1%
Cecil	8,129	1,687	20.8%
Charles	11,090	1,102	9.9%
Dorchester	2,422	204	8.4%
Frederick	6,569	795	12.1%
Garrett	486	21	4.3%
Harford	8,433	1,027	12.2%
Howard	4,157	298	7.2%
Kent	838	89	10.6%
Montgomery	10,259	787	7.7%
Prince George's	25,446	0	0.0%
Queen Anne's	1,364	143	10.5%
St. Mary's	6,464	1,505	23.3%
Somerset	1,814	147	8.1%
Talbot	786	71	9.0%
Washington	4,046	410	10.1%
Wicomico	8,506	1,357	16.0%
Worcester	<u>1,678</u>	<u>177</u>	<u>10.5%</u>
State	167,822	16,524	9.8%

Source: Maryland State Department of Education

Additional Information

Prior Introductions: None.

Cross File: HB 660 (Delegate Kaiser, *et al.*) - Ways and Means.

Information Source(s): Maryland State Department of Education, Maryland Association of Boards of Education, Department of Legislative Services

Fiscal Note History: First Reader - February 18, 2009
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