

# HOUSE BILL 1398

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4lr3098

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By: **Delegate Afzali**

Introduced and read first time: February 12, 2014

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Frederick County Board of Education – Discipline Regulations**

3 FOR the purpose of authorizing the Frederick County Board of Education to follow or  
4 to disregard certain discipline guidelines established by the State Board of  
5 Education when adopting certain discipline regulations for the schools under  
6 the jurisdiction of the county board; establishing that certain regulations of the  
7 county board shall prevail if there is a conflict between certain State Board  
8 guidelines and regulations and certain county board regulations; and generally  
9 relating to the authority of the Frederick County Board of Education regarding  
10 certain discipline guidelines and regulations.

11 BY repealing and reenacting, with amendments,  
12 Article – Education  
13 Section 7–306  
14 Annotated Code of Maryland  
15 (2008 Replacement Volume and 2013 Supplement)

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

18 **Article – Education**

19 7–306.

20 (a) Notwithstanding any bylaw, rule, or regulation made or approved by the  
21 State Board, a principal, vice principal, or other employee may not administer corporal  
22 punishment to discipline a student in a public school in the State.

23 (b) The State Board of Education shall:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) Establish guidelines that define a State code of discipline for all  
2 public schools with standards of conduct and consequences for violations of the  
3 standards; and

4 (2) Assist each county board with the implementation of the  
5 guidelines.

6 (c) (1) [Subject to the provisions of subsections (a) and (b) of this section,  
7 each] **EACH** county board shall adopt regulations designed to create and maintain  
8 within the schools under its jurisdiction the atmosphere of order and discipline  
9 necessary for effective learning.

10 (2) The regulations adopted by a county board under this subsection:

11 **(I) SHALL BE SUBJECT TO THE PROVISIONS OF**  
12 **SUBSECTION (A) OF THIS SECTION;**

13 **(II) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS**  
14 **SUBSECTION, SHALL BE SUBJECT TO THE PROVISIONS OF SUBSECTION (B) OF**  
15 **THIS SECTION;**

16 **[(i)] (III)** Shall provide for educational and behavioral  
17 interventions, counseling, and student and parent conferencing; and

18 **[(ii)] (IV)** Shall provide alternative programs, which may  
19 include in-school suspension, suspension, expulsion, or other disciplinary measures  
20 that are deemed appropriate.

21 **(3) (I) THE REGULATIONS ADOPTED BY THE FREDERICK**  
22 **COUNTY BOARD OF EDUCATION UNDER THIS SUBSECTION:**

23 **1. MAY FOLLOW THE GUIDELINES ESTABLISHED BY**  
24 **THE STATE BOARD UNDER SUBSECTION (B) OF THIS SECTION IF THE COUNTY**  
25 **BOARD DETERMINES THAT THE GUIDELINES ARE APPROPRIATE FOR THE**  
26 **SCHOOLS UNDER THE JURISDICTION OF THE STATE BOARD; OR**

27 **2. MAY DISREGARD ALL OR A PORTION OF THE**  
28 **GUIDELINES ESTABLISHED BY THE STATE BOARD UNDER SUBSECTION (B) OF**  
29 **THIS SECTION IF THE COUNTY BOARD DETERMINES THAT THE GUIDELINES ARE**  
30 **NOT APPROPRIATE FOR THE SCHOOLS UNDER THE JURISDICTION OF THE**  
31 **STATE BOARD.**

32 **(II) EXCEPT AS REQUIRED UNDER PARAGRAPH (2) OF THIS**  
33 **SUBSECTION, IF THERE IS ANY CONFLICT BETWEEN ANY OTHER PROVISIONS OF**  
34 **THE STATE BOARD GUIDELINES OR REGULATIONS AND THE FREDERICK**

1 COUNTY BOARD OF EDUCATION REGULATIONS ADOPTED UNDER THIS  
2 SUBSECTION, THE REGULATIONS OF THE FREDERICK COUNTY BOARD OF  
3 EDUCATION SHALL PREVAIL.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 July 1, 2014.