By: Delegate Afzali
Introduced and read first time: February 12, 2014
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

AN ACT concerning County Boards of Education – Discipline Regulations

FOR the purpose of authorizing county boards of education to follow or to disregard certain discipline guidelines established by the State Board of Education when adopting certain discipline regulations for the schools under the jurisdiction of the county board; establishing that certain regulations of a county board shall prevail if there is a conflict between certain State Board guidelines and regulations and certain county board regulations; and generally relating to the authority of a county board of education regarding certain discipline guidelines and regulations.

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

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

Article – Education

7–306.

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

(b) The State Board of Education shall:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law.
(1) Establish guidelines that define a State code of discipline for all public schools with standards of conduct and consequences for violations of the standards; and

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

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

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

(i) SHALL BE SUBJECT TO THE PROVISIONS OF SUBSECTION (A) OF THIS SECTION;

(ii) (II) Shall provide for educational and behavioral interventions, counseling, and student and parent conferencing; and

(iii) (III) Shall provide alternative programs, which may include in-school suspension, suspension, expulsion, or other disciplinary measures that are deemed appropriate.

(3) THE REGULATIONS ADOPTED BY A COUNTY BOARD UNDER THIS SUBSECTION:

(i) MAY FOLLOW THE GUIDELINES ESTABLISHED BY THE STATE BOARD UNDER SUBSECTION (B) OF THIS SECTION IF THE COUNTY BOARD DETERMINES THAT THE GUIDELINES ARE APPROPRIATE FOR THE SCHOOLS UNDER ITS JURISDICTION; OR

(ii) MAY DISREGARD ALL OR A PORTION OF THE GUIDELINES ESTABLISHED BY THE STATE BOARD UNDER SUBSECTION (B) OF THIS SECTION IF THE COUNTY BOARD DETERMINES THAT THE GUIDELINES ARE NOT APPROPRIATE FOR THE SCHOOLS UNDER ITS JURISDICTION.

(4) EXCEPT AS REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION, IF THERE IS ANY CONFLICT BETWEEN ANY OTHER PROVISIONS OF THE STATE BOARD GUIDELINES OR REGULATIONS AND THE COUNTY BOARD REGULATIONS ADOPTED UNDER THIS SUBSECTION, THE REGULATIONS OF THE COUNTY BOARD SHALL PREVAIL.

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