

# HOUSE BILL 706

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5lr0444

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By: **Prince George's County Delegation**

Introduced and read first time: February 12, 2015

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Alternatives to Suspension Pilot Program –**  
3 **Establishment**

4 **PG 412–15**

5 FOR the purpose of establishing the Alternatives to Suspension Pilot Program in Prince  
6 George's County and identifying the purpose of the Program; providing for the  
7 duration of the Program; requiring the Prince George's County Board of Education  
8 to select a certain number of high schools in Prince George's County to participate in  
9 the Program; prohibiting certain principals of certain high schools from suspending  
10 a student or recommending a student for expulsion except under certain  
11 circumstances; requiring certain principals of certain high schools to require certain  
12 students to complete community service under certain circumstances; requiring the  
13 county board to partner with certain nonprofit organizations, county agencies, or  
14 county departments to facilitate the Program; requiring the county board to adopt  
15 certain rules and regulations; requiring the county board to make a certain report  
16 on or before certain dates; providing for the termination of this Act; defining a certain  
17 term; and generally relating to the Alternatives to Suspension Pilot Program.

18 BY repealing and reenacting, with amendments,  
19 Article – Education  
20 Section 7–305(a) and (c)  
21 Annotated Code of Maryland  
22 (2014 Replacement Volume and 2014 Supplement)

23 BY adding to  
24 Article – Education  
25 Section 7–305.1  
26 Annotated Code of Maryland  
27 (2014 Replacement Volume and 2014 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Education**

4 7–305.

5 (a) (1) Except as provided in subsection (b) of this section **AND § 7–305.1 OF**  
6 **THIS SUBTITLE**, in accordance with the rules and regulations of the county board, each  
7 principal of a public school may suspend for cause, for not more than 10 school days, any  
8 student in the school who is under the direction of the principal.

9 (2) The student or the student’s parent or guardian promptly shall be given  
10 a conference with the principal and any other appropriate personnel during the suspension  
11 period.

12 (3) The student or the student’s parent or guardian promptly shall be given  
13 a community resources list provided by the county board in accordance with § 7–310 of this  
14 subtitle.

15 (c) **[At] EXCEPT AS PROVIDED IN § 7–305.1 OF THIS SUBTITLE, AT** the  
16 request of a principal, a county superintendent may suspend a student for more than 10  
17 school days or expel the student.

18 **7–305.1.**

19 **(A) IN THIS SECTION, “PROGRAM” MEANS THE ALTERNATIVES TO**  
20 **SUSPENSION PILOT PROGRAM.**

21 **(B) THIS SECTION APPLIES ONLY IN PRINCE GEORGE’S COUNTY.**

22 **(C) THERE IS AN ALTERNATIVES TO SUSPENSION PILOT PROGRAM IN**  
23 **PRINCE GEORGE’S COUNTY.**

24 **(D) THE PURPOSE OF THE PROGRAM IS TO PROVIDE AN ALTERNATIVE**  
25 **DISCIPLINARY OPTION FOR STUDENTS WHO COMMIT A NONVIOLENT OFFENSE OR**  
26 **INFRACTION IN A PRINCE GEORGE’S COUNTY PUBLIC HIGH SCHOOL.**

27 **(E) THE PROGRAM SHALL BE CONDUCTED DURING THE 2015–2016 AND**  
28 **2016–2017 ACADEMIC YEARS.**

29 **(F) THE COUNTY BOARD SHALL SELECT THREE HIGH SCHOOLS TO**  
30 **PARTICIPATE IN THE PROGRAM.**

1           **(G) (1) THE PRINCIPAL OF A HIGH SCHOOL SELECTED TO PARTICIPATE**  
2 **IN THE PROGRAM MAY NOT SUSPEND OR RECOMMEND A STUDENT FOR EXPULSION**  
3 **UNDER § 7-305 OF THIS SUBTITLE UNLESS:**

4                           **(I) THE STUDENT:**

5                           1.    **CARRIED OR POSSESSED A FIREARM, A KNIFE, AN**  
6 **EXPLOSIVE, OR ANY OTHER DEADLY WEAPON;**

7                           2.    **COMMITTED OR ATTEMPTED TO COMMIT ROBBERY,**  
8 **THEFT, OR EXTORTION;**

9                           3.    **KNOWINGLY RECEIVED STOLEN SCHOOL PROPERTY**  
10 **OR PRIVATE PROPERTY;**

11                          4.    **PHYSICALLY HARMED AN INDIVIDUAL OR DAMAGED**  
12 **AN INDIVIDUAL'S PROPERTY; OR**

13                          5.    **COMMITTED A SEXUAL OFFENSE AS DEFINED IN**  
14 **TITLE 3, SUBTITLE 3 OF THE CRIMINAL LAW ARTICLE; AND**

15                           **(II) THE ACT OCCURRED:**

16                          1.    **WHILE ON SCHOOL PROPERTY OR ON A SCHOOL BUS;**

17                          2.    **WHILE AT A SCHOOL-SPONSORED EVENT OR**  
18 **ACTIVITY; OR**

19                          3.    **DURING A LUNCH OR BREAK PERIOD ON OR OFF**  
20 **SCHOOL PROPERTY.**

21           **(2) (I) EXCEPT AS PROVIDED IN PARAGRAPH (1) OF THIS**  
22 **SUBSECTION, A PRINCIPAL SHALL REQUIRE A STUDENT TO PERFORM COMMUNITY**  
23 **SERVICE FOR A PARTICIPATING NONPROFIT ORGANIZATION, COUNTY AGENCY, OR**  
24 **COUNTY DEPARTMENT INSTEAD OF SUSPENDING THE STUDENT.**

25                           **(II) THE NUMBER OF DAYS OF COMMUNITY SERVICE REQUIRED**  
26 **UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL EQUAL THE NUMBER OF**  
27 **DAYS THE STUDENT WOULD HAVE BEEN SUSPENDED.**

28           **(H) THE COUNTY BOARD SHALL PROCURE AND SELECT NONPROFIT**  
29 **ORGANIZATIONS, COUNTY AGENCIES, OR COUNTY DEPARTMENTS TO PARTICIPATE**  
30 **IN THE PROGRAM.**

1           **(I) THE COUNTY BOARD SHALL ADOPT RULES AND REGULATIONS TO**  
2 **IMPLEMENT THE REQUIREMENTS OF THIS SECTION.**

3           **(J) IN 2016 AND 2017, ON OR BEFORE SEPTEMBER 1, THE COUNTY BOARD**  
4 **SHALL REPORT TO THE PRINCE GEORGE'S COUNTY DELEGATION REGARDING THE**  
5 **EFFECTIVENESS OF THE PROGRAM DURING THE PREVIOUS ACADEMIC YEAR,**  
6 **INCLUDING:**

7                   **(1) THE NUMBER OF STUDENTS WHO PARTICIPATED IN THE**  
8 **PROGRAM FROM EACH SELECTED SCHOOL;**

9                   **(2) THE OFFENSE OR INFRACTION EACH STUDENT WHO**  
10 **PARTICIPATED IN THE PROGRAM COMMITTED;**

11                   **(3) FEEDBACK FROM STUDENTS, NONPROFIT ORGANIZATIONS,**  
12 **COUNTY AGENCIES, AND COUNTY DEPARTMENTS WHO PARTICIPATED IN THE**  
13 **PROGRAM ON WAYS TO IMPROVE THE PROGRAM; AND**

14                   **(4) RECOMMENDATIONS TO EXPAND OR DISCONTINUE THE**  
15 **PROGRAM.**

16           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
17 1, 2015. It shall remain effective for a period of 3 years and, at the end of June 30, 2018,  
18 with no further action required by the General Assembly, this Act shall be abrogated and  
19 of no further force and effect.