

HOUSE BILL 1136

F3
HB 706/15 – W&M

6lr0839

By: **Prince George's County Delegation**
Introduced and read first time: February 11, 2016
Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

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

4 **PG 422–16**

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 2015 Supplement)

23 BY adding to
24 Article – Education
25 Section 7–305.1
26 Annotated Code of Maryland
27 (2014 Replacement Volume and 2015 Supplement)

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 2016–2017 AND**
28 **2017–2018 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 2017 AND 2018, 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, 2016. It shall remain effective for a period of 3 years and, at the end of June 30, 2019,
18 with no further action required by the General Assembly, this Act shall be abrogated and
19 of no further force and effect.