
By: Charles County Delegation

Introduced and read first time: January 31, 1996

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education - Suspension of Students - Time Limits**

3 FOR the purpose of altering the number of days for which a student at a public school
4 may be suspended; establishing an appeals procedure; and generally relating to the
5 suspension of students who attend the public schools in the State.

6 BY repealing and reenacting, with amendments,
7 Article - Education
8 Section 7-304(a) through (c)
9 Annotated Code of Maryland
10 (1992 Replacement Volume and 1995 Supplement)

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

13 **Article - Education**

14 7-304.

15 (a) (1) In accordance with the rules and regulations of the county board, each
16 principal of a public school may suspend for cause, for not more than [5] 30 school days,
17 any student in the school who is under the direction of the principal.

18 (2) The student or his parent or guardian promptly shall be given a
19 conference with the principal and any other appropriate personnel during the suspension
20 period.

21 (3) IN ADDITION, THE STUDENT OR THE STUDENT'S PARENT OR
22 GUARDIAN MAY:

23 (I) APPEAL TO THE COUNTY BOARD WITHIN 10 DAYS AFTER THE
24 DETERMINATION;

25 (II) BE HEARD BEFORE THE COUNTY BOARD OR ITS DESIGNATED
26 COMMITTEE; AND

27 (III) BRING COUNSEL AND WITNESSES TO THE HEARING.

28 (4) UNLESS A PUBLIC HEARING IS REQUESTED BY THE PARENT OR
29 GUARDIAN OF THE STUDENT, A HEARING SHALL BE HELD OUT OF THE PRESENCE

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1 OF ALL INDIVIDUALS EXCEPT THOSE WHOSE PRESENCE IS CONSIDERED NECESSARY
2 OR DESIRABLE BY THE BOARD.

3 (5) THE APPEAL TO THE COUNTY BOARD DOES NOT STAY THE
4 DECISION OF THE COUNTY SUPERINTENDENT.

5 (6) THE DECISION OF THE COUNTY BOARD IS FINAL.

6 (b) At the request of a principal, a county superintendent may suspend a student
7 for more than [5] 30 school days or expel him.

8 (c) (1) If a principal finds that a suspension of more than [5] 30 school days or
9 expulsion is warranted, he immediately shall report the matter in writing to the county
10 superintendent.

11 (2) The county superintendent or his designated representative promptly
12 shall make a thorough investigation of the matter.

13 (3) If after the investigation the county superintendent finds that a longer
14 suspension or expulsion is warranted, he or his designated representative promptly shall
15 arrange a conference with the student and his parent or guardian.

16 (4) If after the conference the county superintendent or his designated
17 representative finds that a suspension of more than [10] 30 school days or expulsion is
18 warranted, the student or his parent or guardian may:

19 (i) Appeal to the county board within 10 days after the determination;

20 (ii) Be heard before the county board or its designated committee; and

21 (iii) Bring counsel and witnesses to the hearing.

22 (5) Unless a public hearing is requested by the parent or guardian of the
23 student, a hearing shall be held out of the presence of all individuals except those whose
24 presence is considered necessary or desirable by the board.

25 (6) The appeal to the county board does not stay the decision of the county
26 superintendent.

27 (7) The decision of the county board is final.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 1996.