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**By: Delegates Cadden, Rosenberg, Branch, Klima, Heller, Turner, Perry, Bozman,  
Doory, Love, and Conway**

Introduced and read first time: February 1, 1996

Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **Elementary and Secondary Education - Suspension from School**

3 FOR the purpose of requiring students suspended from school to remain on the school  
4 premises during certain hours; requiring suspended students to complete certain  
5 school assignments; repealing a certain provision of law relating to Prince George's  
6 County; making certain stylistic changes; and generally relating to the requirement  
7 that students suspended from school remain on the school premises during those  
8 hours each school day when the schools the students attend are in session.

9 BY repealing and reenacting, with amendments,  
10 Article - Education  
11 Section 7-304(a), (b), (c), and (d)  
12 Annotated Code of Maryland  
13 (1992 Replacement Volume and 1995 Supplement)

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

16 **Article - Education**

17 7-304.

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

21 (2) The student or [his] THE STUDENT'S parent or guardian promptly shall  
22 be given a conference with the principal and any other appropriate personnel during the  
23 suspension period.

24 (b) At the request of a principal, a county superintendent may suspend a student  
25 for more than 5 school days or expel [him] THE STUDENT.

26 (c) (1) If a principal finds that a suspension of more than 5 schooldays or  
27 expulsion is warranted, [he] THE PRINCIPAL immediately shall report the matter in  
28 writing to the county superintendent.

1 (2) The county superintendent or [his] THE COUNTY SUPERINTENDENT'S  
2 designated representative promptly shall make a thorough investigation of the matter.

3 (3) If after the investigation the county superintendent finds that a longer  
4 suspension or expulsion is warranted, [he] THE COUNTY SUPERINTENDENT or [his]  
5 THE COUNTY SUPERINTENDENT'S designated representative promptly shall arrange a  
6 conference with the student and [his] THE STUDENT'S parent or guardian.

7 (4) If after the conference the county superintendent or [his] THE  
8 COUNTY SUPERINTENDENT'S designated representative finds that a suspension of more  
9 than 10 school days or expulsion is warranted, the student or [his] THE STUDENT'S  
10 parent or guardian may:

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

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

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

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

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

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

20 (d) [(1) This subsection applies to Prince George's County only.

21 (2) Any student expelled or suspended from school shall remain away from  
22 the school premises during those hours each school day when the school the student  
23 attends is in session.

24 (3) The expelled or suspended student may return to the school premises  
25 during the prohibited hours only for attendance at a previously scheduled appointment,  
26 and if the student is a minor then only if accompanied by his parent or guardian.

27 (4) Any person who violates any provision of this subsection is guilty of a  
28 misdemeanor and on conviction is subject to a fine not exceeding \$100 for each  
29 violation.]

30 (1) A STUDENT SUSPENDED FROM SCHOOL UNDER THIS SECTION SHALL  
31 REMAIN ON THE SCHOOL PREMISES DURING THOSE HOURS EACH SCHOOL DAY  
32 WHEN THE SCHOOL THE STUDENT ATTENDS IS IN SESSION.

33 (2) THE STUDENT SHALL BE PLACED IN A CLASSROOM UNDER  
34 SUPERVISION.

35 (3) THE STUDENT SHALL COMPLETE ALL THE STUDENT'S CURRENT  
36 SCHOOL ASSIGNMENTS.

37 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect

38 October 1, 1996.

