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

Introduced and read first time: February 1, 1996

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 22, 1996

CHAPTER _____

1 AN ACT concerning

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

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

10 BY repealing and reenacting, with amendments,
11 Article - Education
12 Section 7-304(a), (b), (c), and (d)
13 Annotated Code of Maryland
14 (1992 Replacement Volume and 1995 Supplement)

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

17 **Article - Education**

18 7-304.

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

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

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

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

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

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

15 (4) If after the conference the county superintendent or [his] THE
16 COUNTY SUPERINTENDENT'S designated representative finds that a suspension of more
17 than 10 school days or expulsion is warranted, the student or [his] THESTUDENT'S
18 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 (d) [(1) This subsection applies to Prince George's County only.

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

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

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

3

1 (1) ~~A~~ AN ELEMENTARY OR MIDDLE SCHOOL STUDENT SUSPENDED
2 FROM SCHOOL UNDER THIS SECTION SHALL REMAIN ON THE SCHOOL PREMISES
3 DURING THOSE HOURS EACH SCHOOL DAY WHEN THE SCHOOL THE STUDENT
4 ATTENDS IS IN SESSION UNLESS THE PRINCIPAL DETERMINES THAT THE STUDENT IS
5 SO DISRUPTIVE THE STUDENT COULD POSE A THREAT TO OTHER STUDENTS AND
6 STAFF IF THE STUDENT REMAINS ON THE SCHOOL PREMISES.

7 (2) THE ELEMENTARY OR MIDDLE SCHOOL STUDENT SHALL BE PLACED
8 ~~IN A CLASSROOM~~ AN INSTRUCTIONAL SETTING UNDER SUPERVISION.

9 (3) THE ELEMENTARY OR MIDDLE SCHOOL STUDENT SHALL COMPLETE
10 ALL THE STUDENT'S CURRENT SCHOOL ASSIGNMENTS.

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