

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE
Revised

Senate Bill 221 (The President, et al.) (Administration)
Economic and Environmental Affairs

Referred to Ways and Means

Education - School Order and Discipline

This amended Administration bill requires each local board of education to establish special programs for disruptive students. Principals are prohibited from returning a suspended or expelled student to a classroom without conferring with the teacher, appropriate school personnel, the student, and the student's parent or guardian. Principals are authorized to suspend a student for up to ten days, instead of five days.

The Maryland State Department of Education (MSDE) is required to submit a summary report on disruptive youth programs to the Governor and General Assembly by December 1 of each year.

Fiscal Summary

State Effect: None. MSDE's FY 1997 State budget allowance includes \$457,500 in grants for disruptive youth programs and \$2 million for school construction funding for schools for disruptive youth. Any additional workload can be handled with existing resources.

Local Effect: Potential significant local government expenditure increase in FY 1997. Indeterminate revenue increase. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: A small business impact statement was not provided by the Administration in time for inclusion in this fiscal note. A revised fiscal note will be issued when the Administration's assessment becomes available.

Fiscal Analysis

Background: During the 1994-95 school year there were 85,276 suspensions involving 51,082 students (some students had multiple suspensions). In addition, there were 22,900 altercations involving school employees and students that resulted in a student's suspension, of which 1,600 were student assaults on teachers and 21,300 were student assaults on other students.

Local Revenues: This bill requires students that damage or destroy school property while committing an illegal offense to make restitution to the local school system. Local revenues could increase to the extent that school systems are successful at recovering expenses from students who damage school property while violating a State or local law.

Local Expenditures:

Alternative School/Program for Disruptive Youth

Schools systems are required to develop or expand alternative instructional programs which could include in-school suspension programs or special schools for disruptive students. Under current law school systems are only authorized to develop such programs. To the extent that local school systems do not already have such programs, local expenditures could increase as discussed below.

Prince George's County Schools advises that providing an in-school suspension program would require an additional teacher and one assistant in each of the county's 26 middle and 20 high schools at a cost of approximately \$3.5 million. Somerset County advises that it would cost a minimum of \$50,000 annually to develop an alternative program at one of its schools. Further, to develop an alternative school for disruptive students could cost around \$10,000 per pupil, which is based on the Glasgow School in Dorchester County which serves around 36 students.

Student Code of Discipline

The State Board of Education is required to establish guidelines that define a State code of discipline for all public schools with standards of conduct and consequences for violations of the standards. The State Board must assist each local board with the implementation of the guidelines. The actual impact on local boards depends on whether the State establishes any reporting requirements as part of the code of discipline. The Department of Fiscal Services advises that such reporting requirements may be needed to ensure that school systems comply with the guidelines.

Student Suspensions

This bill authorizes principals to suspend students for up to ten days. Under current law principals can suspend students for a maximum of five days; however, the local superintendent of schools can extend the suspension period beyond five days. Enabling principals to suspend students up to ten days could result in more parents or guardians requesting a hearing or taking legal action against the school system. However, any impact would depend upon whether the local school superintendent would have suspended the student for more than five days absent this legislation. In addition, a local school superintendent may deny attendance to any student who is currently expelled from another school system in the State for a length of time equal to that expulsion. This provision should have no effect on local finances.

School Employee Taking Preventive Action

Under current law county boards are required to compensate principals, teachers, and school security guards who are injured while intervening in a fight on school grounds. This bill extends compensation to school employees who are injured while taking preventive action or intervening in a disturbance. Accordingly, school expenditures could increase to the extent that the bill's requirement results in additional compensation claims. However, any additional costs could be offset if school systems are successful in recovering expenses from individuals that injure school employees during an altercation.

Information Source(s): Maryland Association of Boards of Education, Maryland State Department of Education, Department of Fiscal Services

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Analysis by: Hiram L. Burch Jr.

Direct Inquiries to:

Reviewed by: John Rohrer

John Rixey, Coordinating Analyst

(410) 841-3710

(301) 858-3710