

Department of Fiscal Services  
Maryland General Assembly

FISCAL NOTE

Senate Bill 195 (Senator Astle)  
Economic and Environmental Affairs

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**Education - Student and Teacher Safety Act**

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This bill requires students arrested for a “reportable offense” to be placed in an alternative school or program for disruptive youth. Local boards of education are required to establish comprehensive programs for disruptive students. Principals are required to notify the local superintendent, local law enforcement agencies, and the student’s parents when a student assaults a teacher or another student.

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**Fiscal Summary**

**State Effect:** None. The Maryland State Department of Education (MSDE) could provide technical assistance to local systems with exiting resources.

**Local Effect:** Potential significant increase in local expenditures. Revenue would not be affected.

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**Fiscal Analysis**

**Local Effect:**

*Alternative School/Program for Disruptive Youth*

Upon notice by the State’s Attorney that a student has been arrested for a “reportable offense”, the local school superintendent must suspend the student from the student’s regularly assigned school and place the student in an alternative school or program for disruptive youth. This would require school systems to develop or expand alternative instructional programs which could include in-school suspension programs or special schools for disruptive students.

Prince George's County Schools advise that providing an in-school suspension program would require an additional Teacher and 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, developing 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. The actual impact to local boards of education would depend upon the number of "reportable offenses" committed by students.

### *Disruptive Youth Plans*

Local boards of education are required to establish comprehensive programs for disruptive students. Each school must establish a committee of parents, students, teachers, and community members to develop plans for dealing with disruptive students. These plans must include: (1) a code of ethics; (2) school standards of behavior; and (3) rules of conduct. This provision can be implemented with existing local resources.

### *School Offense Provisions*

If a public school student assaults a school employee or another student, the principal must notify the local school superintendent, the local law enforcement agency, and the parents of the student(s) involved. Law enforcement agencies are authorized to conduct an investigation into the offense. If a student assaults a teacher and has been disciplined by the principal, the student is prohibited from returning to that teacher's classroom. This could result in significant class scheduling problems, especially in smaller school systems that have limited staffing. In addition, some students may be unable to take certain courses, if no other teacher is available to teach the course.

In addition, the principal can recommend to the local superintendent that the student be placed in an alternative school or program for disruptive youth. MSDE records indicate that there were approximately 22,900 altercations in fiscal 1995 involving school employees and students, of which 1,600 resulted in a student assault on a teacher and 21,300 resulted in a student assault on another student. If all these students were placed in an alternative school for disruptive youth, local expenditures for such programs could reach \$87 million annually. This estimate is based on the additional per pupil cost to operate a school for disruptive youth (\$10,000 per pupil cost for an alternative school - \$6,200 per pupil cost for regular instructional program). Since a large number of students could be sent to alternative schools, local boards could scale down their existing regular instructional programs. Accordingly, local boards would only incur costs in excess of what is currently spent on their regular instructional programs.

### *Notification of School Officials*

Local law enforcement agencies must notify the local superintendent of schools when students are arrested for offenses involving controlled dangerous substances or cruelty to animals. Under current law, such notifications are only required for offenses involving crimes of violence or weapons violations. Such notifications by law enforcement agencies should not affect local finances.

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

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