

**Department of Fiscal Services**  
Maryland General Assembly

**FISCAL NOTE**

Senate Bill 37 (Senator Ferguson)  
Economic and Environmental Affairs

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**Education - Public Schools - Suspension of Students by Teachers**

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This bill permits teachers to suspend students who exhibit violent or disruptive behavior for up to 45 days. The student's suspension can only be reversed by a vote of the principal and a majority of the county board. The teacher may permit the suspended student to return to school before the suspension has ended. The bill provides for certain reporting and hearing procedures.

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**Fiscal Summary**

**State Effect:** None.

**Local Effect:** Local expenditures could increase by a significant amount in FY 1997. Revenues would not be affected.

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**Fiscal Analysis**

**Background:** Under current law student suspensions are handled by the school principal for suspensions of five days or less or the local school superintendent for suspensions over five days. During the 1994-95 school year there were 85,276 suspensions involving 51,082 students (some students had multiple suspensions). During this same period, there were approximately 46,600 teachers and 791,000 students statewide. Student discipline records are not available that list the total number of violent or disruptive offenses committed by students.

**Local Effect:** Enabling teachers to suspend students would significantly increase local expenditures resulting from: (1) additional teacher training; (2) increased suspension appeals and legal proceedings; (3) the need for alternative instructional programs; and (4) decentralization of school discipline policies.

### *Training and Legal Costs*

To ensure that a student's due process rights are not violated and that suspension policies are non-discriminatory, all teachers would need extensive in-service training in school suspension techniques. Wicomico County Schools advises that such training could entail a two-day program at the start of the school year. In addition, due to the decentralization of student suspensions, the types of offenses resulting in suspensions and the length of suspensions could vary by teachers within the same school. Such inconsistencies in student discipline and the possibility of longer suspension periods could result in more parents or guardians requesting a hearing or taking legal action against the school system. Wicomico County currently budgets approximately \$50,000 for student hearings; however, they anticipate that these costs could increase to \$100,000 or \$200,000 annually under this bill.

### *Alternative Instructional Programs*

School systems may also have to develop or expand alternative instructional programs if teachers begin to suspend a large number of students for prolonged periods of time. To meet this need, local boards could establish home instructional programs, in-school suspension programs, or alternative schools for disruptive students. Home instructional programs are currently provided to students with medical problems. Expanding such programs to include suspended students could cost approximately \$1,000 per pupil, which is based on the estimated per pupil cost in Prince George's County. In addition, 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. Finally, 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.

**Additional Comments:** The actual impact to local boards of education would depend upon the current student suspension policy in each school and whether granting teachers such powers would result in more student suspensions. Based on Maryland State Department of Education records, Anne Arundel County had 3,788 student suspensions for classroom disruption or insubordination in the 1994-95 school year, compared to only 76 such reported suspensions in Baltimore City.

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**Information Source(s):** Department of Fiscal Services, Maryland Association of Boards of Education, Maryland State Department of Education, Harford County Public Schools, Wicomico County Public Schools

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Analysis by: Hiram L. Burch Jr.

Reviewed by: John Rixey

(410) 841-3710

(301) 858-3710

Direct Inquiries to:

John Rixey, Coordinating Analyst