Department of Legislative Services
Maryland General Assembly
2002 Session

FISCAL NOTE

House Bill 1028   (Delegate Dembrow)

Ways and Means

Education - Discipline of Students - Suspension and Expulsion

This bill requires a local school superintendent to determine that all reasonable alternative methods of discipline have been exhausted before suspending a student for more than ten days or expelling a student. The bill also allows a student or the parent or guardian of a student to appeal a suspension or expulsion decision made by a local board of education to the State Board of Education.

The bill is effective July 1, 2002.

Fiscal Summary

State Effect: None. The bill codifies current practice regarding appeals to the State Board of Education.

Local Effect: Local school system expenditures could increase significantly, depending on whether the additional use of alternative schools and in-school suspensions would be required.

Small Business Effect: None.

Analysis

Current Law: For cause, a public school principal may suspend any student in the principal's school for up to ten days. A suspended student or the student's parent or guardian must be given a conference with the principal and any other appropriate personnel during the suspension period. At the request of a principal, a local school

superintendent may suspend a student for more than ten school days or may expel a student after an investigation and a conference with the student and the student's parent or guardian. A suspended or expelled student or the student's parent or guardian may appeal the superintendent's decision to the local board of education. In practice, the student or the parent or guardian of the student may appeal a local board's decision to the State Board of Education.

Background: During the 2000-2001 school year, 70,358 students were suspended at least one time. Among these students, 3,847 were suspended for more than 10 days and 2,365 were expelled from school. **Exhibit 1** shows the number of students suspended from each local school system.

Exhibit 1
Number of Students Suspended
2000-2001 School Year

School System	Students Suspended	Students Suspended More Than 10 Days	School System	Students Suspended	Students Suspended More Than 10 Days
Allegany	548	5	Harford	2,814	322
Anne Arundel	6,925	316	Howard	1,983	116
Baltimore City	15,014	644	Kent	314	6
Baltimore	10,575	1,117	Montgomery	4,868	224
Calvert	1,003	1	Prince George's	10,047	828
Caroline	734	0	Queen Anne's	488	19
Carroll	1,248	1	St. Mary's	1,464	3
Cecil	1,936	48	Somerset	547	0
Charles	2,544	64	Talbot	338	4
Dorchester	738	42	Washington	995	59
Frederick	2,637	25	Wicomico	1,836	3
Garrett	225	0	Worcester	537	0

Source: Maryland State Department of Education

State Fiscal Effect: Although not specifically provided in State laws, students and parents currently have the right to appeal expulsion decisions by local boards of education to the State Board of Education. Therefore, the bill codifies current practice and would have no fiscal impact.

Local Fiscal Effect: It is assumed that local school superintendents in most jurisdictions already use every available alternative before resorting to an extended suspension or expulsion. However, if additional measures must be taken by local school systems to

comply with the bill, costs could be significant. Two possible options that could be used more frequently include alternative schools and in-school suspensions. Both of these options have potentially significant costs that would be incurred by local school systems. It is also possible that local school systems would reduce the length of suspensions.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland State Department of Education, Department of Legislative Services

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