

Department of Legislative Services
Maryland General Assembly
2006 Session

FISCAL AND POLICY NOTE

House Bill 144 (Delegate Pugh, *et al.*)
Ways and Means

Education - Student Suspension - In-School Requirement

This bill requires student suspensions from public schools to be served in school. During a suspension, the student must be removed from the classroom but must continue to do assigned schoolwork in a designated school location. A suspension may be served at a special or alternative school.

The bill is effective July 1, 2006.

Fiscal Summary

State Effect: None. The bill impacts local school systems.

Local Effect: Local school expenditures could increase by an estimated \$55.9 million in FY 2007 to implement in-school suspension alternatives in every public school. Future year expenditures for local school systems would reflect salary increases. **This bill imposes a mandate on a unit of local government.**

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 10 days. The 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. While suspended, a student must remain away from school premises during school hours and may not participate in school-sponsored activities.

At the request of a principal, a local school superintendent may suspend a student for more than 10 school days or may expel a student after an investigation and a conference with the student and the student's parent or guardian. A student or the parent or guardian of a student may appeal the superintendent's decision to the local board of education.

Background: The number of suspensions, the number of students suspended, and the percentage of students suspended in each local school system during the 2004-2005 school year are shown in **Exhibit 1**. In total, there were 124,540 suspensions involving 71,029 different students. The largest numbers of suspensions were recorded in Baltimore City and Baltimore and Prince George's counties. Although these school systems had above-average percentages of students suspended, they did not have the highest percentages in the State. Greater percentages of students were suspended from the Somerset (16.7%), Dorchester (15.4%), Charles (13.5%), Kent (13.3%), and Wicomico (13.3%) county school systems. The most common categories of suspensions were disrespect/insubordination/disruption and attacks/threats/fighting.

Chapter 222 of 2004 requires elementary schools with suspension rates in excess of 18% to implement Positive Behavioral Interventions and Supports (PBIS) programs. PBIS is a research-based approach to enhancing the ability of school staff to adopt and sustain the use of positive and effective practices that improve the learning environment. The Maryland State Department of Education (MSDE) has partnered with Sheppard Pratt Health Systems and the University of Oregon researcher who developed PBIS to provide training to teams of educators from schools who want to implement PBIS. Personnel from schools that have had teams attend the training report reductions in office referrals after implementing the program. MSDE has reported that PBIS increases minutes in instruction, makes instructional minutes more effective, and creates a climate that is more calm and conducive to learning.

Exhibit 1
Suspensions by Local School System
2004-2005 School Year

	<u>Suspension</u> <u>Offenses</u>	<u>Students</u> <u>Suspended</u>	<u>Percent of</u> <u>Students</u> <u>Suspended</u>
Allegany	964	596	6.3%
Anne Arundel	13,832	7,246	10.0%
Baltimore City*	16,886	10,108	11.6%
Baltimore	20,331	11,522	11.1%
Calvert	1,862	1,166	6.8%
Caroline	1,370	595	11.5%
Carroll	2,050	1,207	4.2%
Cecil	2,335	1,276	8.0%
Charles	6,074	3,407	13.5%
Dorchester	1,383	701	15.4%
Frederick	5,234	2,498	6.4%
Garrett	264	191	4.2%
Harford	6,059	3,229	8.2%
Howard	3,162	2,028	4.3%
Kent	672	317	13.3%
Montgomery	9,408	6,335	4.6%
Prince George's	20,776	12,759	9.7%
Queen Anne's	884	528	7.2%
St. Mary's	3,007	1,387	8.7%
Somerset	1,020	467	16.7%
Talbot	418	268	6.2%
Washington	1,292	890	4.4%
Wicomico	4,550	1,846	13.3%
Worcester	707	462	7.2%
State	124,540	71,029	8.4%

*Includes suspensions from Edison Schools.

Source: Maryland State Department of Education

Local Expenditures: Local school systems will incur significant costs to implement in-school suspensions in the State's 1,419 public schools. It is assumed that the majority of costs will be associated with hiring additional personnel to monitor students who have been removed from classrooms. Under the assumptions described below, local school expenditures would increase by \$55.9 million in fiscal 2007 to add school personnel.

- One-half of the public schools in the State can implement the alternative in-school disciplinary measures without additional personnel.
- One-half of the schools in the State will require one full-time professionally certificated teacher to oversee students removed from classrooms and to administer in-school suspensions. Assuming an average cost per teacher of \$69,600 (including benefits), local school system expenditures will increase by \$49.3 million.
- One-third of the schools that hire a teacher to oversee and administer in-school suspensions will also require the service of a full-time aide. Assuming an average cost per aide of \$27,600 (including benefits), local school expenditures will increase by \$6.5 million.

Local school systems could incur additional costs to modify existing school space in order to accommodate students in schools but outside of their regular classrooms. These costs cannot be reliably estimated.

Additional Information

Prior Introductions: From 2002 to 2004, four bills to institute two-year moratoriums on suspensions in public elementary schools were introduced. SB 760 of 2004 received an unfavorable report from the Education, Health, and Environmental Affairs Committee. In 2003, SB 663 was withdrawn and the House Committee on Ways and Means took no action on HB 687. HB 629 of 2002 received an unfavorable report from the House Committee on Ways and Means.

Cross File: None.

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

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