

**Department of Legislative Services**  
Maryland General Assembly  
2007 Session

**FISCAL AND POLICY NOTE**  
**Revised**

Senate Bill 132

(Senator Pugh, *et al.*)

Education, Health, and Environmental Affairs

Ways and Means

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**Education - Student Discipline - Review of Local Policies and Procedures**

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This bill requires the Maryland State Department of Education (MSDE) to review the policies and procedures of each local board of education relating to student discipline, student suspension, and student expulsion. The review must include suspension rates, reasons for suspensions, and the efficacy of positive behavioral interventions and support (PBIS) programs. MSDE must submit a report on the review by December 31, 2007.

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**Fiscal Summary**

**State Effect:** MSDE could conduct the required review with existing personnel and resources.

**Local Effect:** Local school systems could cooperate with the MSDE review without impacting local school system budgets.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** Each local board of education must establish special programs for public school students who exhibit disruptive classroom behavior. For cause, a public school principal may suspend a student in the principal's school for up to 10 days. A suspension for longer than 10 days or an expulsion must be made by the local superintendent of schools at the request of a principal, and a student may appeal the suspension or expulsion to the local board of education.

In the 2006-2007 school year, elementary schools in which more than 16% of the students are suspended must implement PBIS programs or alternative behavioral modification programs. The suspension rate that triggers this requirement will be reduced by 2 percentage points per year until it reaches 10% in the 2009-2010 school year.

Each local board of education is required to adopt a document on students' responsibilities and rights that conforms to guidelines established by the State Board of Education. The document must be disseminated periodically to all members of the school community, and there must be broad involvement of representatives of the school community in the review of the document.

**Background:** The number of suspensions, the number of students suspended, and the percentage of students suspended in each local school system during the 2005-2006 school year are shown in **Exhibit 1**. In total, there were 127,002 suspensions involving 72,609 students. The largest numbers of suspensions were recorded in Prince George's (22,548) and Baltimore (20,515) counties. The highest percentages of student suspensions were in the Somerset (18.7%), Kent (16.0%), Dorchester (15.4%), and Wicomico (13.8%) county school systems. The most common reason cited for suspension was disrespect/insubordination/disruption, with 46,712 suspensions reported in this category.

Chapter 222 of 2004 required elementary schools with suspension rates in excess of 18% to implement PBIS programs. PBIS is a research-based approach to enhancing the ability of school staff to use positive and effective practices that improve the learning environment. Chapter 500 of 2006 phases in a reduction in the elementary school suspension rate needed to trigger the implementation of PBIS. By the 2009-2010 school year, a school with a suspension rate in excess of 10% will have to implement PBIS or an alternative behavior modification program.

Chapter 426 of 2006 established a Task Force on School Safety that is required to evaluate and make recommendations regarding the use of suspension and expulsion and the impact of students who exhibit chronic patterns of misbehavior. The task force is scheduled to submit a final report by December 1, 2007.

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**Exhibit 1**  
**Suspensions by Local School System**  
**2005-2006 School Year**

<u>County</u>	<u>Suspension Offenses</u>	<u>Students Suspended</u>	<u>% of Students Suspended</u>
Allegany	927	595	6.4%
Anne Arundel	13,291	7,181	9.9%
Baltimore City*	15,575	9,595	11.4%
Baltimore	20,515	11,789	11.4%
Calvert	1,912	1,196	7.0%
Caroline	1,122	557	10.5%
Carroll	2,490	1,421	5.0%
Cecil	4,647	2,117	13.2%
Charles	5,865	3,401	13.3%
Dorchester	1,292	685	15.4%
Frederick	5,731	2,757	7.1%
Garrett	284	201	4.4%
Harford	5,757	3,114	7.9%
Howard	3,009	1,904	4.0%
Kent	685	369	16.0%
Montgomery	9,245	6,403	4.7%
Prince George's	22,548	13,585	10.6%
Queen Anne's	788	507	6.8%
St. Mary's	2,583	1,285	8.1%
Somerset	1,217	516	18.7%
Talbot	583	327	7.6%
Washington	1,089	818	3.9%
Wicomico	5,370	1,938	13.8%
Worcester	<u>477</u>	<u>348</u>	<u>5.4%</u>
<b>State</b>	<b>127,002</b>	<b>72,609</b>	<b>8.7%</b>

\*Includes suspensions from Edison Schools.  
Source: Maryland State Department of Education

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## Additional Information

**Prior Introductions:** None.

**Cross File:** None.

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

**Fiscal Note History:** First Reader - February 19, 2007  
mll/rhh Revised - Senate Third Reader - March 27, 2007

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