

Department of Legislative Services
Maryland General Assembly
2007 Session

FISCAL AND POLICY NOTE

Senate Bill 133 (Senator Pugh, *et al.*)
Education, Health, and Environmental Affairs

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 and under the supervision of a school official or teacher. A suspension may be served at a special or alternative educational environment.

The bill is effective July 1, 2007.

Fiscal Summary

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

Local Effect: Local school expenditures could increase by an estimated \$58.2 million in FY 2008 to implement in-school suspension alternatives in every public school. Future year expenditures for local school systems would reflect salary increases and could include expenditures to reconfigure or add space in schools for in-school suspensions. **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.

The federal Gun-free Schools Act requires states receiving federal funds under the Elementary and Secondary Education Act to expel any student who brings a firearm to school for at least one year.

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 and Baltimore 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 categories of suspensions were disrespect/insubordination/disruption (36.8%) and attacks/threats/fighting (29.7%); weapons-related offenses accounted for 2.3% of suspensions.

Chapter 222 of 2004 required 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 use 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. Chapter 500 of 2006 phases in a reduction in the 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 the program.

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

	<u>Suspension Offenses</u>	<u>Students Suspended</u>	<u>Percent 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	477	348	5.4%
State	127,002	72,609	8.7%

*Includes suspensions from Edison Schools.

Source: Maryland State Department of Education

Local Expenditures: Local school systems would incur significant costs to implement in-school suspensions in the State's 1,429 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, total local school expenditures would increase by \$58.2 million in fiscal 2008 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 certified teacher to oversee students removed from classrooms and to administer in-school suspensions. Assuming an average cost per teacher of \$72,300, local school system expenditures will increase by \$51.6 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 \$6.6 million.

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

Additional Information

Prior Introductions: HB 144 of 2006, a nearly identical bill, received an unfavorable report from the House Ways and Means Committee.

Cross File: None.

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

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