

Department of Legislative Services
Maryland General Assembly
2007 Session

FISCAL AND POLICY NOTE

House Bill 639
Ways and Means

(Delegate Stukes, *et al.*)

Education - Multiple Student Suspensions - Services and Actions Required

This bill requires that a student who is subject to multiple suspensions totaling more than 10 school days in a school year be referred to the pupil services team in the student's school. In addition, a principal must notify the local superintendent of schools in writing if a student who has been suspended more than 10 days is subsequently suspended again.

Fiscal Summary

State Effect: Any additional administrative responsibilities for the Maryland State Department of Education could be absorbed within its existing budget.

Local Effect: Local school expenditures could increase by an estimated \$6.5 million to \$13.0 million in fiscal 2008 to add pupil personnel and social workers to handle added referrals. Future year expenditures would reflect inflation and any changes in suspension patterns. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Bill Summary: Within five days after a suspension that brings the cumulative number of days a student is absent from school to more than 10 days in a school year, the principal of the school must refer the student to the school's pupil services team and provide written notice to the student and the student's parent or guardian that the team will be meeting. Written notice must be provided in the native language of the student's parent or guardian.

Within 10 days after referral to the pupil services team, the team must meet with the student and the student's parent or guardian to develop a plan to prevent further suspensions; identify resources to minimize additional suspensions; and review the student's record and other relevant information to determine whether the student may have a disability that warrants referral to an individualized education program team. The group must also determine dates and times for subsequent meetings when the plan can be reviewed and revised as needed.

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 has to 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: In the 2005-2006 school year, more than 72,600 students were suspended a total of 127,000 times. Approximately 26,900 students, or 37% of all suspended students, were suspended multiple times. **Exhibit 1** shows the number of suspensions served by students who had multiple suspensions.

Exhibit 1
Number of Suspensions Served by Students with Multiple Suspensions
2005-2006 School Year

Times Suspended	Students	Percent of Multiple Suspendees
2	13,922	51.7%
3	6,302	23.4%
4	3,218	11.9%
5	1,601	5.9%
6 or more	<u>1,889</u>	<u>7.0%</u>
Total	26,932	100.0%

Source: Maryland State Department of Education

The most common categories of suspensions were disrespect/insubordination/disruption, which accounted for 36.8% of suspensions in the 2005-2006 school year, and attacks/threats/fighting, which accounted for 29.7% of suspensions that year.

The Maryland State Department of Education (MSDE) notes that, depending on the school system, pupil services teams may consist of a school administrator, a teacher, a health service professional, a pupil personnel worker, a school counselor, a social worker, a school psychologist, and/or a special educator.

Currently, a student who is suspended for more than 10 days in a single suspension must meet with the local superintendent of schools or the superintendent's representative, and the student must at least be given a community resources list that can be used to obtain further services. MSDE reports that there were 4,414 students in the 2005-2006 school year who were suspended for more than 10 days or expelled from school. Not including those students for whom any one suspension exceeded 10 days, MSDE reports that 6,672 students in the 2004-2005 school year and 6,927 students in the 2005-2006 school year had multiple suspensions that added to more than 10 days.

Local Expenditures: Based on data from MSDE, it is estimated that the bill would result in approximately 6,800 additional required referrals to pupil services teams annually. It is assumed that local school systems would need additional personnel, mostly pupil personnel workers and social workers, to handle the added referrals. The additional staff that any one school system would need depends on the number of added referrals in the system, the services currently provided in the system, the types of school staff included on pupil services teams, and any caseload limits currently placed on pupil personnel and social workers.

Assuming an increase of one pupil personnel/social worker for every 50 to 100 added referrals, local school systems would need to hire another 68 to 136 employees in fiscal 2008 to meet the added demand. Estimating 4% annual growth in the fiscal 2006 average salary for the workers (\$71,853) and fringe benefits at 23% of salary, the additional fiscal 2008 cost would be in the range of approximately \$6.5 million to \$13.0 million. The added expenses would continue in future years and would reflect salary increases and any changes to suspension patterns.

Additional Information

Prior Introductions: None.

Cross File: SB 242 (Senator Britt, *et al.*) – Education, Health, and Environmental Affairs.

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

Fiscal Note History: First Reader - February 20, 2007
nas/rhh

Analysis by: Mark W. Collins

Direct Inquiries to:
(410) 946-5510
(301) 970-5510