

HOUSE BILL 950

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9lr2546

By: **Delegates Washington, Charkoudian, W. Fisher, Hill, and Wilkins**

Introduced and read first time: February 8, 2019

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **State Department of Education – School Discipline – Data Collection**

3 FOR the purpose of requiring the State Department of Education to disaggregate certain
4 discipline–related data in an electronic spreadsheet format for the Maryland Report
5 Card; requiring the Department to provide certain discipline–related data to the
6 public in an accessible electronic spreadsheet format; requiring the Department to
7 lower a risk ratio used to identify a school as high suspending; requiring the
8 Department to report disproportionality data for high–suspending schools; requiring
9 the Department to include certain schools and programs in a calculation of
10 disproportionality data; defining a certain term; and generally relating to the
11 collection of discipline–related data by the State Department of Education.

12 BY repealing and reenacting, with amendments,
13 Article – Education
14 Section 7–306
15 Annotated Code of Maryland
16 (2018 Replacement Volume and 2018 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
18 That the Laws of Maryland read as follows:

19 **Article – Education**

20 7–306.

21 (a) Notwithstanding any bylaw, rule, or regulation made or approved by the State
22 Board, a principal, vice principal, or other employee may not administer corporal
23 punishment to discipline a student in a public school in the State.

24 (b) The State Board shall:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) Establish guidelines that define a State code of discipline for all public
2 schools with standards of conduct and consequences for violations of the standards; and

3 (2) Assist each county board with the implementation of the guidelines.

4 (c) (1) Subject to the provisions of subsections (a) and (b) of this section, each
5 county board shall adopt regulations designed to create and maintain within the schools
6 under its jurisdiction the atmosphere of order and discipline necessary for effective
7 learning.

8 (2) The regulations adopted by a county board under this subsection:

9 (i) Shall provide for educational and behavioral interventions,
10 counseling, and student and parent conferencing; and

11 (ii) Shall provide alternative programs, which may include in-school
12 suspension, suspension, expulsion, or other disciplinary measures that are deemed
13 appropriate.

14 (d) (1) The Department shall disaggregate the information in any student
15 discipline data report prepared by the Department by race, ethnicity, gender, disability
16 status, eligibility for free or reduced price meals or an equivalent measure of socioeconomic
17 status, and English language proficiency for:

18 (i) The State;

19 (ii) Each local school system; and

20 (iii) Each public school.

21 (2) Special education-related data in any report prepared under paragraph
22 (1) of this subsection shall be disaggregated by race, ethnicity, and gender.

23 **(E) (1) THE DEPARTMENT SHALL REPORT ALL DISCIPLINE-RELATED**
24 **DATA IN AN ELECTRONIC SPREADSHEET FORMAT ON THE MARYLAND REPORT**
25 **CARD AT THE STATE LEVEL, LOCAL SCHOOL SYSTEM LEVEL, AND SCHOOL LEVEL.**

26 **(2) FOR ALL DATA REPORTED UNDER PARAGRAPH (1) OF THIS**
27 **SUBSECTION, THE DEPARTMENT SHALL MAKE PUBLIC, IN AN ACCESSIBLE AND**
28 **DISAGGREGATED ELECTRONIC SPREADSHEET FORMAT, DATA RELATED TO ANY**
29 **DISPROPORTIONAL DISCIPLINARY PRACTICES OF:**

30 **(I) A LOCAL SCHOOL SYSTEM; OR**

31 **(II) A PUBLIC SCHOOL.**

1 **(F) (1) IN THIS SUBSECTION, “HIGH SUSPENDING” INCLUDES THE**
2 **FOLLOWING SCHOOLS THAT SUSPEND STUDENTS IN EACH SUBGROUP**
3 **DISAGGREGATED BY RACE, ETHNICITY, DISABILITY STATUS, AND ENGLISH**
4 **LANGUAGE PROFICIENCY:**

5 **(I) AN ELEMENTARY SCHOOL THAT SUSPENDS 10% OR MORE**
6 **OF ITS STUDENTS IN EACH SUBGROUP; AND**

7 **(II) A SECONDARY SCHOOL THAT SUSPENDS 25% OR MORE OF**
8 **ITS STUDENTS IN EACH SUBGROUP.**

9 **(2) THE DEPARTMENT SHALL LOWER THE RISK RATIO USED FOR**
10 **IDENTIFYING A SCHOOL AS HIGH SUSPENDING FROM 3.0 TO 2.0.**

11 **(3) THE DEPARTMENT SHALL:**

12 **(I) REPORT THE DISPROPORTIONALITY DATA FOR ANY**
13 **SCHOOL IDENTIFIED AS HIGH SUSPENDING; AND**

14 **(II) INCLUDE ALTERNATIVE SCHOOLS AND PROGRAMS, PUBLIC**
15 **SEPARATE DAY SCHOOLS, AND THE JUVENILE SERVICES EDUCATION SYSTEM IN**
16 **ANY CALCULATION OF DISPROPORTIONALITY DATA UNDER THIS PARAGRAPH.**

17 **[(e)] (G) (1) In this subsection, “alternative school discipline practice” means**
18 **a discipline practice used in a public school that is not an in–school suspension or an**
19 **out–of–school suspension.**

20 **(2) The Department shall collect data on alternative school discipline**
21 **practices in public schools for each local school system, including:**

22 **(i) The types of alternative school discipline practices that are used**
23 **in a local school system; and**

24 **(ii) The type of misconduct for which an alternative discipline**
25 **practice is used.**

26 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July**
27 **1, 2019.**