

Article - Education

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§7-305.1.

- (a) (1) In this section the following words have the meanings indicated.
- (2) “Public prekindergarten program” means:
 - (i) Any publicly funded prekindergarten program established under § 7-101.1 of this title; or
 - (ii) Any qualified vendor of prekindergarten services as defined in § 7-101.2(a)(7) of this title.
- (3) “Restorative practices” means practices conducted in a whole-school ethos or culture that supports peacemaking and solves conflict by building a community and addressing harm in a school setting and that:
 - (i) Are conducted by trained staff;
 - (ii) Focus on repairing the harm to the community through dialogue that emphasizes individual accountability; and
 - (iii) Help build a sense of belonging, safety, and social responsibility in the school community.
- (b) (1) Except as provided in paragraph (2) of this subsection, a student enrolled in a public prekindergarten program, kindergarten, first grade, or second grade may not be suspended or expelled from school.
- (2) A student described under paragraph (1) of this subsection may only be:
 - (i) Expelled from school if required by federal law; or
 - (ii) Suspended for not more than 5 school days if the school administration, in consultation with a school psychologist or other mental health professional, determines that there is an imminent threat of serious harm to other students or staff that cannot be reduced or eliminated through interventions and supports.

(3) The principal or school administration shall promptly contact the parent or guardian of a student suspended or expelled under paragraph (2) of this subsection.

(c) (1) The school shall provide intervention and support to address the student's behavior if the student is:

- (i) Suspended under subsection (b) of this section; or
- (ii) Enrolled in prekindergarten, kindergarten, first grade, or second grade and:
 - 1. Is disruptive to the school environment; or
 - 2. Commits an act that would be considered an offense subject to suspension but for the student's grade.

(2) Intervention and support provided under paragraph (1) of this subsection includes:

- (i) Positive behavior interventions and supports;
 - (ii) A behavior intervention plan;
 - (iii) A referral to a student support team;
 - (iv) A referral to an individualized education program team;
- and
- (v) A referral for appropriate community-based services.

(d) The school system shall remedy the impact of a student's behavior through appropriate intervention methods that may include restorative practices.

(e) On or before May 1, 2018, the Department shall adopt regulations to carry out the requirements of this section.

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