

HOUSE BILL 488

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5r1952
CF 5r1953

By: **Delegates Kaufman, Bagnall, Cardin, Feldmark, A. Johnson, Lehman, Pena–Melnyk, Phillips, Pruski, Shetty, Simmons, Solomon, Spiegel, and Wims**

Introduced and read first time: January 20, 2025

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Public Schools – Discipline–Related Data – Collection and Publication**

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 Department’s
5 website, make the data available to the public, and report certain discipline–related
6 information each year; requiring the Department to maintain a certain risk ratio and
7 State comparison threshold used to identify a school’s disproportional disciplinary
8 practices and report disproportionality data for high–suspending schools; and
9 generally relating to school discipline–related data collection and publication.

10 BY repealing and reenacting, with amendments,

11 Article – Education

12 Section 7–306

13 Annotated Code of Maryland

14 (2022 Replacement Volume and 2024 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

16 That the Laws of Maryland read as follows:

17 **Article – Education**

18 7–306.

19 (a) (1) In this section, “restorative [approaches”] **PRACTICES”** means a
20 **COMMUNALLY AND CULTURALLY RESPONSIVE**, relationship–focused student discipline
21 model that:

22 (i) Is preventive and proactive;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) Emphasizes building strong relationships and setting clear
2 behavioral expectations that contribute to the well-being of the school community;

3 (iii) In response to behavior that violates the clear behavioral
4 expectations that contribute to the well-being of the school community, focuses on
5 accountability for any harm done by the problem behavior; and

6 (iv) Addresses ways to repair the relationships affected by the
7 problem behavior with the voluntary participation of an individual who was harmed.

8 (2) “Restorative [approaches] **PRACTICES**” may include:

9 (i) Conflict resolution;

10 (ii) Mediation;

11 (iii) Peer mediation;

12 (iv) Circle processes;

13 (v) Restorative conferences;

14 (vi) Social emotional learning;

15 (vii) Trauma-informed care;

16 (viii) Positive behavioral intervention supports; and

17 (ix) **[Rehabilitation] PERSONAL ACCOUNTABILITY.**

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

21 (c) The State Board shall:

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

24 (2) On request, provide technical assistance and training to county boards
25 regarding the use of restorative **[approaches] PRACTICES**; and

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

27 (d) (1) Subject to the provisions of subsections (b) and (c) of this section, each
28 county board shall adopt regulations designed to create and maintain within the schools

1 under its jurisdiction the atmosphere of order and discipline necessary for effective
2 learning.

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

4 (i) Shall provide for educational and behavioral interventions,
5 restorative [approaches] PRACTICES, counseling, and student and parent conferencing;

6 (ii) Shall provide alternative programs, which may include in-school
7 suspension, suspension, expulsion, or other disciplinary measures that are deemed
8 appropriate; and

9 (iii) Shall state that the primary purpose of any disciplinary measure
10 is rehabilitative, restorative, and educational.

11 (e) (1) On or before October 1 each year, the Department shall submit to the
12 Governor and, in accordance with § 2-1257 of the State Government Article, the General
13 Assembly, a student discipline data report that includes a description of the uses of
14 restorative [approaches] PRACTICES in the State and a review of disciplinary practices
15 and policies in the State.

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

20 (i) The State;

21 (ii) Each local school system; and

22 (iii) Each public school.

23 (3) Special education-related data in any report prepared under this
24 subsection shall be disaggregated by race, ethnicity, and gender.

25 **(F) (1) THE DEPARTMENT SHALL MAKE PUBLIC IN AN ACCESSIBLE AND**
26 **DISAGGREGATED ELECTRONIC SPREADSHEET FORMAT ALL DISCIPLINE-RELATED**
27 **DATA AS A DATA DOWNLOAD ON THE DEPARTMENT'S WEBSITE AT THE STATE LEVEL,**
28 **LOCAL SCHOOL SYSTEM LEVEL, AND SCHOOL LEVEL.**

29 **(2) FOR ALL DATA MADE PUBLIC UNDER PARAGRAPH (1) OF THIS**
30 **SUBSECTION, THE DEPARTMENT SHALL INCLUDE ON THE DEPARTMENT'S WEBSITE**
31 **DATA, DISAGGREGATED BY GRADE LEVEL, RACE, ETHNICITY, DISABILITY STATUS,**
32 **INCLUDING WHETHER A STUDENT HAS A 504 PLAN OR INDIVIDUALIZED EDUCATION**
33 **PROGRAM, SOCIOECONOMIC STATUS, ENGLISH LANGUAGE PROFICIENCY, AND**
34 **GENDER, RELATED TO ANY DISPROPORTIONAL DISCIPLINARY PRACTICES OF:**

1 (I) A LOCAL SCHOOL SYSTEM; OR

2 (II) A PUBLIC SCHOOL.

3 (3) ON OR BEFORE OCTOBER 1, 2026, AND EACH OCTOBER 1
4 THEREAFTER, THE DEPARTMENT SHALL REPORT ON THE DATA GATHERED UNDER
5 THIS SUBSECTION TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE
6 STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

7 (G) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE
8 MEANINGS INDICATED.

9 (II) "HIGH-SUSPENDING" INCLUDES THE FOLLOWING SCHOOLS
10 THAT SUSPEND STUDENTS IN EACH SUBGROUP DISAGGREGATED BY RACE,
11 ETHNICITY, DISABILITY STATUS, INCLUDING SEPARATELY STUDENTS WITH A 504
12 PLAN OR INDIVIDUALIZED EDUCATION PROGRAM, AND ENGLISH LANGUAGE
13 PROFICIENCY:

14 1. AN ELEMENTARY SCHOOL THAT SUSPENDS 10% OR
15 MORE OF ITS STUDENTS IN EACH SUBGROUP; AND

16 2. A SECONDARY SCHOOL THAT SUSPENDS 25% OR
17 MORE OF ITS STUDENTS IN EACH SUBGROUP.

18 (III) "RISK RATIO" MEANS THE RATIO OF STUDENTS IN A
19 SUBGROUP THAT ARE REMOVED FROM A SCHOOL TO ALL OTHER STUDENTS
20 ENROLLED AT THE SAME SCHOOL.

21 (IV) "STATE COMPARISON THRESHOLD" MEANS A RATIO OF THE
22 REMOVAL RATE OF STUDENTS IN A SUBGROUP TO THE REMOVAL RATE:

23 1. OF ALL STUDENTS ENROLLED IN PUBLIC SCHOOLS IN
24 THE STATE; OR

25 2. ACROSS LIKE SCHOOL LEVELS.

26 (2) THE DEPARTMENT SHALL MAINTAIN A RISK RATIO AND STATE
27 COMPARISON THRESHOLD OF 2.0 TO IDENTIFY A SCHOOL'S DISCIPLINE PROCESS AS
28 HAVING A DISPROPORTIONATE IMPACT ON STUDENTS WITH MINORITY STATUS,
29 DISABILITY STATUS, OR ENGLISH LANGUAGE PROFICIENCY STATUS.

30 (3) IF THE DEPARTMENT IDENTIFIES A SCHOOL AS BEING
31 HIGH-SUSPENDING OR HAVING A DISPROPORTIONATE IMPACT, THE LOCAL

1 EDUCATION AGENCY SHALL PREPARE AND SUBMIT A PLAN TO THE STATE BOARD
2 TO:

3 (I) REDUCE THE DISPROPORTIONATE IMPACT WITHIN 1 YEAR
4 AFTER THE DATE ON WHICH THE SCHOOL IS IDENTIFIED; AND

5 (II) ELIMINATE THE DISPROPORTIONATE IMPACT WITHIN 3
6 YEARS AFTER THE DATE ON WHICH THE SCHOOL IS IDENTIFIED.

7 (4) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, ON
8 OR BEFORE OCTOBER 1, 2026, AND EACH OCTOBER 1 THEREAFTER, THE
9 DEPARTMENT SHALL PUBLISH ON ITS WEBSITE THE DATA GATHERED UNDER THIS
10 SUBSECTION.

11 (II) THE DEPARTMENT MAY NOT BE REQUIRED TO REPORT THE
12 DATA COLLECTED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH ON ANY
13 SUBGROUP WITH A POPULATION FEWER THAN 10 INDIVIDUALS IF DOING SO WOULD
14 VIOLATE THE STUDENT EDUCATION RECORDS PRIVACY PROVISIONS OF THE
15 FEDERAL FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT.

16 (5) (I) ON OR BEFORE OCTOBER 1, 2026, AND EACH OCTOBER 1
17 THEREAFTER, THE DEPARTMENT SHALL DEVELOP AND PUBLISH AN ACTION PLAN
18 RELATING TO THE DEPARTMENT'S ANNUAL REPORTS UNDER PARAGRAPH (4) OF
19 THIS SUBSECTION.

20 (II) THE ACTION PLAN SHALL:

21 1. SUMMARIZE:

22 A. THE DISPROPORTIONALITY DATA FOR ANY SCHOOL
23 IDENTIFIED USING THE RISK RATIO AND STATE COMPARISON THRESHOLD; AND

24 B. THE LEVELS OF SUSPENSION IDENTIFIED USING THE
25 "HIGH-SUSPENDING" MEASURE; AND

26 2. BE DESIGNED TO:

27 A. PROVIDE LOCAL EDUCATION AGENCIES WITH
28 SUPPORT AND RESOURCES TO REDUCE DISPARITIES IN DISCIPLINE TO BELOW THE
29 2.0 RISK RATIO AND STATE COMPARISON THRESHOLD OR REDUCE EXCLUSIONARY
30 DISCIPLINE OVERALL TO BELOW THE HIGH-SUSPENDING THRESHOLD; AND

31 B. COMPLEMENT THE PLANS DEVELOPED BY THE LOCAL
32 EDUCATION AGENCY IN ACCORDANCE WITH PARAGRAPH (3) OF THIS SUBSECTION.

1 **[(f)] (H)** (1) In this subsection, “alternative school discipline practice” means
2 a discipline practice used in a public school that is not an in–school suspension or an
3 out–of–school suspension.

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

6 (i) The types of alternative school discipline practices that are used
7 in a local school system; and

8 (ii) The type of misconduct for which an alternative discipline
9 practice is used.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
11 1, 2025.