MARYLAND STATE DEPARTMENT OF EDUCATION
Preparing World-Class Students

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TO: Members of the State Board of Education

FROM: Bernard J. Sadusky, Ed.D.

DATE: October 25, 2011

SUBJECT: Panel on Timeline and Provision of Educational Services (Long Term Student Suspensions and Expulsions)

PURPOSE:

To provide the State Board with additional information and more in-depth feedback from the public and stakeholder groups on the State Board's Proposed Guidelines for the Timely Disposition of Long Term Discipline Cases as well as the Board's review of educational services provided to students expelled or placed on long term suspension.

BACKGROUND:

At its March 22, 2011 meeting, the State Board of Education directed staff to examine the issue of the process in administering a long-term student suspension (more than 10 school days) or an expulsion. Cases in the media, anecdotal accounts, and testimony had led to the Board's concern that students are sitting out of school awaiting a final decision on their appeals.

When the Board met in April, the Board reviewed and approved the proposed guidelines with edits to be posted on the MSDE Website and widely distributed to the public and stakeholder groups for reaction and comment. The public and stakeholder groups were asked to provide their responses by June 17, 2011.

Prior to the June 21, 2011, meeting of the State Board, staff shared with the Board the comments that had been submitted in response to the proposed guidelines. At the June meeting staff shared with the Board a matrix which listed the responses received and summarized the remarks provided. The Board indicated at the time the need to continue the conversation on this subject, noting that little factual data had been provided. The Board indicated the need to challenge all parties who expressed an opinion on the issue to provide data in support their positions and agreed that the Board would benefit in hearing directly from and having dialogue with some of the key stakeholders. The Board directed staff to plan a series of panel presentations over the next several Board meetings in order to provide this additional information and opportunity for discussion.

EXECUTIVE SUMMARY:

At the August meeting of the State Board of Education, the Board heard presentations and had discussion with a three member panel comprised of representatives of the Public Schools Superintendents Association of Maryland, the Maryland Association of Boards of Education, and the Montgomery County Public Schools.

At the September meeting of the State Board, the Board heard presentations and had discussion with representatives of the Maryland Disability Law Center, the Maryland Legal Aid Bureau, and the Office of the Public Defender (Montgomery County). In addition to these presentations, the Board heard commentary from the President of the Maryland Chapter of the NAACP, and spokespersons for the ACLU of Maryland and the Open Society Institute.

This panel for the October meeting is comprised of representatives for the Maryland Foster Parents Association, the Maryland Congress of Parents and Teachers, and the Maryland Association of Student Councils. These representatives have been asked to address the following questions:

1. Do you think that suspension from school is warranted in certain cases? When should a student be suspended from school? For how long? Is two classroom weeks a reasonable maximum amount of time that a principal alone can decide to suspend a student?

2. If students are suspended from school, what should be done so that they can continue their education? Are there cases where no educational services should be provided? If so, what are they? Where should the burden of responsibility lie of collecting work; the administration, the teacher, the student or the parent? If educational services are provided how should they be paid for?

3. Do you think students at your school or your son/daughter's school have a clear knowledge of the school rules and the consequences for breaking those rules? How do they find out about the rules and consequences? Are students always aware of the scoop of the schools disciplinary authority (internet & off school grounds incidents)? Are students aware of the overlap between school discipline and juvenile justice discipline?

4. Is your organization aware of any other issues related to how student suspensions/expulsions are handled? If so, do you have data which would shed light on the magnitude of this problem/issue?

This will be the last panel presentation to be heard by the Board on this topic.

ACTION:

No action necessary, for information only.