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: December 6, 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.

At the October meeting of the State Board, the Board heard presentations and had discussions with representatives of the Maryland Foster Parents Association, the Maryland Congress of Parents and Teachers, and students, one of whom was the Student Member of the Prince George's County Board of Education.

With the December meeting, the Board will conclude its information gathering on this topic with a fourth panel comprised of teacher representatives. Panelists will include Michelle Shearer, National Teacher of the Year; Joshua Parker, Maryland Teacher of the Year; Clara Floyd, President, Maryland State Education Association; and Marietta English, President, Baltimore Teachers' Union. These panelists have be asked to address the following questions:

1. What are the three biggest barriers to providing environments in schools that are safe and conducive to learning?
2. 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?
3. Can you identify any examples of student infractions of a non-violent nature (e.g. cheating on an exam, tardiness, etc.) which can result in student suspensions and due to their nature would make you feel unsafe or uncomfortable to have the suspended student/students readmitted to school pending the outcome of the appeal of the suspension?
4. Should there be a minimum standard of educational services provided to students expelled or placed on long term suspension? If you answer "yes," could you suggest the types of services and method of delivery to be provided? If you answer "no," please provide your reason(s).

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

ACTION:

No action necessary, for information only.