

Maryland Association of Boards of Education



621 Ridgely Avenue • Suite 300 • Annapolis, Maryland 21401-1112 • www.mabe.org
Phone (410) 841-5414 • (800) 841-8197 • Fax (410) 841-6580

July 3, 2013

Dr. D'Ette W. Devine, Co-Chair
School Discipline Regulation Workgroup
Superintendent of Schools
Cecil County Public Schools
201 Booth Street
Elkton, Maryland 21921

Ms. Diana Morris, Co-Chair
School Discipline Regulation Workgroup
Director of the Open Society Institute - Baltimore
201 N. Charles Street, Suite 1300
Baltimore, Maryland 21201

Dear Dr. Devine and Ms. Morris:

On behalf of the Maryland Association of Boards of Education (MABE), I am writing to express our sincere appreciation for your leadership in guiding the important work of the School Discipline Regulation Workgroup. Since 2009, MABE consistently has sought avenues of constructive input to assist the Maryland State Department of Education (MSDE) and Maryland State Board of Education (State Board) in their efforts to craft major policy and regulatory reforms in the important area of student discipline and its relationship to closing the achievement gap.

MABE fully supports the State Board's intent to strengthen the regulations governing local student discipline policies to ensure school safety, the fair administration of student discipline, and uninterrupted student learning for all of our students. Specifically, MABE joins the State Board in endorsing the following:

- Prohibiting "zero tolerance" policies;
- Reflecting a philosophy that fosters positive behavior;
- Providing continuous education services to all suspended and expelled students;
and
- Holding school systems accountable for reducing and eliminating disproportionate impacts of student discipline policies on minority students.

As you both know, MABE drafted proposed amendments for the State Board's consideration in response to the regulations initially proposed in 2012. MABE believes these amendments are consistent with our support for retaining the State Board's expansion and redefinition of the purposes of local student discipline. Subsequently, the State Board decided to modify the regulations, consider unresolved issues, and created the workgroup to finalize this work. MABE greatly appreciates the opportunity to participate in the workgroup and its recommendations to:


- Restore language clearly stating that student discipline regulations must be “designed to maintain an environment of order and discipline necessary for effective learning”;
- Modify the required minimum education services for students suspended from 1 to 3 days to match the procedures for other student legally absent for 1 to 3 days;
- Add a preamble emphasizing the responsibility and authority of local boards to adopt policies designed to create safe schools; and
- Set the beginning of the 2014-2015 school year as the effective date for the major policy reforms contained in the proposed regulations.

The workgroup's report and proposed regulations presented to the State Board on June 25, 2013, in varying degrees, addressed several of the issues MABE raised. In particular, MABE appreciates the recognition that the 2014-2015 school year is the soonest local school boards and administrators could reasonably be expected to revise local policies regarding student discipline as well as other related areas such as alternative education. This will be a significant effort conducted over the course of multiple local board meetings. Although the major reforms anticipated in the proposed regulations have been the subject of considerable discourse at the state level, they will prompt a new set of discussions in the twenty-four school districts, requiring each local board to engage key stakeholders, including parents and local funding authorities.

MABE continues to have concerns regarding certain provisions in the proposed regulations. These are related to the conditions for returning suspended or expelled students to the classroom, the timeline for appeals in systems utilizing hearing examiners, and the potential for an unfunded obligation to provide behavioral support services to students. We will offer additional detail about these concerns when MABE submits comments on the proposed regulations following their approval by the State Board for publication in the Maryland Register.

Thank you, again, for your leadership in facilitating a meaningful and productive dialogue on the development of student discipline reforms and for your prompt response to the question raised by MABE workgroup participant Gary Bauer about the publication and distribution of the workgroup report.

Sincerely,


Rodger C. Janssen
President

RCJ:kwb

Copy to:

Dr. Charlene M. Dukes, State Board President
Dr. Lillian M. Lowery, State Superintendent of Schools
Ms. Frances Hughes Glendening, MABE Executive Director
MABE Board of Directors