

STUDENT DISCIPLINE

MABE POSITIONS

The Maryland Association of Boards of Education, representing all local boards of education in Maryland:

- ✓ **Supports** local flexibility to create and enforce consistent and fair disciplinary standards in order to respond to infractions of the rules committed by individual students.
- ✓ **Supports** increased state and local funding and resources to support restorative justice programs.
- ✗ **Opposes** legislation or regulations that would unduly limit the authority of school administrators and boards of education to ensure the safety of all students and staff and to provide a school environment conducive to teaching and learning for all students.

BACKGROUND

Every local board of education places a high priority on establishing policies and procedures concerning student discipline, based on a framework established by the General Assembly and the State Board of Education. State law reflects the legislature's recognition that principals and superintendents have broad discretion to make student discipline decisions "as warranted" (Section 7-305 of the Education Article). State regulations long mirrored this deference to local decision making, as well as placing a clear emphasis on maintaining a safe learning environment for all students.

From 2009 to 2014, the State Board of Education engaged in a comprehensive review and reform of Maryland's student discipline regulations and guidelines. MABE supported the State Board's initiative to require local boards to reform their student discipline policies to:

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

In 2014, the State Board adopted state regulations to mandate new local school system policies and regulations, including:

- Definitions of expulsion, extended suspension, long-term suspension, and short-term suspension;
- Standards and conditions for excluding students from school through extended suspensions or expulsions;
- Mandates to provide excluded students with educational and behavioral support services;
- Requirements to provide "minimum education services" to students suspended or expelled out of school, including daily classwork and assignments from each teacher that must be reviewed, corrected and returned on a weekly basis;
- Mandates for MSDE to develop a method to analyze whether there is a disproportionate impact on minority students, or a discrepant impact on special education students; and
- The mandate that local boards revise student discipline policies and regulations by the beginning of the 2014-2015 school year.

In 2017, legislation passed to prohibit a child enrolled in a public prekindergarten program through second grade from being suspended or expelled from school, subject to limited exceptions. A student may be suspended for up to five 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. MABE supports reasonable guidance and regulations to implement this law; and anticipates the need for additional state and local funding to meet the staffing, professional development, and facility demands imposed by law's new mandate for the use of restorative in-school practices.

For additional information, see [MABE's Resolution on Student Discipline](#).