

**BILL:** Senate Bill 578  
**TITLE:** Public Schools – Student Discipline – In-School Suspensions  
**DATE:** February 13, 2019  
**POSITION:** OPPOSE  
**COMMITTEE:** Education, Health, and Environmental Affairs Committee  
**CONTACT:** John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE), representing all local boards of education in Maryland opposes Senate Bill 578.

MABE 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. Consistent with that principle, MABE 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.

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

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 these reasons, MABE requests an unfavorable report on Senate Bill 578.