

STUDENT BEHAVIOR & DISCIPLINE

MABE POSITIONS

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

- ✓ **Supports** local flexibility to adopt and administer equitable student discipline policies and procedures to ensure the rights, dignity, and safety of all students and staff and to provide a school environment conducive to teaching, learning, and social and emotional growth for all students.
- ✓ **Supports** adequate federal, state, and local funding to support any mandated student discipline reforms or behavioral support programs.
- ✗ **Opposes** legislation and regulations that would unduly limit the authority of boards of education or the professional judgment of school administrators.

BACKGROUND

Every local board of education places a high priority on establishing policies and procedures concerning student rights and responsibilities and educationally appropriate disciplinary and behavioral responses when school policies are violated. Under Maryland law, local boards have both the responsibility and authority to adopt policies and regulations designed to create safe schools with the goal of maintaining an environment of order, safety, and discipline necessary for effective learning.

Historically, MABE has joined the State Board in supporting reforms to 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.

Under comprehensive reforms adopted in 2014, state regulations include:

- Definitions of expulsion, extended suspension, long-term suspension, and short-term suspension;
- Standards 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 teachers that must be corrected and returned;
- 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 discipline policies and regulations.

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. Under this law, the numbers of student suspensions/expulsions in these early grades were reduced by half. In 2019, a law passed requiring schools to use restorative approaches to student discipline. Local discipline regulations are now required to state that the primary purpose of any disciplinary measure is rehabilitative, restorative, and educational. A law enacted in 2020 required MSDE to develop guidelines for schools on a trauma-informed approaches. In 2022, a bill passed to enhance the due protections for students arrested off campus and being reassigned, and to mandate new reports on not only student arrests but also classroom disruptions.

MABE supports continued investments and innovations in state and local programs and services to not only better respond to disciplinary infractions but also better prepare educators and other school staff to help students feel supported and safe to learn. MABE urges the legislature to consider the school system capacity to implement new programs and services and to address the severe shortages of school psychologists, school counselors, social workers, and other professionals essential to effectively addressing student behavior and discipline.

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