



Bernard J. Sadusky, Ed.D.
Interim State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD • MarylandPublicSchools.org

TO: Members of the State Board of Education

FROM: Bernard J. Sadusky, Ed.D. *BJS*

DATE: August 30, 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 of 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 organize a series of panel presentations over the next several Board meetings in order to provide this additional information and opportunities for discussion.

EXECUTIVE SUMMARY:

At the August meeting of the State Board of Education, the Board will hear from a three member panel composed of representatives of the Public Schools Superintendents Association of Maryland, the Maryland Association of Boards of Education, and the Montgomery County Public Schools. These representatives have been asked to address the following questions:

- a) Maryland law (Md. Educ. Art. § 7-305(a)) allows a principal to suspend any student for up to 10 days. When a principal in your school system suspends a student for 10 days and recommends to the superintendent a longer suspension period or expulsion, what practical problem do you encounter, if any, in getting a written decision from the superintendent within those 10 days? If you do not receive a written decision within 10 days, does the student return to school? If not, please explain the authority on which you continue the suspension beyond 10 days. In what percentage of discipline cases would you say a delay occurs at this juncture?
- b) Do you believe the 10 day time frame is unrealistic? What would you propose?
- c) Is there an expedited process available to a student who has been suspended for 10 days to get the suspension reversed or reduced?
- d) After a long term suspension is imposed and fully served, does your school system experience delays in returning the student to school? In what percentage of cases is there a delay? What causes the delay? What solution do you propose to cure the delay problem?
- e) If a student appeals a long-term suspension to the local board, is the student kept out of school during the pendency of the appeal even if he/she has served the full suspension time period? If so, please explain the school system's rationale for keeping the student out of school. How often does this occur?
- f) Should there be a minimum standard of educational services provided to students expelled or placed on long term suspension? If you do not support a statewide minimum standard for such services, how do we as the Maryland State Board of Education know that as a state, we are fulfilling the requirement (Md. Educ. Art. §7-101) of providing all students between 5 and 21 with a free public education?

Members of the State Board of Education
August 30, 2011
Page 3

- g) Maryland has made a commitment to prepare all students for college and career success in the 21st century. This commitment provided the basis for the State's Race to the Top application and the resulting grant from the United States Department of Education to the State. How do you see the answers you provided to the questions above reflecting on that commitment?

ACTION:

No action necessary, for information only.