



PUBLIC SCHOOL SUPERINTENDENTS' ASSOCIATION OF MARYLAND

Presentation to the Maryland State Board of Education
200 West Baltimore Street, Baltimore, Maryland 21201
August 30, 2011

Proposed Guidelines for the Timely Disposition of Long-Term Discipline Cases & Provision of Educational Services

Local school system superintendents (superintendents) accept the responsibility to fulfill their constituents' expectations to provide a high quality education that prepares each student for college and/or career success in a safe and secure learning environment. While providing these learning opportunities to over 900,000 Maryland students, it is necessary to establish a standard of behavior that minimizes incidents of disruption to the education process. Most discipline cases do not require a recommendation for further review by the superintendent and are resolved with little or no loss of classroom learning for the students involved. Periodically incidents occur that require the principal to recommend further consideration by the superintendent to determine the appropriate action warranted by the student action and to minimize the chances of a reoccurrence of disruption in the future.

Superintendents understand the intention of State and local discipline policies and regulations and expect their representatives at the school and central office levels to conduct investigations and related processes in a timely and diligent manner to insure that proper action includes the consideration of lost learning opportunities and if applicable, how and if that learning will be recovered. The successful program of study completion by every student consummating in the presentation of a high school diploma remains the goal.

Question 1 & 2: The vast majority of superintendents believe that the current expectation that decisions at their level for long-term/expulsion discipline cases be determined within the ten-day suspension by the school principal is realistic. On rare occasions there have been incidents where the parents or attorney of the student could not make an appointment within the ten days. Those conferences were handled as soon as one could be arranged that fit the parent/attorney's schedule. Another factor impacting the school system's ability to render a decision in a timely manner is the involvement of the Juvenile Services Administration. If a student is incarcerated, the conference is typically postponed pending a determination of placement by Juvenile Services. Most school systems report that rendering a decision to extend the suspension or return the student to school within ten days is not an issue.

Question 3: Due process rights provide the opportunity for a student who has been suspended and his/her parents/guardians to meet to provide explanation, additional information and to seek clarification from school officials. Information provided during this process that changes or modifies the administrator's decision could impact the length of the suspension.

Question 4: Students are directed to return to school once the suspension has been completed provided that all conditions for such have been met. In some cases reentry conferences are provided to ensure a smooth transition. Exceptions to this could be difficulties experienced by the student and his/her parents/guardians.

Question 5: Once a suspension has been completed, the student goes back to school. If an appeal has been filed, the process continues as normal even though the student may be attending school.

Question 6: In the State of Maryland a student absence caused by a suspension from school is an excused absence. Teachers and other relevant school personnel are required to allow the student who is suspended from school to make up his/her work missed. The time provided to make up that work must be reasonable given the number of days a student was suspended. Local school system superintendents provide appropriate alternatives given the length of the suspension to make up work missed. This ranges from securing work missed and submitting such during or after a suspension from school to opportunities to participate in a formal alternative education program online or a site program during the school day or in the evening. In some cases superintendents determine that education services will not be provided to an expelled student. The ability to provide a range of alternative education opportunities for students suspended from school varies dependent upon the capacity within each school system. It is our judgment that the decision associated with the provision of alternative education services rests with the local boards of education. Superintendents believe that current practices are in compliance with current laws and regulations associated with student access to a public education.

Question 7: Superintendents see no inconsistencies with the answers and explanations provided throughout this letter and discussion with their belief that each and every student should be prepared for success in the 21st Century.

We appreciate the opportunity to participate in this discussion. We suggest, pending any action by the Maryland State Board of Education to place additional program conditions or expectations on local school systems to provide additional alternative education programs for students serving long-term suspensions or expelled, that additional study, investigation and discussion of the data and related issues be conducted.

Please do not hesitate to contact Dr. Carl D. Roberts, Executive Director, at 443-206-3068 or pssam1@verizon.net should you desire addition information, clarification or comment.