



**Lillian M. Lowery, Ed.D.**  
**State Superintendent of Schools**

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**To:** Members of the Maryland State Board of Education  
**From:** Lillian M. Lowery, Ed.D. *L. Lowery*  
**Date:** June 25, 2013  
**Subject:** Update on School Discipline Regulations Workgroup Report and Amendments to Proposed Discipline Regulations

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**PURPOSE:**

To provide an update to the members of the Maryland State Board of Education on the Student Discipline Regulations Workgroup Report and to share amendments to the proposed discipline regulations.

**EXECUTIVE SUMMARY:**

**School Discipline Regulation Workgroup**

At your January 22, 2013 meeting, you instructed the Department to convene a time-limited workgroup to offer input into regulations on school discipline withdrawn at that meeting. The School Discipline Regulation Workgroup was formed and has met three times to date: April 9<sup>th</sup>, April 26<sup>th</sup>, and May 7<sup>th</sup>. This Workgroup was co-chaired by Dr. D'Ette Devine, Superintendent, Cecil County Public Schools, and Ms. Diana Morris, Director, Open Society Institute—Baltimore. The charge to the Workgroup was to discuss and recommend amendments to:

1. The timelines contained in the section of the regulatory proposal dealing with appeals;
2. The 10 day return to school regulation dealing with when a student would be precluded from returning to school after the 10<sup>th</sup> day;
3. The regulations that addresses the conduct for which expulsion and extended suspension is appropriate; and
4. The minimum education services regulation to address delivery of minimum education services to students suspended from 1-3 days.

This work is now complete and Attachment I is the final report.

**Amendments to the Proposed School Discipline Regulations**

Based on the recommendations of the School Discipline Regulations Workgroup and previous discussions with the Maryland Association of Boards of Education and the Public Schools Superintendents Association of Maryland, as well as the many comments the State Board received on

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the proposed school discipline regulations published for comment on November 2, 2012 this memo summarizes the changes that MSDE recommends to the proposed regulations.

*Changes Based on Workgroup Report*

We agree with the changes recommended by the Workgroup. If you accept the Workgroup Report, the proposed regulations will reflect those changes.

*Changes Based on Discussions with MABE, PSAAM, and on comments received*

On January 22, 2013, based on previous discussions and comments, you accepted several recommendations for changes to the proposed regulations. They were:

- (1) To add the language about safety deleted from proposed COMAR 13A.08.01.11A;
- (2) To amend proposed COMAR 13A.08.01.11C(3)(d) to reflect that if delay is the fault of the parent or the student, the 10-day decision time window can be extended;
- (3) To add collaborative language to proposed COMAR 13A.08.01.12 and .15; and
- (4) To add a preamble to the regulations that reiterates the responsibilities and authority of local boards to promulgate policies that create safe schools and address the needs of suspended students.

Attachment II is a document that shows the original proposed regulation and the proposed change to that regulation. Attachment III is a copy of the original proposed regulations with asterisks next to each section that we recommend changing as set forth in this memo.

**ACTION:**

No action required at this time. A vote to publish the regulations as proposed will occur at a later meeting.

Attachments (3)  
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