



State Board Proposes New Discipline Regulations

ACLU Succeeds in Promoting Effective Policies to Keep Students in Class

On Tuesday, July 24, the Maryland State Board of Education unanimously voted to publish major changes to state disciplinary regulations. These changes are meant to end Zero Tolerance policies across the state and require local school systems to adopt discipline codes and procedures that "reflect a rehabilitate discipline philosophy based on the goals of fostering, teaching, and acknowledging positive behavior," ([read the full report and view the proposed regulation changes here](#)). Board President James H. DeGraffenreidt characterized the proposed changes as a "common-sense change" moving the state away from zero tolerance and towards a more productive conversation that includes both student learning and disciplinary consequences when determining what is best for students ([read the full Washington Post article here](#)).

The published regulatory changes are the result of several years of work by the ACLU, the Open Society Institute of Baltimore, and other partners highlighting concerns about the high and disproportionate rates of suspension and expulsion throughout the state, the lack of educational support for students who are excluded from school, and the poor safeguards against lengthy delays during disciplinary appeals processes. The State Board of Education's comprehensive report examined the detrimental effects of suspensions; the regulation changes aim to decrease the number of suspensions so as to keep students in the classroom where learning happens. Dr. Alonso recently highlighted the negative effects of suspensions during his presentation of Baltimore City's MSA scores, citing significantly larger achievement gaps for students who have been suspended. "Suspension is a huge problem of learning," he said.

Preventing harmful losses of instructional time for minor behavioral infractions or from delays in the discipline process will allow Maryland students to continue on the path to complete school and be better prepared for college and career opportunities. School systems will be encouraged to use disciplinary responses that serve to change inappropriate and disruptive student behavior, rather than over-relying on suspensions. Additionally, the proposed changes to the regulations include a requirement that local school systems provide "minimum education services" to students who are suspended or expelled, providing an opportunity for students to stay on top of their education, rather than being derailed by excessive and punitive disciplinary actions. (See below for a full summary of the proposed changes).

Greenville's Story of Rebuilding 80 School Buildings in 6 Years Shared in Baltimore

ACLU Brings Expert from Greenville to Meet Key City and State Decision Makers

On the heels of Baltimore City Schools' release of the "Jacobs Study" that details a \$2.4 billion need to repair city schools (69 percent of which are in very poor condition), Baltimore City Council member Mary Pat Clarke and the Transform Baltimore Campaign held an informational session on July 18th to present how Greenville fully renovated or rebuilt its 80 schools in just six years through innovative financing.

The session featured a presentation by Brent Jeffcoat, a bond attorney with Pope Ziegler and an architect of the innovative financing plan for Greenville County Public Schools, South Carolina. Jeffcoat explained how Greenville was able to borrow \$1 billion up front by leveraging existing revenue streams traditionally used for maintenance and individual renovation projects. All of Greenville's 70,000 students, regardless of their neighborhood's wealth or family income level, have been given a modern, healthy, and well-equipped school building to support a high-quality education. Additionally, by completing the construction plan quickly, Greenville saved an estimated \$1 billion through bulking purchasing of materials, design standardizations, and avoidance of inflationary cost increases that would have occurred over the decades of waiting under the old funding system. To learn more about this presentation, visit the Transform Baltimore website or read the full press release here.

Maryland State Board of Education's Proposed Discipline Regulation Changes

Changes in the Definition of Suspensions:

- **Short Term Suspension** - the removal of a student from school for up to but not more than 3 school days.
- **Long Term Suspension** - the removal of a student from school for a time period between 4-10 days for disciplinary reasons.
- **Extended Suspension** - the temporary removal of a student from the student's regular school program for a time period between 11-45 school days for conduct the superintendent determines, on a case by case basis, poses a danger or harm to others in the school.
- **Expulsion** - the total exclusion of a student from the student's regular school program for 45 days or longer for conduct that the superintendent determines, on a case by case basis, is violent or poses a serious danger of physical harm to others in the school.

Minimum Education Service

- **Classwork and Assignments** will be required to be provided to all students who are suspended or expelled and are not placed in an alternative program. Students work is to be graded and reviewed on a weekly basis and returned to the student.
- **School Liaisons** will be assigned at each school to coordinate communications between teachers and students who are suspended or expelled. The liaisons are required to communicate weekly about classwork and assignments by phone or e-mail with students and parents.

Reducing and Eliminating Disproportionate Impact

- **Analysis to Determine Disproportionate Impacts** of discipline on minority students will be developed by the Maryland State Department of Education and used to monitor local school system efforts.
- **Corrective Action Plans** will be required from any local school system identified as having disproportionate discipline practices on minority or special education students. These plans will be required to reduce the disproportionate impact in one year and completely eliminate the disproportionality in three years.
- **Yearly Updates** will be provided to the State Board of Education on the progress of the local school systems in implementing disciplinary changes.

Data Collection


- **Student Arrests and Referrals to Law Enforcement** will be tracked and reported to the Maryland State Department of Education starting in the 2013-2014 school year.

Appeals Process Changes

- **Establishes a Standard Timeline for Appeals of Discipline decisions** to ensure students receive timely responses from local Superintendents and School Boards to limit unnecessary losses of classroom time due to delays in processing appeals.
- **Right to Bring Counsel and Witnesses** to appeals proceedings officially added to the regulations.
- **Right to School System Witness List** prior to the hearing as to allow the student and their parents to prepare an appropriate response to the hearing

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