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**TO:** Members of the State Board of Education

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

**DATE:** September 27, 2011

**SUBJECT:** Panel on Timeline and Provision of Educational Services (Long Term Student Suspensions and Expulsions)

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**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 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 plan a series of panel presentations over the next several Board meetings in order to provide this additional information and opportunity for discussion.

**EXECUTIVE SUMMARY:**

At the August meeting of the State Board of Education, the Board heard presentations and had discussion with 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.

The panel for this meeting of the State Board will be comprised of representatives of the Maryland Disability Law Center, the Maryland Legal Aid Bureau, and the Office of the Public Defender (Montgomery County). These representatives have been asked to address the following questions:

1. Please describe your state-wide experiences in dealing with issues relating to long-term suspension and expulsion.
2. How many cases in a calendar year has your organization dealt with in delays to the due process procedures in long-term suspension and expulsion? Have these cases been concentrated in particular jurisdictions? How did you get involved in the case?
3. In situations where there has been a 'perceived' delay in long-term suspension and/or expulsion, what were the causes for the delays?
4. In examining Section 7-305, Education Article and COMAR 13A.08.01.11, what recommendations would you make to improve the process set forth in that law and regulation?
5. What experiences have you had in working with local school systems regarding improvements to the disciplinary process and timelines? What were the successes? What were the barriers?

The panelists have been instructed to refrain from making comments about any situation currently under litigation.

**ACTION:**

No action necessary, for information only.