

STUDENT DISCIPLINE

I. PURPOSE

The Talbot County Board of Education believes that in order to provide an environment in which all students may become college and career ready, the maintenance of acceptable standards of conduct are required. Serious behavior or continued misconduct may result in a student's removal from the classroom or school environment.

II. BACKGROUND

Although suspensions and expulsions are necessary at times, student discipline shall be based on the goals of fostering, teaching, and acknowledging positive behavior, and be designed to keep students connected to the learning environment so they will graduate college and career ready. Exclusion from a student's instruction may range from an in-school suspension to an out-of-school suspension to an expulsion. Within that range are also a variety of many other disciplinary responses as outlined in TCPS Policy and Administrative Regulations 10.14 - Student Code of Conduct. Long term suspensions and expulsions should always be a last resort when responding to student misconduct.

III. DEFINITIONS

- A. Confer** - a discussion or dialogue by any means (telephone, electronic mail, or face-to-face meeting) where the views of the referring teacher are communicated and considered in the disciplinary process.
- B. Expulsion** - the exclusion of the student from the student's regular school program for 45 school days or longer
- C. Extended Suspension** - the exclusion of a student from a student's regular school program for a time period between 11 and 45 school days
- D. In-School Suspension** - the removal within the school building of a student from the student's current educational program for up to but not more than 10 school days in a school year for disciplinary reasons by the school principal
- E. Long-Term Suspension** - the removal of a student from school for a time period between 4 and 10 school days for disciplinary reasons by the school principal
- F. Principal** - the principal of the school or the principal's designee

G. Public Prekindergarten Program - any publicly funded prekindergarten program established under Educational Article § 7-102.1, Annotated Code of Maryland; or any qualified vendor of prekindergarten services as defined in Educational Article, § 7-101.2, Annotated Code of Maryland.

H. Restorative Practices - practices conducted in a whole school ethos or culture that supports peace-making and solves conflict by building a community and addressing harm in a school setting: that are conducted by trained school staff; focuses on repairing the harm to the community through dialogue that emphasizes individual accountability; and helps build a sense of belonging, safety, and social responsibility in the school community.

I. Short - Term Suspension - the removal of a student from school for up to but not more than 3 school days for disciplinary reasons by the principal

J. Suspension - the application of extended suspension, in-school suspension, short-term suspension, or long-term suspension

IV. PROCEDURES

A. Prekindergarten - Grade 2 Suspensions and Expulsions

A student enrolled in a prekindergarten program, kindergarten, first grade, or second grade may not be suspended or expelled from school, with the exception of the following circumstances:

1. Expulsion is required by federal law; or
2. Suspended for not more than 5 school days per incident if the school administration, in consultation with a school psychologist or other mental health professional, determines that there is an imminent threat of serious harm to other students or staff that cannot be reduced or eliminated through interventions and supports. The principal or school administration shall promptly notify the parent or guardian of the student.

B. In-School Suspension

1. An in-school removal is not considered a day of suspension as long as the student is afforded the opportunity to continue to:
 - a. Appropriately progress in the regular curriculum;
 - b. Receive the special education and related services specified on the student's IEP, if the student is a student with a disability in accordance with COMAR 13A.05.01;
 - c. Receive instruction commensurate with the program afforded to the students in the regular classroom; and
 - d. Participate with peers as they would in their current education program to the extent appropriate.
2. A student may not receive an in-school suspension unless the student has

been informed of the reasons for the suspension and has been given an opportunity to respond before the suspension becomes effective.

3. The school principal shall provide the student's parents/guardians with written notification of the in-school suspension action taken by the school.

4. After 10 days of cumulative in-school suspension, the student, the student's parent/guardian, and the principal shall confer.

5. The student's school of current enrollment shall make provisions for the student's education during the period of in-school suspension.

C. Suspension for Not More Than 10 Days

1. A principal may suspend for cause for not more than 10 school days any student in the school who is under the direction of the principal.

2. The student or the student's parent/guardian promptly shall be given a conference with the principal and any other appropriate personnel during the suspension period.

3. At, or before the conference, the student shall receive oral or written notice of the charges against him or her. If the student denies the charges, the student has a right to an explanation of evidence supporting the charges and an opportunity to present the student's side of the story.

4. A student whose presence in school poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process may be removed immediately from school, if the notice and conference is provided as soon as possible.

D. Extended Suspension and Expulsion

1. Students may only receive an extended suspension if the superintendent or designee determines:

a. the student's return to school prior to the completion of the extended suspension period would pose an imminent threat of serious harm to other students and staff; or

b. The student has engaged in chronic and extreme disruption of the educational process that has created a substantial barrier to learning for other students across the school day, and other available and appropriate behavioral and disciplinary interventions have been exhausted.

2. Students may only receive an expulsion if the superintendent or designee determines:

a. the student's return to school prior to the completion of the extended suspension period would pose an imminent threat of serious harm to other students and staff

3. At the request of a principal, the superintendent or designee may suspend a student for more than 10 school days or expel a student with the following provisions:

a. Upon a receipt of a written report from a principal requesting an extended suspension or expulsion, the superintendent or designee shall

make a thorough investigation of the matter.

b. If after the investigation the superintendent or designee finds that an extended suspension or expulsion is warranted, the superintendent or designee shall promptly arrange a conference with the student and the student's parent/guardian.

c. The investigation and conference shall be completed by the 10th school day of the initial suspension. If additional time is necessary to complete the process, either because of delays due to parent/guardian unavailability or due to the complexity of the investigation, the student shall be allowed to return to school, unless the superintendent or designee determines that the student's return to school would pose an imminent threat of serious harm to other students or staff.

e. If the student is not allowed to return to school after then 10th day, the superintendent or designee shall notify the the student and the parent/guardian within 24 hours and provide the reasons for the delay in the process and the denial of reentry and send a copy of the notice to the State Superintendent of Schools.

f. If after the conference the superintendent or designee finds that an extended suspension or an expulsion is warranted, the student or the student's parent/guardian may appeal to the Board of Education within 10 days after the determination.

g. The student or the student's parent/guardian shall be promptly given a community resources list.

4. The superintendent or designee shall limit the duration of the exclusion to the shortest period practicable.

5. TCPS shall provide the excluded student with comparable educational services and appropriate behavioral support services to promote successful return to the students regular academic program.

E. General Guidance

1. A student expelled or suspended from school shall remain away from the school premises during those hours each school day when the school the student attends is in session, any may not participate in school-sponsored activities. The expelled or suspended student may return to the school premises during the prohibited hours only for attendance at a previously scheduled appointment, and if the student is a minor then only if accompanied by the student's parent/guardian.

2. A student suspended or expelled from school shall be allowed to return to school on the day the terms and conditions of the suspension or expulsion are met whether or not the student, parent/guardian has filed an appeal.

3. If a student has been suspended or expelled, the principal may not return the student to the classroom without conferring with the teacher who referred the student to the principal, if the student was referred by a teacher, other teachers as appropriate, other appropriate school personnel, the student, and the student's parent/guardian.

4. If a student's disruptive behavior results in action less than suspension, the principal shall confer with the teacher who referred the student to the principal before returning the student to that teacher's classroom. The principal may satisfy this requirement by consulting with the teacher before returning the student to the classroom.
5. Upon registering a student in TCPS, disciplinary records shall be requested from the sending school. The superintendent may deny attendance to a student who is currently expelled or on extended suspension from another school system for a length of time equal to that expulsion or extended suspension.
6. Unless the student is referred to the Department of Juvenile Services, if a student violates a State or local law or regulation and during or as a result of the commission of that violation damaged, destroyed, or substantially decreased the value of school property or property of another that was on school property at the time of the violation, as part of a conference on the matter with the student, the student's parent/guardian, and other appropriate individuals, the principal shall require the student or the student's parent/guardian to make restitution. The restitution may be made in the form of monetary restitution not to exceed the lesser of the fair market value of the property, or \$2,500.00, or by the student's assignment to a school work project, or both.
7. Corporal punishment may not be used to discipline a student in TCPS under any circumstances.
8. TCPS, to the best of its ability, shall remedy the impact of a student's behavior on the school climate through appropriate intervention methods including restorative practices.

F. Minimum Educational Services

1. In order to establish accountability and keep extended suspended or expelled students on track with classroom work, as is reasonably possible, TCPS shall institute educational services that at a minimum provide that:
 - a. Each student suspended or expelled who is not in an alternative program shall receive daily classwork and assignments from each teacher, which shall be reviewed and corrected by teachers on a weekly basis and returned to the student; and
 - b. Each student suspended or expelled shall be assigned an educational liaison by the principal. This staff person shall be the liaison between the teachers and the student, and will communicate with the student and the student's parent/guardian weekly about classwork assignments and school related issues by phone or email.
2. All students who receive a short-term suspension will be provided the opportunity to complete the academic work they miss during the suspension period without penalty.
3. All students who receive a short-term suspension will be provided the name and contact information for a staff member who will act as a liaison as outlined above for extended suspended and expelled students.
4. All other aspects of the process for suspended students receiving missed

assignments, and making up tests shall be identical with TCPS policy and practice for makeup work in the event of any other excused absence.

G. Intervention and Support

1. School staff shall provide intervention and support to address the student's behavior if the student is:
 - a. Suspended; or
 - b. Enrolled in a TCPS prekindergarten program, kindergarten, first grade, or second grade and:
 - i. Is disruptive to the school environment; or
 - ii. Commits an act that would be considered an offense subject to suspension but for the student's grade.
2. Interventions and supports may include, but are not limited to:
 - a. Positive Behavior Interventions and Supports (PBIS);
 - b. Behavior intervention plan;
 - c. Referral to student support team (MLIP - Multi Leveled Intervention Process);
 - d. Referral to an individualized education program team;
 - c. Referral to appropriate community based services

H. Disciplining Students with Disabilities

1. The discipline of a student with a disability, including the suspension, expulsion, or interim alternative placement of a student for disciplinary reasons, shall be conducted in conformance with the requirements of the Individuals with Disabilities Education Act of the United States Code.
2. If a student with a disability is being considered for suspension or expulsion, the student or the student's parent/guardian shall be given a community resources list attached to the procedural safeguards notice required by regulation of the State board.