

HOUSE BILL 1407

F1

0lr2423

By: **Delegates Morgan, Adams, Anderton, Arentz, Arian, Beitzel, Buckel, Chisholm, Ciliberti, Clark, Corderman, Cox, M. Fisher, Ghrist, Grammer, Griffith, Hornberger, Jacobs, Kipke, Kittleman, Krebs, Long, Mangione, Mautz, McComas, McKay, Metzgar, Otto, Parrott, Reilly, Saab, Shoemaker, Szeliga, and Wivell**

Introduced and read first time: February 7, 2020

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Primary and Secondary Education – Student Discipline**
3 **(Right to Teach Act of 2020)**

4 FOR the purpose of authorizing a teacher to, in response to certain student behavior, direct
5 a certain student to certain school officials or to a certain area, and document certain
6 student behavior and submit the documentation to the school administration under
7 certain circumstances; requiring a certain law enforcement agency to provide a
8 certain notice to a certain school administration under certain circumstances;
9 requiring a certain school administration to meet with a certain parent or legal
10 guardian to develop a certain plan under certain circumstances; authorizing a school
11 administration to take certain disciplinary actions under certain circumstances;
12 prohibiting a certain student from being counted in a certain manner for certain
13 reporting requirements; defining a certain term; and generally relating to student
14 discipline in public schools.

15 BY adding to
16 Article – Education
17 Section 7–306.1
18 Annotated Code of Maryland
19 (2018 Replacement Volume and 2019 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
21 That the Laws of Maryland read as follows:

22 **Article – Education**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



7-306.1.

(A) IN THIS SECTION, “REPORTABLE OFFENSE” HAS THE MEANING STATED IN § 7-303 OF THIS SUBTITLE.

(B) (1) IN RESPONSE TO BEHAVIOR BY A STUDENT THAT DOES NOT CONFORM TO THE BEHAVIORAL GUIDELINES ADOPTED BY THE COUNTY BOARD IN ACCORDANCE WITH § 7-306(D) OF THIS SUBTITLE, A TEACHER MAY DIRECT A STUDENT TO REPORT TO THE SCHOOL ADMINISTRATION, A GUIDANCE COUNSELOR, OR AN ESTABLISHED DE-ESCALATION AREA IF:

(I) THE STUDENT HAS REPEATEDLY INTERFERED WITH THE TEACHER’S ABILITY TO MAINTAIN A CONDUCTIVE LEARNING ENVIRONMENT FOR ALL STUDENTS; OR

(II) THE STUDENT EXHIBITS BEHAVIOR THAT IS UNRULY, DISRUPTIVE, OR ABUSIVE AND THE BEHAVIOR SIGNIFICANTLY INTERFERES WITH THE TEACHER’S ABILITY TO MAINTAIN A CONDUCTIVE LEARNING ENVIRONMENT FOR ALL STUDENTS.

(2) IF A TEACHER DIRECTS A STUDENT TO THE SCHOOL ADMINISTRATION UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE TEACHER SHALL:

(I) DOCUMENT THE STUDENT’S BEHAVIOR; AND

(II) SUBMIT DOCUMENTATION OF THE BEHAVIOR TO THE SCHOOL ADMINISTRATION.

(3) IF A STUDENT COMMITS A REPORTABLE OFFENSE:

(I) THE ARRESTING LAW ENFORCEMENT AGENCY SHALL NOTIFY THE APPROPRIATE SCHOOL ADMINISTRATION OF THE OFFENSE; AND

(II) THE SCHOOL ADMINISTRATION SHALL MEET WITH THE PARENT OR LEGAL GUARDIAN OF THE STUDENT TO DEVELOP AN APPROPRIATE REPORTABLE OFFENSE PLAN.

(C) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IF A STUDENT IS SENT TO THE SCHOOL ADMINISTRATION UNDER SUBSECTION (B) OF THIS SECTION, THE SCHOOL ADMINISTRATION MAY:

(1) PLACE THE STUDENT INTO ANOTHER CLASSROOM;

1 **(2) PLACE THE STUDENT IN IN-SCHOOL SUSPENSION;**

2 **(3) PLACE THE STUDENT INTO AN ALTERNATIVE PROGRAM**
3 **ESTABLISHED IN ACCORDANCE WITH § 7-304 OF THIS SUBTITLE; OR**

4 **(4) LIMIT OR PROHIBIT THE STUDENT'S ATTENDANCE OR**
5 **PARTICIPATION IN SCHOOL-SPONSORED OR SCHOOL-RELATED ACTIVITIES.**

6 **(D) A STUDENT WHO IS REMOVED FROM A CLASSROOM WHILE STILL BEING**
7 **PROVIDED ALTERNATIVE EDUCATIONAL RESOURCES IN ACCORDANCE WITH THIS**
8 **SECTION MAY NOT BE CONSIDERED REMOVED FROM THE CLASSROOM FOR**
9 **PURPOSES OF A REPORTING REQUIREMENT UNDER § 7-306 OF THIS SUBTITLE.**

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
11 1, 2020.