

Effective: July 1, 2025

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I. Policy Value Statement

The Board of Education of Howard County (Board) is committed to providing a safe, engaging, and supportive school environment where all students feel a sense of belonging. The Board believes that the teaching of expected school behaviors is the shared responsibility of Howard County Public Schools (HCPSS) employees, parents, and community members. The Board believes that clear expectations for positive behaviors must be communicated, taught, modeled, and nurtured. Inappropriate behaviors should be addressed in a manner that is conducive to learning. The Board expects the use of a continuum of behavioral supports and interventions to meet students' varied behavioral, emotional, and developmental needs. This includes positive and preventative strategies, educative and responsive strategies.

The Board expects the use of a continuum of discipline strategies that fosters positive behaviors and monitors and addresses the disproportionate application of disciplinary actions. To this end, the Board's student discipline policy sets forth the expectation of discipline that is fair, equitable, consistent, and reflective of a restorative approach (where applicable). As such, the Board expects HCPSS employees to monitor and address any disproportionality.

II. Purpose

The purpose of this policy is to establish and communicate disciplinary procedures and guidelines to HCPSS employees, students, parents, and the community.

III. Standards

A. General Procedures

1. This policy applies to all students while on school property, during a school-related activity, and/or otherwise subject to the authority of HCPSS. This includes, but is not limited to, school buses, bus stops, school-sponsored events, field trips, athletic functions, and any other activity where school administrators have jurisdiction over students. This policy also applies to off-campus incidents in accordance with Policy 9280 Students Charged with Community or Reportable Offenses and Policy 9460 Bullying, Cyberbullying, Harassment, and Intimidation Involving Students.
2. The HCPSS Student Code of Conduct provides a framework for behavioral goals and disciplinary policies. It establishes standards for student behavior and potential disciplinary consequences for violations of those standards.
3. The Board will review and approve the HCPSS Student Code of Conduct annually.
4. HCPSS employees, students, parents, and community members will be informed of the provisions of this policy on an annual basis.
5. All searches and seizures conducted on school property will take place in accordance with Section 7-308 of the Annotated Code of Maryland, Policy 9020 Student's Rights and Responsibilities, and Policy 9260 Student Search and Seizure.
6. Per Maryland Education Code Section 7-306, a HCPSS employee may not administer corporal punishment to discipline a student. The following are not considered to be corporal punishment:
 - a. HCPSS employees are authorized by law to take reasonable action necessary to prevent violence in the school building, on the school property or on a school-sponsored trip, including intervening in a fight or physical struggle that takes place in their presence.
 - b. HCPSS employees may use no more than the degree of force that is reasonably necessary to prevent violence, restore order, protect themselves, the students involved in the fight or struggle, and other persons in the vicinity of the confrontation.
 - c. Expectations for School Resource Officers (SRO) are defined in the School Resource Officers (SRO) MOU Between the Howard County Department of Police and the Howard County Public School System.

B. Due Process

When potential violations of the HCPSS Student Code of Conduct are being investigated, students will be provided with due process by a HCPSS employee before discipline is administered. Per Policy 9020 Student's Rights and Responsibilities, due process includes:

1. Providing written notification to the student of the allegations within the scope of the HCPSS Student Code of Conduct.
2. Providing a written explanation of all the evidence.
3. Allowing the student an opportunity to respond to the allegations. (Students will be encouraged to provide a written response).
4. Interviewing potential witnesses and viewing video, as available and as necessary, to fully understand the circumstances of the potential violation.
5. Notifying the parent(s) verbally and in writing of the violation when the disciplinary consequence or behavior warrants reallocation of the student's time (such as formal detention or Saturday School), exclusion, or suspension (Policy 9200 Student Discipline).

C. Disciplinary Consequences/Leveled Responses

When it has been determined that a violation of the HCPSS Student Code of Conduct has occurred, HCPSS employees will take the following steps:

1. HCPSS employees will refer to the "Considerations for Response to Violations of Behavior and Discipline Policies" section of the HCPSS Student Code of Conduct when determining a disciplinary consequence that aligns with the offense/violation.
2. HCPSS employees will provide a written notification to the student and parent of the outcome of the investigation and disciplinary consequences.
 - a. If the student is found to be in violation of HCPSS policy and/or the HCPSS Student Code of Conduct and is subject to disciplinary consequences, the parent must be provided a written and verbal notification of the violation and disciplinary consequence within two (2) school days.
 - b. If a suspension or expulsion is part of the decision rendered, parents and students will be made aware of their right to appeal.
 - c. Disciplinary procedures for students with disabilities who are receiving special education services or services under Section 504 will be in accordance with current State and federal laws.
 - i. Procedures for determination of whether the conduct was a manifestation of the student's disability and for interim alternative educational settings consistent with State and federal laws and regulations are required.
 - ii. Per the law, school-based employees may not increase a student's disciplinary measure and/or action because of the student's disability.

- iii. Students with disabilities and their parents have due process safeguards that require notice to parents before decisions are made regarding change of educational placement. (Education Article §8-413, COMAR 13A.05.01.15, COMAR 13A.08.01.11, COMAR 13A.08.04, IDEA)
4. Student infractions of this policy, while on school buses, may lead to the principal/designee suspending transportation privileges temporarily or permanently.
5. If a student violates State or local laws or HCPSS policy and as a result of the commission of the 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, the school may require the student or student's parent to make restitution. Additionally, a student may be subject to other disciplinary consequences related to any violation of State or local laws.
6. Disciplinary infractions that constitute violations of criminal statutes will be reported to appropriate officials of the Howard County Police Department (HCPD) and the Maryland State Department of Education (MSDE). (COMAR 13A.08.01.15)

D. Student Records

Records of students' disciplinary infractions and the consequences for those infractions will be maintained on an ongoing basis according to approved procedures including Policy 3050 Records Management and Policy 9050 Student Records; this includes students with disabilities receiving special education services or services under Section 504.

E. In-School Intervention (ISI)

A principal/designee may assign a student an ISI. An ISI is the opportunity afforded a student, after the student is removed to an alternate location within the school, to continue to:

1. Appropriately progress in the general curriculum.
2. Receive the special education and related services specified on the student's Individualized Education Program (IEP) if the student is a student with a disability in accordance with COMAR 13A.05.01.
3. Receive accommodations as specified in the student's Section 504 Plan.
4. Receive instruction commensurate with the program afforded to the student in the regular classroom.

5. Participate with peers as they would in their current education program to the extent appropriate.

F. Suspension or Expulsion

1. A principal/designee may suspend a student enrolled in grades 3 through 12 for up to ten (10) consecutive school days for each offense.
2. For a student enrolled in grades prekindergarten–grade 2, the following apply:
 - a. A principal/designee may suspend a student for up to no more than five (5) school days per offense only when the school administration, in consultation with a school psychologist or other mental health professional, determines that a student is an imminent threat of serious harm to other students or HCPSS employees that cannot be reduced or eliminated through intervention and supports.
 - b. The Superintendent/designee may expel a student from school only if required by federal law.
3. At the request of a principal, the Superintendent/designee may suspend a student enrolled in grades 3 through 12 for more than ten (10) school days or expel the student for 45 school days or more.
 - a. An extended suspension may occur when the Superintendent/designee has determined that either:
 - i. The student's return to school prior to the completion of the suspension period would pose an imminent threat of serious harm to students, HCPSS employees, or others; or
 - ii. 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.
 - b. Expulsion may occur when the Superintendent/designee has determined that the student's return to school prior to the completion of the expulsion period would pose an imminent threat of serious harm to other students, HCPSS employees, or others.
 - c. The Superintendent/designee will limit the duration of the suspension to the shortest period practicable; and
 - d. HCPSS will provide the suspended student with comparable educational services and appropriate behavioral support services to promote successful return to the student's regular academic program.
 - e. Upon receipt of a written report from a principal requesting an extended suspension or expulsion, the Superintendent/designee will promptly make a thorough investigation of the matter.

4. Any student suspended or expelled from school will remain off all HCPSS properties for the duration of the expulsion or suspension unless prior authorization has been granted by the school principal.
5. Minimum education services during short-term, long-term, or extended suspension and expulsion will be provided as follows:
 - a. Each principal will assign a school-based employee to be the liaison between the appropriate teachers and the students on suspension or expulsion. This liaison will communicate weekly, by phone or email, with those suspended/expelled students and their parents regarding classwork assignments and school-related issues. The liaison will also check on the status of any intervention, mandatory assessment, and/or counseling the student was supposed to receive during the suspension.
 - b. Any student suspended from school for up to three (3) school days (short-term suspension) will be provided the opportunity to complete the academic work they miss during the suspension period without penalty; all students who receive short-term suspensions, and their parents, will be provided with contact information for the liaison responsible for ensuring that requirements described are met.
 - c. Any student suspended from school for four (4) or more school days (long-term or extended) or expelled, who is not placed in an alternative educational setting will receive daily classwork and assignments during the period of suspension or expulsion.
 - d. Work submitted during the period of suspension or expulsion will be reviewed and corrected by teachers in accordance with Policy 8010 Grading and Reporting: PreKindergarten Through Grade 5 and Policy 8020 Grading and Reporting: Middle and High School.
 - e. Any student who is suspended or expelled will complete and return classwork and assignments in a time frame equivalent to the period of suspension or in accordance with the student's Section 504 Plan and IEP in order to receive full credit.
6. Any student who is expelled or suspended is precluded from participation in or attendance at all HCPSS school-related before-school or after-school and extracurricular activities held during the period of the suspension or expulsion.
7. If a graduating senior is suspended for ten (10) school days or fewer, and the period of suspension includes the day of commencement, the student may appeal directly to the Superintendent in order to participate in the commencement ceremony. If a decision is to be made prior to commencement exercises, the appeal must be filed no later than two (2) school days prior to the commencement ceremony.

G. Alternative Educational Setting

Alternative educational options through HCPSS include virtual day and evening programs, in person evening programs, digital education courses, the Gateway program at the Homewood Center, and the Passages program. Alternative educational settings may be used as placements during extended suspensions and expulsions.

1. For students awaiting a threat assessment or reportable offense hearing to provide temporary support and access to instruction.
2. For students transitioning to HCPSS from the Department of Juvenile Services (DJS) placement.
3. For students requiring a smaller, more supportive environment to receive their daily education.
4. Used for students who are removed from the regular school program due to reportable offenses.

H. Annual Data and Reporting

1. HCPSS will submit the required discipline data to MSDE annually.
2. HCPSS will provide a discipline report to the Board annually. The discipline report will include the identification of student groups being disciplined disproportionately relative to their overall enrollment. Strategies and plans for remediation will be identified and evaluated for efficacy.

I. Professional Learning

The HCPSS will provide training and resources to enable HCPSS employees to implement this policy.

IV. Responsibilities

- A. The Superintendent/designee will ensure HCPSS employees receive training and resources necessary to implement this policy.
- B. The Superintendent/designee will notify all HCPSS school-based administrators annually of the provisions of this policy.
- C. The Superintendent/designee will ensure students, parents, school security guards, HCPSS employees, and SROs are notified of the provisions of this policy annually.

- D. Principals/designees and the Superintendent/designee will determine appropriate disciplinary action for a student based on the severity of the infraction and on a range of disciplinary consequences.
- E. Principals/designees and the Superintendent/designee will ensure that students with IEPs will receive a Free Appropriate Public Education (FAPE) during extended suspensions and/or expulsions.
- F. Principals will ensure violations of criminal statutes are reported to the appropriate officials of the HCPD and the MSDE.
- G. Principals will ensure disciplinary records are maintained according to HCPSS policy and approved procedures.
- H. Students will comply with all school rules and procedures and will exhibit the expected student behaviors delineated in the HCPSS Student Code of Conduct.
- I. In cases whereby a student, HCPSS employee, or parent of a student feels there has been a violation or a misinterpretation of this policy or procedures, they should notify the principal and the Director or Executive Director of Schools.

V. Delegation of Authority

The Superintendent is authorized to develop appropriate procedures for the implementation of this policy within the limits set forth by this policy.

VI. Definitions

Within the context of this policy, the following definitions apply:

- A. Alternative Educational Setting – A location outside of the designated home school designed to accommodate the needs of students who have demonstrated the need for significant academic or behavioral support.
- B. Corporal Punishment – Physical penalty or undue physical discomfort inflicted on the body of a student.
- C. Day – A calendar day unless otherwise indicated as a school day.
- D. Detention – The placement of a student in a non-standard, supervised setting during the school day, before or after school, or on Saturdays.
- E. Exclusion – The removal of a student to a supervised area for a limited period of time during which the student has an opportunity to regain self-control and is not receiving instruction including special education, related services, or support and is not physically prevented from leaving or returning to the classroom.

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- F. Expulsion – The exclusion of a student from the student’s regular school program for 45 school days or longer as determined by the Superintendent/designee.
- G. Free Appropriate Public Education (FAPE) – Provision of regular, special education and related services designed to meet a student's individual educational needs.
- H. HCPSS Employee – Any individual who is a permanent or temporary employee of the HCPSS whose compensation is paid in whole or part by the Board, including but not limited to, school-based administrators, teachers, substitute teachers, paraeducators, and other school-based and Central Office support staff.
- I. Imminent Threat of Serious Harm – Likely or immediate danger of adverse and significant impact on physical or emotional well-being.
- J. Individualized Educational Program (IEP) – Written description for the special education and related services for a student with a disability that is developed, reviewed, and revised by the student’s IEP Team.
- K. In-School Intervention (ISI) – The opportunity afforded a student, after the student is removed to an alternate location within the school, to continue to:
1. Appropriately progress in the general curriculum.
 2. Receive the special education and related services specified on the student’s IEP in accordance with COMAR 13A.05.01.
 3. Receive the accommodations and related services specified on the student’s Section 504 Plan if the student is eligible under Section 504 of the Rehabilitation Act of 1973.
 4. Receive instruction commensurate with the program afforded to the student in the regular classroom.
 5. Participate with peers as they would in their current education program to the extent appropriate.
- L. Parent – Any one of the following, recognized as the adult(s) legally responsible for the student:
1. Biological Parent – A natural parent whose parental rights have not been terminated.
 2. Adoptive Parent – A person who has legally adopted the student and whose parental rights have not been terminated.

3. Custodian – A person or agency appointed by the court as the legal custodian of the student and granted parental rights and responsibilities.
 4. Guardian – A person who has been placed by the court in charge of the affairs of the student and granted parental rights and responsibilities.
 5. Caregiver – An adult resident of Howard County who exercises care, custody, or control over the student but who is neither the biological parent nor legal guardian, as long as the person satisfies the requirements of the Education Article, §7-101 (c) (Informal Kinship Care) or has been issued a U.S. Department of Health and Human Services' Office of Refugee Resettlement (ORR) Verification of Release form entering into a custodial arrangement with the federal government.
 6. Foster Parent – An adult approved to care for a child who has been placed in their home by a State agency or a licensed child placement agency as provided by the Family Law Article, §5-507.
- M. Restorative Practices – Processes that proactively build healthy relationships and a sense of community to prevent and address conflict and wrongdoing.
- N. School Day – Day, including a partial day, when a public agency is open and students are required to be in attendance for instruction.
- O. School Property – Any property owned or leased by the HCPSS or used by HCPSS for school-related activities. The concept of property extends to school activities such as field trips, use of parks and recreation facilities, proms at hotels, etc. School buses, bus stops, and facilities scheduled by the school system for student use are considered an extension of school property.
- P. School-Related Activity – Any school system activity, on or off school property, in which a student directly participates (e.g. school field trip, athletic event, or class/graduation activity), or an activity in which the student does not directly participate but represents the school or student body simply by being present (e.g. spectator at a school event).
- Q. Section 504 Plan – A written document developed for an eligible student that allows the student to receive a free and appropriate public education in the least restrictive environment.
- R. Suspension – The denial of a student's right to attend regular classes or school for a specified period of time for cause. Suspension includes extended suspension, in-school suspension, short-term suspension, or long-term suspension.
1. In-School Suspension – The removal of a student from the student's current education program, for up to but not more than ten (10) school days in one school

year, for disciplinary reasons by the principal to another location within the school building.

2. Short-Term Suspension – The removal of a student from school for up to but not more than three (3) school days for disciplinary reasons as determined by the principal.
3. Long-Term Suspension – The removal of a student from school for between 4–10 school days for disciplinary reasons as determined by the principal.
4. Extended Suspension – The exclusion of a student from school for between 11 and 45 school days for disciplinary reasons as determined by the Superintendent/designee.

VII. References

- A. Legal
 - 18 U.S.C. §921 and §924
 - Md. Ann. Code, Family Law Article, Section 5-507
 - Md. Ann. Code, Education Article, Section 7-101(c)
 - Md. Ann. Code, Education Article, Section 7-305
 - Md. Ann. Code, Education Article, Section 7-305.1
 - Md. Ann. Code, Education Article, Section 7-305.6
 - Md. Ann. Code, Education Article, Section 7-307
 - Md. Ann. Code, Education Article, Section 7-308
 - COMAR 13A.05.01, Provision of a Free Appropriate Public Education
 - COMAR 13A.08.01.11, Disciplinary Action
 - COMAR 13A.08.01.15, Reporting Delinquent Acts
 - COMAR 13A.08.01.17, School Use of Reportable Offenses
- B. Board Policies
 - Policy 1050 Alcohol, Drug, and Tobacco Free Environment
 - Policy 3050 Records Management
 - Policy 9000 Student Residency, Eligibility, Enrollment, and Assignment
 - Policy 9020 Students' Rights and Responsibilities
 - Policy 9050 Student Records
 - Policy 9250 Weapons
 - Policy 9260 Student Search and Seizure
 - Policy 9280 Students Charged with Community or Reportable Offenses
 - Policy 9400 Student Behavior Intervention
- C. Relevant Data Sources
 - Maryland State Department of Education (MSDE) Discipline Summary Reports System and School Discipline Data

- D. Other
 Bus Conduct Report Form
 HCPSS Student Code of Conduct
 Instructional Intervention Team and Student Support Team Process Guide
 Parental Rights, Maryland Procedural Safeguards Notice
 School Improvement Handbook
 School Resource Officers (SRO) MOU Between the Howard County
 Department of Police and the Howard County Public School System
 Special Education Procedural Safeguards Booklet
 Student/Parent Handbook

VIII. History¹

ADOPTED: November 21, 1989
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 November 12, 1998
 January 14, 1999
 May 12, 2005
 May 11, 2006
 December 13, 2007
 May 9, 2013
 June 12, 2014
 June 7, 2018
 June 12, 2025
 EFFECTIVE: July 1, 2025

¹ Key: **Adopted**-Original date the Board took action to approve a policy; **Reviewed**-The date the status of a policy was assessed by the Superintendent's Standing Policy Group; **Modified**-The date the Board took action to alter a policy that based on the recommendation of the Superintendent/designee did not require a comprehensive examination; **Revised**-The date the Board took action on a policy that based on the recommendation of the Superintendent/designee needed a comprehensive examination; **Effective**-The date a policy is implemented throughout the HCPSS, typically July 1 following Board action.

STUDENT DISCIPLINEEffective: July 1, 2025

I. General Procedures**A. Staff/Administrator Response**

For minor behavioral infractions, Howard County Public School System (HCPSS) school-based employees and administrators may respond to students in a manner that does not require parental notification. These responses may include actions such as a verbal reprimand, assigning the student to a brief period of time-out, withholding privileges, requiring a conference with the student, or assigning detention during the school day.

B. Parent Contact

When parental contact is warranted, parents will be informed of the misbehavior and consequence within one school day after the conclusion of the investigation. Communication with parents may take many forms, including phone calls, written notices, email notification, and administrative conferences with the student and the parent.

C. Student Suspected of Having a Disability

1. A student who has not been determined to be eligible for special education and who has engaged in behavior that violated any rule or Student Code of Conduct of HCPSS may assert any of the Individuals with Disabilities Act (IDEA) disciplinary protections if the HCPSS had knowledge that the student was a student with a disability before the behavior that precipitated the disciplinary action occurred or there was a reason to believe that the student may be disabled.
2. HCPSS is deemed to have knowledge that a student is a “student with a disability” if the following conditions existed prior to the disciplinary action:
 - a. The parent of the student has expressed concern in writing to HCPSS supervisory or administrative staff or a teacher of the student, that the student is in need of special education and related services;
 - b. The parent of the student has requested an evaluation of the student; or
 - c. The teacher of the student or other HCPSS employees have expressed specific concerns about a pattern of behavior demonstrated by the student, directly to supervisory personnel of the HCPSS.

3. If HCPSS is deemed to have knowledge that a student is a “student with a disability” due to one of the conditions above, IDEA disciplinary protections apply.
4. HCPSS would not be deemed to have knowledge that the student is a “student with a disability” if any of the following conditions exist:
 - a. The parent of the student has not allowed an evaluation of the student.
 - b. The parent has refused or revoked consent for special education and related services.
 - c. The student has been evaluated and it was determined that the student was not a student with a disability.
 - d. The Individualized Education Program (IEP) Team determined that an evaluation was not necessary and the parent was provided written notice of the IEP Team’s decision.
5. If the HCPSS had no knowledge that the student was a student with a disability prior to the disciplinary infraction, then the student may be treated as a general education student who engaged in comparable behavior.

D. Grievance

In cases whereby a student, HCPSS employee, or parent of a student feels there has been a violation or misinterpretation of this policy or procedures, they should notify the principal and the Director of Schools. Students, HCPSS employees, and parents of students have the right to a response from the school-based administration regarding inquiries, concerns, or complaints within two (2) school days from the date of the complaint.

II. Due Process

- A. Students will be informed of the due process rights during the first three (3) weeks of school.
- B. A HCPSS employee will investigate any alleged violation of the HCPSS Student Code of Conduct in a timely manner and, if appropriate, complete the required Incident Report or Office Disciplinary Report.
- C. The HCPSS Student Statement Form, will include information regarding the students rights and responsibilities, including but not limited to:
 1. The student’s right to contact a parent prior to giving a statement.
 2. The right to ask for a trusted adult to be present for support.
- D. When requesting a student statement, the HCPSS school-based administrator will ensure the means for providing a statement is developmentally appropriate.

- E. If, at the conclusion of the investigation, the HCPSS school-based administrator determines there has been a violation of the HCPSS Student Code of Conduct and/or HCPSS policy, consequences will be issued in accordance with the provisions of this policy, Policy 9020 Students' Rights and Responsibilities, and the HCPSS Student Code of Conduct.

III. Disciplinary Consequences/Leveled Responses

- A. When students demonstrate behavioral infractions, HCPSS school-based administrators will ensure disciplinary consequences include opportunities for students and parents to understand the nature of the behavioral infractions and how to avoid future violations.
- B. Students demonstrating behavioral infractions may be referred to the Student Support Team (SST) to determine if there is a need for an individualized student behavior plan.
- C. Principals will ensure that intervention and support will be provided to any prekindergarten through grade 2 student who:
 - 1. Is disruptive to the school environment;
 - 2. Commits an act that would cause a student in grade 3 or higher to be suspended; or
 - 3. Is suspended.
- D. Reallocation of Student's Time Through Detention
 - 1. Some behavioral infractions warrant reallocation of a student's time through detention beyond the school day. This occurs when student misbehavior calls for a significant response short of suspension from school.
 - 2. Notification of detention outside of regularly scheduled school hours will be given to the parent of a student who is being assigned a detention at least one day in advance of the date of detention.
 - 3. Notification of detention will contain the reason that the detention is being assigned, the date of the detention, and the times that the detention will begin and end.
 - 4. The responsibility for transportation of students assigned detention outside of school hours rests with the parents of the students.
- E. The following procedures apply for all students who ride a school bus which include, but are not limited to, transportation to and from school, and all school-related activities:

1. Failure to comply with expected student behaviors or interference with the safe transportation of students in any way is a violation of this policy. In the absence of a teacher or HCPSS school-based administrator, it is the responsibility of the school bus driver/assistant to report inappropriate or unsafe student behavior to a school-based administrator/designee. In serious situations, the driver/assistant will also contact the Office of Student Transportation immediately.
2. When investigating violations of the HCPSS Student Code of Conduct on a school bus, the HCPSS school-based administrator will review video footage (if available).
3. Disciplinary action as a result of inappropriate behavior on a school bus will be the responsibility of the HCPSS school-based administrator. The Office of Student Transportation staff will be available to assist school-based administrators in addressing and resolving infractions.
 - a. The school-based administrator will determine if a violation has occurred.
 - b. If the school-based administrator determines that a violation has occurred, they, in consultation with Office of Student Transportation staff, as necessary, will take appropriate disciplinary action in accordance with the HCPSS Student Code of Conduct.
4. Student infractions of the rules/guidelines regarding student conduct on school buses may lead to the temporary or permanent suspension of transportation privileges and/or other discipline.
5. Inappropriate conduct by students receiving special education or Section 504 services will be handled in accordance with all applicable laws and regulations.

IV. Student Records

- A. All data from Incident Reports and Office Disciplinary Reports will be entered into the student records management system.
- B. Copies of Office Disciplinary Reports describing students' behavioral violations will be kept in each student's cumulative file.
- C. When a student is suspended, a copy of the suspension letter will be kept in each student's cumulative file.
- D. Incident Reports are not to be kept in the student's cumulative file. This is because they are for Level 1-3 violations only.

V. In-School Interventions (ISI)

- A. ISI may only be assigned by a HCPSS school-based administrator.
- B. ISI must be documented on an Office Disciplinary Report and parents must be notified.
- C. Interventions provided during the ISI will be communicated to the parent.

VI. Suspension Or Expulsion

A. Suspensions of Up to Ten (10) School Days

The following provisions and procedures apply, for each offense, for all students except those receiving special education services or having Section 504 Plans.

1. In-school suspensions should be assigned with the same considerations and expectations accorded short-term suspensions, long-term suspensions, or extended suspensions. This includes keeping records of in-school suspensions, parental notification, and reporting in-school suspensions using currently accepted guidelines for reporting of disciplinary data.
2. General Procedures
 - a. The student will be informed promptly of the alleged violation and given the opportunity to explain in writing their explanation of the situation.
 - b. The student or the student's parent will have a conference with the principal/designee and/or any other appropriate personnel during the suspension period.
 - c. If a principal determines that a suspension up to ten (10) school days is warranted, they will inform the student and the student's parent of the reason(s) for the suspension within one school day after the conclusion of the investigation. Verbal communication is to be attempted in cases of suspension. However, other forms of notification may be utilized when verbal communication cannot be made, including the use of written notices, email, and administrative conferences with the student and the parent. If a student is suspended they will not be released from school during the initial day of suspension without parent notification.
 - d. If a principal determines that a suspension of any length is warranted, the student's parent will receive a letter that includes:
 - i. A description of the student's behavior
 - ii. The reason for the suspension
 - iii. The length of the suspension
 - iv. The appeal procedures
 - v. The list of community resources.

- e. If the suspension is imposed by the principal/designee, an appeal of a suspension of ten (10) school days or less may be made to the Superintendent/designee within ten (10) days of the date on which the suspension began.
- f. If a student is sent home by a HCPSS school-based administrator due to behavioral concerns, that time from school is considered a removal and counts as a suspension. This includes when an administrator suggests a student be picked up from school or suggests a student stay home from school for the behavioral concerns.
- g. Any time the disciplinary action results in the suspension of a student who qualifies for special education disciplinary protections; the parent will be notified and provided a copy of the procedural safeguards booklet on the day the disciplinary action is assigned.
- h. Any time the disciplinary action results in the suspension of a student who qualifies for Section 504 protections, the parent will be notified and provided a copy of the Section 504 parental rights notice on the day the disciplinary action is assigned.

B. Suspensions of More Than Ten (10) School Days and Expulsions

- 1. For a student enrolled in grades 3 through 12, an extended suspension may occur when the Superintendent/designee has determined that either:
 - a. The student's return to school prior to the completion of the suspension period would pose an imminent threat of serious harm to other students, HCPSS employees, or others; 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. For a student enrolled in grades 3 through 12, expulsion may occur when the Superintendent/designee has determined that the student's return to school prior to the completion of the expulsion period would pose an imminent threat of serious harm to other students, HCPSS employees, or others. For a student enrolled in prekindergarten through grade 2 expulsion may occur only if required by federal law.
- 3. The Superintendent/designee will limit the duration of the suspension to the shortest period appropriate.
- 4. The HCPSS will provide the suspended student with comparable educational services and appropriate behavioral and counseling support services to promote successful return to the student's regular academic program.
- 5. Students who are expelled may request reinstatement from the Superintendent/designee, who makes all determinations in such matters.

6. For cases in which a principal determines that a suspension exceeding ten (10) school days or expulsion for 45 school days or more is warranted, they will issue a ten-day suspension, make a written recommendation to the Superintendent/designee, and inform the student and the student's parent of the reason(s) for the suspension and recommendation to the Superintendent/designee. Verbal communication is to be attempted in cases of suspension. However, other forms of notification may be utilized when verbal communication cannot be established including the use of written notices, email, and administrative conferences with the student and the parent. If a student is suspended they will not be released from school during the initial day of suspension without parent notification.
7. Investigations
 - a. Upon receipt of a written report from a principal requesting an extended suspension or an expulsion, the Superintendent/designee will promptly make a thorough investigation of the matter.
 - b. If after the investigation the Superintendent/designee finds that an extended suspension or an expulsion is warranted, the Superintendent/designee will promptly arrange a conference, with the student and student's parent, to explain the outcome of the investigation and provide the student an opportunity to respond to the allegations and the investigation findings.
 - c. The process described above will 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 unavailability or due to the complexity of the investigation, the student will be allowed to return to school, unless the Superintendent/designee determines that the student's return to school would pose an imminent threat of serious harm to other students, HCPSS employees, or others.
 - d. If the student is not allowed to return to school after the 10th day, the Superintendent/designee will notify the student and the parent 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.
8. Appeals
 - a. If after the conference the Superintendent/designee finds that an extended suspension or an expulsion is warranted, the student or the student's parent may appeal to the Board within ten (10) days after the determination.
 - b. If an appeal is filed, the Board or its designated committee or hearing officer will have 45 days from the date the appeal was received to hear the appeal and issue a decision, as follows:

- i. This timeline period may be extended if the parent or their representative requests additional time; and
 - ii. This timeline will also apply in the event that the Board elects to use a hearing examiner.
 - c. If due to extraordinary circumstances or unusual complexity of a particular appeal, the Board determines that it will be unable to hear an appeal and issue a decision within 45 days, it may petition the State Superintendent of Schools for an extension of time.
 - d. The student or the student's parent or representative:
 - i. Will be provided the HCPSS's witness list and a copy of the documents that the HCPSS will present at the hearing five (5) days before hearing; and
 - ii. May bring counsel and witnesses to the hearing.
 - e. Unless a public hearing is requested by the parent of the student, all student disciplinary hearings will be held out of the presence of all individuals except those whose presence is considered necessary or desirable by the Board.
 - f. The appeal to the Board does not stay the decision of the Superintendent.
 - g. The decision of the Board is final.
9. Suspension of a student receiving special education services for more than ten (10) cumulative school days (including in-school suspensions) or expulsion:
- a. Students with IEPs can be excluded from instruction for a total of ten (10) cumulative days per school year. After the 10th day, students must receive educational services to enable them to progress appropriately in the general education curriculum and advance toward achieving the goals on the student's IEP.
 - b. Any disciplinary action of a student with an IEP that warrants a suspension that exceeds ten (10) school days per year or expulsion by the Superintendent/designee will be immediately referred to the IEP Team. The parent will be given notice of the IEP Team meeting, which must be held as soon as possible, but not later than ten (10) school days after the offense.
 - c. It is the responsibility of the IEP Team, which includes the parent, to meet and determine if the behavior that resulted in the suspension was a manifestation of the student's disability. The IEP Team will review all relevant information in the student's file, including the student's IEP, Functional Behavior Assessment (FBA), Behavior Intervention Plan (BIP), teacher observations, and any relevant information provided by the parents to determine:

- i. Whether the conduct in question was caused by, or had a direct and substantial relationship to, the student's disability.
 - ii. Whether the conduct in question was the direct result of the HCPSS's failure to implement the IEP.
 - iii. If the IEP Team determines that either of the above considerations is applicable, the conduct will be determined to be a manifestation of the student's disability.
- d. If the IEP Team determines that the conduct, which prompted the disciplinary action, was a manifestation of the student's disability, the suspension or expulsion will be discontinued. Suspension days served during this time count toward the 10-day limit of removal from educational services. The team members will:
 - i. Return the student to the placement from which the student was removed, unless the parent and the IEP Team agree to change the placement as part of the modification of the IEP or the BIP.
 - ii. Conduct a FBA and implement a BIP if one has not been implemented previously.
 - iii. Review and modify the BIP, if necessary, to address the behavior.

Implementation of the revised BIP will occur as soon as possible, but not more than ten (10) school days following the revision and approval by the IEP Team. Monitoring of the BIP will occur on an ongoing basis.

- e. If the IEP Team determines that the conduct that prompted the disciplinary action was not a manifestation of the student's disability, the following procedures apply:
 - i. HCPSS must continue to provide educational services during periods of disciplinary removal that exceed ten (10) cumulative school days per year. The IEP Team determines the goals, objectives, and services needed to enable the student to progress in the general education curriculum and advance toward achieving the goals of the student's IEP. The IEP Team will conduct, as appropriate, a FBA, or review and revise the student's BIP to address the behavior. The Superintendent/designee may consider any unique circumstance on a case-by-case basis when determining whether to recommend a change in placement for a child with a disability. If the Superintendent/designee recommends an alternative placement, the placement will be able to implement the student's IEP and the services determined by the IEP Team.
 - ii. If parents disagree with a decision regarding a manifestation determination or with any decision regarding placement for disciplinary reasons, the parents may file a due process complaint in

accordance with the provisions of the Parental Rights, Maryland Procedural Safeguards Notice.

Unless the parent and Superintendent/designee agree on an alternative placement, the student will remain in the student's current educational setting pending the outcome of the due process hearing. This does not preclude the school from using the normal procedures for dealing with students who are endangering themselves or others.

- f. The HCPSS may seek an administrative decision to remove a student from school to either a virtual setting or an alternative educational environment when the student exhibits dangerous behavior and poses a danger of imminent harm to students or HCPSS employees.
10. When a student who is eligible for a Section 504 Plan is suspended for more than ten (10) cumulative school days (including in-school suspensions) or expulsion.
- a. Any disciplinary action of a student with a Section 504 Plan that warrants a suspension that exceeds ten (10) school days per year or expulsion by the Superintendent/designee will be immediately referred to the Section 504 Team. The parent will be given notice of the Section 504 Team meeting, which must be held as soon as possible, but not later than ten (10) school days after the offense.
 - b. It is the responsibility of the Section 504 Team, which includes the parent, to meet and determine if the behavior that resulted in the suspension was a manifestation of the student's disability. The Section 504 Team will review all relevant information in the student's file, including the student's Section 504 Plan, FBA, BIP, teacher observations, and any relevant information provided by the parents to determine:
 - i. Whether the conduct in question was caused by, or had a direct and substantial relationship to, the student's disability.
 - ii. HCPSS's failure to implement the Section 504 Plan.
 - iii. If the Section 504 Team determines that either of the above considerations are applicable, the conduct will be determined to be a manifestation of the student's disability.
 - c. If the Section 504 Team determines that the conduct, which prompted the disciplinary action, was a manifestation of the student's disability, the suspension or expulsion will be discontinued. Suspension days served during this time count toward the 10-day cumulative limit of removal from educational services. The team members will:

- i. Return the student to the placement from which the student was removed.
 - ii. Consider conducting an FBA and implementing a BIP.
 - iii. Review and modify the BIP, if necessary, to address the behavior.
- d. Implementation of the revised BIP will occur as soon as possible, but not more than ten (10) school days following the revision and approval by the Section 504 Team.
- e. If the Section 504 Team determines that the conduct that prompted the disciplinary action was not a manifestation of the student's disability, the school system may cease education services during the periods of disciplinary removal that exceed ten (10) school days if non-disabled students in similar circumstances do not continue to receive educational services. If parents disagree with a decision regarding a manifestation determination or with any decision regarding placement for disciplinary reasons, the parents may utilize their grievance rights in accordance with the provisions of the HCPSS Notice of Procedural Safeguards Under Section 504 of the Rehabilitation Act of 1973.
- f. HCPSS may seek a court order to remove the student or seek the consent of the student's parent for a change in placement if the student's presence in school poses a danger to persons or property.
- g. During the pendency of an appeal by a student with a Section 504 Plan, the student is to be treated like a general education student.
- h. Discipline for students with Section 504 Plans who bring weapons onto school property Under the Gun-Free School Act, a student with a Section 504 Plan who brings a gun to school may be placed in an interim alternative placement for up to 45 calendar days, regardless of whether the behavior was caused by the student's disability or whether the student had previously been suspended for 10 or more days. If a student with a Section 504 Plan brings a weapon other than a gun to school and is recommended for disciplinary sanctions, the student is entitled to a manifestation determination meeting. If the team determines that the action was not caused by or had a direct and substantial relationship to the student's impairment used as the basis for the student's Section 504 Plan, the student may be disciplined in the same way as a student without a disability would be treated. If the Section 504 Team determines the behavior was caused by or had a direct and substantial relationship to the impairment that was used as the basis for the student's Section 504 Plan, the student must return to school.

VII. Alternative Educational Setting

- A. The following provisions and procedures apply, for each offense, for all students except those receiving special education services or having Section 504 Plans.

1. Students may be assigned to or granted placement in an alternative educational setting, such as Homewood Center or Evening School, by designated Central Office staff.
 2. Every effort will be made to enlist parent support when assigning students to alternative educational settings. However, the Superintendent/designee retains the right to assign students to alternative settings when the students and/or parents do not agree to such placements.
 3. The length of placement in an alternative educational setting will be determined by designated Central Office staff.
 4. Designated Central Office staff will track and monitor demographic data and length of placement data for students in alternative educational settings.
 5. The sending school maintains responsibility for students until the student arrives at the assigned settings or until required actions (e.g., completion of assessments) are completed by the sending school.
 6. Failure of students to complete requirements of the alternative educational setting in a satisfactory manner may result in additional disciplinary actions.
- B. Interim Alternative Educational Setting for Students Receiving Special Education Services
1. HCPSS school-based employees may remove a student with an IEP to an appropriate Interim Alternative Educational Setting (IAES) for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the student's disability, in cases when the student:
 - a. Carries or possesses a weapon at school, on school property, or at a school-related activity.
 - b. Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school property, or at a school-related activity.
 - c. Inflicts serious bodily injury upon another person while at school, on school property, or at a school-related activity.
 2. If the principal believes that a student with an IEP should be assigned to an IAES, the principal will make the decisions within ten (10) days of the conclusion of the investigation, contact the Superintendent/designee and make the request. If the Superintendent/designee imposes a disciplinary consequence of up to 45 school days of suspension, the IEP Team will meet to determine the goals, objectives, services, and the location of the IAES that will enable the student to progress in the general education curriculum and advance toward achieving the goals of the student's IEP.

VIII. Data

Through the school improvement process, or other identified data protocol, the school improvement teams will analyze school discipline dashboard data reports for trends and disproportionality and develop strategies to address student needs that reflect a restorative approach.

IX. Professional Learning

HCPSS employees will receive annual training and resources necessary to ensure a safe, engaging, and supportive learning environment (aligned with the HCPSS Student Code of Conduct). The training and resources provided to employees will address:

- A. The contents and requirements of this policy as well as Policy 9020 Students' Rights and Responsibilities.
- B. A continuum of interventions and supports designed to promote expected school behaviors and discourage students from engaging in behaviors that interfere with the provision of a safe, engaging, and supportive environment.
- C. Implementation of positive behavioral interventions and supports (PBIS) is available from Central Office staff.
- D. Anti-Bias training.
- E. Trauma Informed Practices.

X. Definitions

Within the context of these implementation procedures, the following definitions apply:

- A. Behavior Intervention Plan (BIP) – A course of action developed as a result of a Functional Behavioral Assessment (FBA) for a specific student using positive behavioral interventions, strategies, and supports, to address problem behaviors exhibited by a student in the education setting.
- B. Evening School – An interim disciplinary placement providing educational opportunities for selected middle and high school students that takes place after normal school hours.
- C. Functional Behavior Assessment (FBA) – A systematic process of gathering information to guide the development of an effective and efficient Behavior Intervention Plan (BIP).
- D. Homewood Center – A setting which provides alternative middle and high school programs for students in need of intensive academic and behavioral instruction and support. Homewood Center also serves students with an emotional disability

and in need of a separate day program to meet Individual Educational Program (IEP) goals and objectives.

- E. Individual Educational Program (IEP) Team – A group of individuals established in accordance with Individuals with Disabilities Education Act (IDEA) provisions to consider the identification, evaluation, program, or placement for all student suspected of, or identified as, needing special education and related services.
- F. Interim Alternative Educational Setting (IAES) – A setting within or outside the designated home school selected to enable a student receiving special education services to continue to progress in the general curriculum and to continue to receive special education services and modifications needed to meet the goals of the student’s IEP.
- G. School Problem Solving Team – Group established to determine intervention and supports needed for students struggling with behavior (such as Instructional Intervention Team (IIT) or School Support Team (SST)).
- H. Section 504 Team – A group of individuals possessing knowledge of a student, the student’s evaluation data, placement options, Section 504, and this policy. The team may consist of the student’s parent, the student, the student’s teacher, the school counselor, the case manager, the principal/designee, and the school-based professional qualified to interpret the implications of evaluations.
- I. Serious Bodily Injury – An injury that involves a substantial risk of death; extreme physical pain; protracted and obvious disfigurement; or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.
- J. Student Support Team (SST) – A diverse group of school-based educators, that may include school counselors, psychologists, administrators, nurses, and teachers, that meet regularly to discuss the educational and behavioral needs of students. When necessary, this group also collaboratively develops interventions to support the specific needs of students.

XI. Monitoring

Policy 9200 implementation procedures will be overseen by the Division of Schools.

XII. History¹

ADOPTED: November 21, 1989
REVIEWED: January 17, 2024
MODIFIED: October 10, 2013
September 19, 2017
REVISED: November 12, 1998
January 14, 1999
May 12, 2005
May 11, 2006
April 14, 2011
June 21, 2011
May 9, 2013
June 12, 2014
June 7, 2018
June 12, 2025
EFFECTIVE: July 1, 2025

¹ Key: ***Adopted***-Original date the Board took action to approve a policy; ***Reviewed***-The date the status of a policy was assessed by the Superintendent's Standing Policy Group; ***Modified***-The date the Board took action to alter a policy that based on the recommendation of the Superintendent/designee did not require a comprehensive examination; ***Revised***-The date the Board took action on a that policy based on the recommendation of the Superintendent/designee needed a comprehensive examination; ***Effective***-The date a policy is implemented throughout the HCPSS, typically July 1 following Board action.