

I. Policy Statement

The Board of Education of Howard County is committed to providing a safe, engaging, and supportive school environment that maintains an environment of order, safety, and discipline necessary for effective learning. The Board also honors equity, diversity, and commonality. The Board believes providing such an environment requires that clear expectations for appropriate behavior be communicated, appropriate behavior be taught, and consequences for inappropriate behavior be administered.

The Board recognizes that teaching appropriate school behavior is the shared responsibility of Howard County Public Schools (HCPSS) staff and parents. The Board believes that disciplinary consequences should be designed to encourage responsible actions, promote the development of self-discipline, and change inappropriate behavior. Discipline will be administered using a continuum model that includes conferences, detention, alternative educational settings, student reassignment, suspension, and expulsion.

The Board further recognizes that student discipline regulations should reflect a rehabilitative discipline philosophy with the goals of fostering, teaching, and acknowledging positive behavior and should be designed to keep students connected to school so that they may graduate college and career ready.

II. Purpose

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

III. Definitions

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

- A. Alternative Educational Setting – A setting outside of the home school designed to accommodate the needs of students who have demonstrated the need for significant academic or behavioral support.
- B. Behavior Intervention Plan (BIP) – The use of positive behavioral interventions, strategies, and supports designed to address problem behaviors exhibited by a student in the education setting.
- C. Corporal Punishment – Physical penalty or undue physical discomfort inflicted on the body of a student for the purpose of maintaining discipline or to enforce school rules.

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- 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. 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.
- F. Free Appropriate Public Education (FAPE) – Provision of general or special education and related services designed to meet a student's individual educational needs.
- G. Imminent Threat of Serious Harm – Likely or immediate danger of negative and significant impact on physical or emotional well-being.
- H. Individualized Educational Program (IEP) Team – A school-based team established to consider the identification, evaluation, program, or placement for all students suspected of, or identified as, needing special education and related services.
- I. In-School Intervention – 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 if the student is a student with a disability in accordance with COMAR 13A.05.01.
 3. Receive instruction commensurate with the program afforded to the student in the regular classroom.
 4. Participate with peers as they would in their current education program to the extent appropriate.
- J. 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.

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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).
 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.
- K. 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.
- L. School-Related Activity – Any school system activity, whether held on or off school property, in which a student directly participates (e.g., school field trip, athletic event, class/graduation activity), or in which the student does not directly participate but represents the school or student body simply by being there (e.g., spectator at a school event).
- M. Staff – All HCPSS school system and contracted employees.
- N. Student Support Team (SST) – A diverse group of school-based educators, that may include school counselors, psychologists, administrators, health assistants, 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.
- O. 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 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 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.

IV. Standards

- A. This policy applies to all students while on school property, during a school-related activity, and/or otherwise subject to the authority of the 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.
- B. The HCPSS Student Code of Conduct will establish the standards for student behavior and disciplinary consequences for violations of those standards.
- C. Students will be accorded due process when discipline is administered. Due process includes:
 1. Notifying the student of the allegations.
 2. Presenting and/or explaining the evidence to the student.
 3. Allowing the student an opportunity to respond to the allegations. Students will be encouraged to provide a written, signed response but will be informed that they are not required to sign such statement prior to parental notification.
 4. Notifying the parents promptly, both verbally and in writing, of the violation and disciplinary consequence when the behavior warrants reallocation of the student's time, such as detention, exclusion, suspension or expulsion.
- D. Discipline will be administered using a range of consequences
 1. Administrators, except in certain circumstances, and when appropriate, will administer discipline in a progressive manner in accordance with the HCPSS Student Code of Conduct, as follows:
 - a. Non-exclusion from normal school activities, which includes:
 - i. Staff/Administrative Action.
 - ii. Parent Involvement.
 - iii. Reallocation of Student's Time, including detention.

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- b. Exclusion from Normal School Activities (including suspension).
 - c. Expulsion.
 2. When determining an appropriate consequence for a violation listed in the HCPSS Student Code of Conduct, administrators will consider:
 - a. The severity of the incident.
 - b. The student's previous violations, consequences, and/or interventions (ex. FAPE, BIP, SST, etc.) for the same or related offenses.
 - c. Whether the offense interfered with the rights, privileges, or property of others.
 - d. Whether the offense posed an imminent threat of serious harm to other students, staff, or others.
 - e. Whether the student has a disability under Section 504 or an IEP and the possible impact of that disability on the student's behavior.
 - f. The relationship between the offense and the consequence.
 - g. Whether the consequence is age appropriate.
 - h. Any specific consequences articulated in other system policies.
 3. As part of the range of consequences, the school system will provide alternatives to suspensions that include, but are not limited to, the following:
 - a. In-School Intervention
 - b. Detention
 - c. Alternative Educational Setting
 - E. No employee or third party may inflict corporal punishment. The following are not considered to be corporal punishment:
 1. A principal, teacher, school security guard, or other school system staff is 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 his or her presence.
 2. A principal, teacher, school security guard, or other school system staff member may use the degree of force that is reasonably necessary to prevent violence,

restore order, protect himself/herself, the students involved in the fight or struggle, and other persons in the vicinity of the confrontation.

- F. 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.
- G. Disciplinary infractions that constitute violations of criminal statutes will be reported to appropriate officials of the Howard County Police Department and the Maryland State Department of Education. (COMAR 13A.08.01.15)
- H. Records of students' disciplinary infractions and the consequences for those infractions will be maintained on an ongoing basis according to approved procedures; this includes students with disabilities receiving special education services or services under Section 504.
- I. All searches and seizures conducted on school property will take place in accordance with Section 7-308 of the Annotated Code of Maryland and Policy 9260 Student Search and Seizure.
- J. Minimum education services during short-term, long-term, or extended suspension and expulsion will be provided as follows:
 - 1. Each principal will assign a school staff person to be the liaison between the appropriate teachers and the students on out-of-school suspension or expulsion. This liaison will communicate weekly, by phone or email, with those out-of-school suspended/expelled students and their parents regarding classwork assignments and school-related issues.
 - 2. Any student suspended from school for up to three 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 school employee responsible for ensuring that requirements described are met.
 - 3. A student suspended (long-term or extended) or expelled, who is not placed in an alternative educational program will receive daily classwork and assignments from each teacher during the period of suspension. Work submitted during the period of suspension will be reviewed and corrected by teachers on a weekly basis and returned to the student.
 - 4. A suspended student will complete and return classwork and assignments in a time frame equivalent to the period of suspension in order to receive full credit.

5. Any student who is expelled or suspended out-of-school is precluded from participation in or attendance at all after-school HCPSS school-related and extracurricular activities held during the period of the suspension or expulsion.
6. If a graduating senior is suspended for ten (10) 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 school days prior to the commencement ceremony.

K. Suspension or Expulsion

1. A principal/designee may suspend a student for up to ten (10) consecutive school days for each offense. The Superintendent/Designee will issue suspensions exceeding ten (10) consecutive school days.
2. At the request of a principal, the Superintendent/Designee may suspend a student for more than ten (10) school days or expel the student for 45 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, staff, 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, staff, or others.
 - c. The Superintendent/Designee will limit the duration of the exclusion to the shortest period practicable; and
 - d. The school system will provide the excluded student with comparable educational services and appropriate behavioral support services to promote successful return to the student's regular academic program.
3. 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 expelled or suspended 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. A student suspended or expelled from school will be allowed to return to school on the day that the terms and conditions of the suspension or expulsion are met whether or not the student or parent has filed an appeal of the suspension or expulsion.
- L. Failure to comply with expected student behaviors while on school buses or to interfere with safe transport of students is a violation of this policy.
- Student infractions of this policy, while on school buses, may lead to the principal/designee suspending transportation privileges temporarily or permanently.
- M. The school system will provide training and resources to enable staff to implement this policy.
- N. Staff, students, parents, and community members will be informed of the provisions of this policy on an annual basis.

V. Responsibilities

- A. Students will comply with all school rules and procedures and will exhibit the expected student behaviors delineated in the HCPSS Student Code of Conduct.
- B. Principals and the Superintendent/Designee will determine appropriate disciplinary action for a student based on the severity of the infraction and on a range of consequences.
- C. Principals and the Superintendent/Designee will ensure that students with IEPs will receive a FAPE during extended suspensions and/or expulsions.
- D. The Superintendent/Designee will ensure staff receives training and resources necessary to implement this policy.
- E. The Superintendent/Designee will notify all school administrators annually of the provisions of this policy.
- F. The Superintendent/Designee will ensure students, parents, school security guards, and staff members are notified of the provisions of this policy annually.
- G. Principals will ensure violations of criminal statutes are reported to the appropriate officials of the Howard County Police Department and the Maryland State Department of Education.

- H. Principals will ensure disciplinary records are maintained according to school system policy and approved procedures.

VI. Delegation of Authority

The Superintendent is authorized to develop appropriate procedures for the implementation of this policy.

VII. References

- A. Legal
 The Annotated Code of Maryland, Education Article, Section 5-507
 (Family Law Article)
 The Annotated Code of Maryland, Education Article, Section 7-101(c)
 (Informal Kinship Law)
 The Annotated Code of Maryland, Education Article, Section 7-305
 (Suspensions and Expulsions)
 The Annotated Code of Maryland, Education Article, Section 7-306
 (Corporal Punishment and Code of Conduct)
 The Annotated Code of Maryland, Education Article, Section 7-307
 (School Violence)
 The Annotated Code of Maryland, Education Article, Section 7-308
 (Searches of Students and Schools)
 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. Other Board Policies
 Policy 9020 Students' Rights and Responsibilities
 Policy 9050 Student Records and Confidentiality
 Policy 9260 Student Search and Seizure
 Policy 9280 Students Charged with Community or Reportable Offenses
- C. Relevant Data Sources
 Maryland State Department of Education (MSDE) Discipline Summary Reports
 System and School Discipline Data
 Vision 2018 (HCPSS Strategic Plan)
- D. Other
 Bus Conduct Report Form
 COC Incident Report
 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) Agreement Between the Howard County
Department of Police and the Howard County Public School System
Special Education Procedural Safeguards Booklet
Student/Parent Handbook

VIII. History

ADOPTED: November 21, 1989

REVIEWED:

MODIFIED: August 14, 2014

REVISED: September 8, 1994
November 12, 1998
January 14, 1999
May 12, 2005
May 11, 2006
December 13, 2007
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June 12, 2014

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