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

**FROM:** Karen B. Salmon, Ph.D.

**DATE:** September 19, 2017

**SUBJECT:** COMAR 13A.08.01.11 (C)  
*Disciplinary Actions – Suspension and Expulsion*  
**PREVIEW**

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**PURPOSE:**

To notify the State Board that Senate Bill 651 (2017 Md. Laws, Chap. 843) requires the amendment of COMAR 13A.08.01.11 (C) – *Disciplinary Actions – Suspension and Expulsion*.

**REGULATION PROMULGATION PROCESS:**

Under Maryland law, a state agency, such as the State Board, may propose a new or amended regulation whenever the circumstances arise to do so. After the State Board votes to propose such a regulation, the proposed regulation is sent to the Administrative, Executive, and Legislative Review Committee (AELR) for a 15 day review period. If the AELR Committee does not hold up the proposed regulation for further review, it is published in the Maryland Register for a 30-day public comment period. At the end of the comment period, Maryland State Department of Education (MSDE) staff reviews and summarizes the public comments. Thereafter, the MSDE staff will present a recommendation to the State Board of Education to either: (1) adopt the regulation in the form it was proposed; or (2) revise the regulation and adopt it as final because the suggested revision is not a substantive change; or (3) revise the regulation and re-propose it because the suggested revision is a substantive change. At any time during this process, the AELR Committee may stop the promulgation process and hold a hearing. Thereafter, it may recommend to the Governor that the regulation not be adopted as a final regulation or the AELR Committee may release the regulation for final adoption.

**BACKGROUND:**

On July 1, 2017 Senate Bill 651 (2017 Md. Laws, Chap. 843) was enacted by the Maryland General Assembly. This bill prohibits a child enrolled in a public prekindergarten program, as

defined by the bill, or in kindergarten, first or second grade from being suspended or expelled from school, subject to exceptions. The bill allows a student in the specified grades to be expelled if required by federal law. It also allows a student to be suspended for up to five school days 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 bill specifies the intervention and support that must be provided to students who are suspended from prekindergarten, kindergarten, first grade, or second grade and to any other students in those grades who are disruptive or commit an act that would otherwise be grounds for suspension.

**EXECUTIVE SUMMARY:**

Senate Bill 651 requires that on or before May 1, 2018, the Maryland State Department of Education shall adopt regulations to carry out the requirements of the law. Proposed regulations, based on consultation with stakeholders, will be prepared for presentation at the December 5, 2017 meeting of the State Board.

The provisions of the law address when a suspension or expulsion is permitted for students in kindergarten, first, or second grade. The law also lists specific interventions and steps that school personnel will take before implementing a suspension or expulsion. The regulations will reflect the provisions and clarify definitions.

**ACTION:**

Request input from the State Board on COMAR 13A.08.01.11 (C) – *Disciplinary Actions – Suspension and Expulsion*.

**Title 13A STATE BOARD OF EDUCATION**  
**Subtitle 08 STUDENTS**  
**Chapter 01 General Regulations**

***Authority: Education Article, §§2-205, 7-101, 7-101.1, 7-301, 7-303—7-305, 7-307, 7-308, and 8-404, Annotated Code of Maryland; Ch. 273, Acts of 2016; Federal Statutory Reference: 20 U.S.C. §§1232g and 7912***

13A.08.01.11

**.11 Disciplinary Action.**

A. Local Board Authority. Each local board of education has both the responsibility and authority to adopt policies designed to create safe schools. In the context of school discipline, by the beginning of school year 2014—2015, each local board shall review and revise its student discipline policies and regulations with the goal of maintaining an environment of order, safety, and discipline necessary for effective learning. The policies and regulations at minimum shall:

- (1) Reflect a discipline philosophy based on the goals of fostering, teaching, and acknowledging positive behavior;
- (2) Be designed to keep students connected to school so that they may graduate college and career ready;
- (3) Describe the conduct that may lead to in-school and out-of-school suspension or expulsion;
- (4) Allow for discretion in imposing discipline;
- (5) Address the ways the educational and counseling needs of suspended students will be met; and
- (6) Explain why and how long-term suspensions or expulsions are last-resort options.

B. Terms Defined. In this regulation, the following terms have the meanings indicated:

(1) "Confer" means a discussion or dialogue by any means, for example, telephone, electronic mail, or face-to-face meeting, where the views of the teacher are communicated and considered.

(2) "Expulsion" means the exclusion of the student from the student's regular school program for 45 school days or longer, which only may occur under the following circumstances:

(a) The superintendent or designated representative 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 or staff;

(b) The superintendent or designated representative limits the duration of the exclusion to the shortest period practicable; and

(c) The school system provides the excluded student with comparable educational services and appropriate behavioral support services to promote successful return to the student's regular academic program.

(3) "Extended suspension" means the exclusion of a student from a student's regular program for a time period between 11 and 45 school days, which only may occur under the following circumstances:

(a) The superintendent or designated representative has determined that:

(i) 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 and staff; 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) The superintendent or designated representative limits the duration of the exclusion to the shortest period practicable; and

(c) The school system provides the excluded student with comparable educational services and appropriate behavioral support services to promote successful return to the student's regular academic program.

(4) "In-school suspension" means the removal within the school building of a student from the student's current education program for up to but not more than 10 school days in a school year for disciplinary reasons by the school principal.

(5) "Long-term suspension" means the removal of a student from school for a time period between 4 and 10 school days for disciplinary reasons by the principal.

(6) "Principal" means the principal of a school or the principal's designee.

(7) "Short-term suspension" means the removal of a student from school for up to but not more than 3 school days for disciplinary reasons by the principal.

(8) "Suspension" means the application of extended suspension, in-school suspension, short-term suspension, or long-term suspension.

### C. Suspension and Expulsion.

#### (1) In-School Suspension.

(a) An in-school removal is not considered a day of suspension as long as the student is afforded the opportunity to continue to:

(i) Appropriately progress in the general curriculum;

(ii) 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;

(iii) Receive instruction commensurate with the program afforded to the student in the regular classroom;  
and

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

(b) 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.

(c) The school principal shall provide the student's parents with written notification of the in-school suspension action taken by the school.

(d) After 10 days of cumulative in-school suspension, the student, the student's parents or guardian, and the principal shall confer.

(e) The student's school of current enrollment shall make provision for the student's education during the period of in-school suspension.

(f) Local school systems shall develop policies pertaining to a student's participation in extracurricular activities if the student receives an in-school suspension.

(g) Local school systems shall develop and implement a behavioral program of positive interventions to address the causes of misbehavior as part of the in-school suspension.

## (2) Suspension for Not More Than 10 Days.

(a) In accordance with the rules and regulations of the local board, each principal of a public school may suspend for cause, for not more than 10 school days, any student in the school who is under the direction of the principal.

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

(c) 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 the right to an explanation of the evidence supporting the charges and an opportunity to present the student's side of the story.

(d) 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 required by this subsection is provided as soon as possible.

(e) If the principal finds that an extended suspension or expulsion is warranted, the principal immediately shall report the matter in writing to the local superintendent.

## (3) Suspension for More than 10 Days or Expulsion.

(a) At the request of a principal, a local superintendent or the designated representative may suspend a student for more than 10 school days or expel the student.

(b) Upon receipt of a written report from a principal requesting an extended suspension or expulsion, the local superintendent or designated representative promptly shall make a thorough investigation of the matter.

(c) If after the investigation the local superintendent or designated representative finds that an extended suspension or an expulsion is warranted, the superintendent or designated representative promptly shall arrange a conference with the student and the student's parent or guardian.

(d) The process described in §C(3)(a)—(c) of this regulation 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 or guardian unavailability or due to the complexity of the investigation, the student shall be allowed to return to school, unless the local superintendent or designated representative 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 the 10th day, the superintendent or designee shall notify the student and the parent or 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 local superintendent or designated representative finds that an extended suspension or an expulsion is warranted, the student or the student's parent or guardian may appeal to the local board within 10 days after the determination.

(g) If an appeal is filed, the local board or its designated committee or hearing officer shall 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, guardian, or his/her representative requests additional time; and

(ii) This timeline shall also apply in the event that the local board elects to use a hearing examiner.

(h) If due to extraordinary circumstances or unusual complexity of a particular appeal, the local board determines that it will be unable to hear an appeal and issue a decision within 45 days, it may petition the State Superintendent for an extension of time.

(i) The student or the student's parent or guardian or representative:

(i) Shall be provided the school system's witness list and a copy of the documents that the school system will present at the hearing 5 days before hearing; and

(ii) May bring counsel and witnesses to the hearing.

(j) Unless a public hearing is requested by the parent or guardian of the student, a hearing shall be held out of the presence of all individuals except those whose presence is considered necessary or desirable by the board.

(k) The appeal to the local board does not stay the decision of the county superintendent.

(l) The decision of the local board is final.

(4) 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, and 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 or guardian.

(5) A student suspended or expelled from school shall 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, parent, or guardian has filed an appeal of the suspension.

(6) 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 or guardian.

(7) 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.

(8) A local 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. A school system shall forward information to another school system relating to the discipline of a student, including information of an expulsion or extended suspension of the student, on receipt of the request for information.

D. Restitution. 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 or guardian, and other appropriate individual, the principal shall require the student or the student's parent or 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, or by the student's assignment to a school work project, or both.

E. Corporal Punishment. Corporal punishment may not be used to discipline a student in a public school in the State.

F. Minimum Education Services. In order to establish accountability and keep suspended or expelled students on track with classroom work, as is reasonably possible, each local board shall institute education services that at a minimum provide that:

(1) Each student suspended or expelled out-of-school who is not placed in an alternative education 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

(2) Each principal shall assign a school staff person to be the liaison between the teachers and the various students on out-of-school suspension or expulsion and to communicate weekly about classwork assignments and school-related issues by phone or email with those out-of-school suspended/expelled students and their parents.

G. Education Services During Short-Term Suspensions.

(1) For short-term suspensions, the local board of education shall inform all schools under their jurisdiction:

(a) To provide all students who receive short-term suspensions with the opportunity to complete the academic work they miss during the suspension period without penalty; and

(b) To provide all students who receive short-term suspensions, and their parents or guardians, with the contact information for a school employee who will be responsible for ensuring that the requirement described in §G(1)(a) is met.

(2) All other aspects of the process for suspended students receiving missed assignments, completing missed assignments, and making up tests shall be identical with each school's established policy and practice for makeup work in the event of any other excused absence.

## Chapter 843

**(Senate Bill 651)**

AN ACT concerning

**Public Schools – Suspensions and Expulsions**

FOR the purpose of prohibiting the suspension or expulsion of prekindergarten, kindergarten, first grade, or second grade students from public schools with certain exceptions for an expulsion required by federal law or a suspension for not more than a certain number of days under certain circumstances; requiring the principal or school administration to contact a student's parent or guardian under certain circumstances; authorizing the suspension or expulsion of students in kindergarten, first grade, or second grade under certain circumstances; requiring the school to return a suspended student to school under a certain manner; requiring the school to provide certain supports to address the student's behavior; requiring the school system to remedy the impact of the student's behavior through certain intervention methods; requiring the State Department of Education to adopt certain regulations on or before a certain date; defining certain terms; and generally relating to the suspension and expulsion of students in public schools.

BY repealing and reenacting, with amendments,  
 Article – Education  
 Section 4–319(d) and 7–305  
 Annotated Code of Maryland  
 (2014 Replacement Volume and 2016 Supplement)

BY adding to  
 Article – Education  
 Section 7–305.1  
 Annotated Code of Maryland  
 (2014 Replacement Volume and 2016 Supplement)

Preamble

WHEREAS, Maryland public schools should provide practices that build fair processes into decision making, facilitate student learning, and allow for accountability and skill building, cooperation, and mutual understanding; and

WHEREAS, It is the intent of the General Assembly that school systems shall utilize restorative practices as an alternative to traditional school disciplinary practices to ensure that developmentally appropriate, age-appropriate, and proportional consequences are applied to a child's misbehavior in a way that supports personal growth and positive learning opportunities for all students; now, therefore,

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

**Article – Education**

4–319.

(d) (1) Except as otherwise provided in [§ 7–305(g)] **§§ 7–305(G) AND 7–305.1** of this article, a student in the Baltimore City School System may be transferred to the Center if the student:

(i) Assaults a teacher, teacher’s aide, student teacher, other professional or paraprofessional school employee, or other student;

(ii) Carries a gun, rifle, knife, or other deadly weapon onto school property; or

(iii) Commits any other act that would be a crime if committed by an adult.

(2) The Director shall review recommendations for admission of students to the Center and admit or deny admission for each student based on an assessment of the student’s amenability to the services, programs, and treatment available in the Center.

7–305.

(a) (1) Except as provided in subsection (b) of this section **AND § 7–305.1 OF THIS SUBTITLE**, in accordance with the rules and regulations of the county board, each principal of a public school 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 or guardian promptly shall be given a conference with the principal and any other appropriate personnel during the suspension period.

(3) The student or the student’s parent or guardian promptly shall be given a community resources list provided by the county board in accordance with § 7–310 of this subtitle.

(b) (1) Except as provided in paragraph (2) of this subsection, a student may not be suspended or expelled from school solely for attendance–related offenses.

(2) Paragraph (1) of this subsection does not apply to in–school suspensions for attendance–related offenses.

(c) [At] **EXCEPT AS PROVIDED IN § 7-305.1 OF THIS SUBTITLE, AT** the request of a principal, a county superintendent may suspend a student for more than 10 school days or expel the student.

(d) (1) If a principal finds that a suspension of more than 10 school days or expulsion is warranted, the principal immediately shall report the matter in writing to the county superintendent.

(2) The county superintendent or the county superintendent's designated representative promptly shall make a thorough investigation of the matter.

(3) If after the investigation the county superintendent finds that a longer suspension or expulsion is warranted, the county superintendent or the county superintendent's designated representative promptly shall arrange a conference with the student and his parent or guardian.

(4) The student or the student's parent or guardian promptly shall be given a community resources list provided by the county board in accordance with § 7-310 of this subtitle.

(5) If after the conference the county superintendent or the county superintendent's designated representative finds that a suspension of more than 10 school days or expulsion is warranted, the student or the student's parent or guardian may:

(i) Appeal to the county board within 10 days after the determination;

(ii) Be heard before the county board, its designated committee, or a hearing examiner, in accordance with the procedures established under § 6-203 of this article; and

(iii) Bring counsel and witnesses to the hearing.

(6) Unless a public hearing is requested by the parent or guardian of the student, a hearing shall be held out of the presence of all individuals except those whose presence is considered necessary or desirable by the board.

(7) The appeal to the county board does not stay the decision of the county superintendent.

(8) The decision of the county board is final.

(e) (1) Any student expelled or suspended from school:

(i) Shall remain away from the school premises during those hours each school day when the school the student attends is in session; and

(ii) May not participate in school sponsored activities.

(2) 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 his parent or guardian.

(3) Any person who violates paragraph (1) or (2) of this subsection is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$100 for each violation.

(4) (i) If a student has been suspended or expelled, the principal or a designee of 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 or guardian.

(ii) If the disruptive behavior results in action less than suspension, the principal or a designee of the principal shall confer with the teacher who referred the student to the principal prior to returning the student to that teacher's classroom.

(5) A county superintendent may deny attendance to any student who is currently expelled from another school system for a length of time equal to that expulsion.

(6) A school system shall forward information to another school system relating to the discipline of a student, including information on an expulsion of the student, on receipt of the request for information.

(f) (1) In this subsection, "firearm" means a firearm as defined in 18 U.S.C. § 921.

(2) Except as provided in paragraph (3) of this subsection, if the county superintendent or the superintendent's designated representative finds that a student has brought a firearm onto school property, the student shall be expelled for a minimum of 1 year.

(3) The county superintendent may specify, on a case by case basis, a shorter period of expulsion or an alternative educational setting, if alternative educational settings have been approved by the county board, for a student who has brought a firearm onto school property.

(4) The State Board shall adopt regulations to implement this subsection.

(g) (1) The discipline of a child with a disability, including the suspension, expulsion, or interim alternative placement of the child 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 child with a disability is being considered for suspension or expulsion, the child or the child's parent or guardian shall be given a community resources list attached to the procedural safeguards notice required by regulation of the State Board.

(h) (1) This subsection does not apply if the student is referred to the Department of Juvenile Services.

(2) 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 or guardian and any other appropriate person, the principal shall require the student or the student's parent to make restitution.

(3) The restitution may be in the form of monetary restitution not to exceed the lesser of the fair market value of the property or \$2,500, or the student's assignment to a school work project, or both.

### **7-305.1.**

**(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

**(2) "PUBLIC PREKINDERGARTEN PROGRAM" MEANS:**

**(I) ANY PUBLICLY FUNDED PREKINDERGARTEN PROGRAM ESTABLISHED UNDER § 7-101.1 OF THIS TITLE; OR**

**(II) ANY QUALIFIED VENDOR OF PREKINDERGARTEN SERVICES AS DEFINED IN § 7-101.2(A)(7) OF THIS TITLE.**

**(3) "RESTORATIVE PRACTICES" MEANS PRACTICES CONDUCTED IN A WHOLE-SCHOOL ETHOS OR CULTURE THAT SUPPORTS PEACEMAKING AND SOLVES CONFLICT BY BUILDING A COMMUNITY AND ADDRESSING HARM IN A SCHOOL SETTING AND THAT:**

**(I) ARE CONDUCTED BY TRAINED STAFF;**

**(II) FOCUS ON REPAIRING THE HARM TO THE COMMUNITY THROUGH DIALOGUE THAT EMPHASIZES INDIVIDUAL ACCOUNTABILITY; AND**

**(III) HELP BUILD A SENSE OF BELONGING, SAFETY, AND SOCIAL RESPONSIBILITY IN THE SCHOOL COMMUNITY.**

~~(B) (1) A STUDENT MAY NOT BE SUSPENDED OR EXPELLED FROM SCHOOL IF THE STUDENT IS ENROLLED IN A PUBLIC PREKINDERGARTEN PROGRAM.~~

~~(2) A STUDENT MAY BE SUSPENDED OR EXPELLED FROM SCHOOL IF THE STUDENT:~~

~~(I) IS ENROLLED IN KINDERGARTEN, FIRST GRADE, OR SECOND GRADE; AND~~

~~(II) 1. HAS KNOWINGLY BROUGHT A FIREARM TO SCHOOL;~~  
OR

~~2. HAS KNOWINGLY POSSESSED A FIREARM AT SCHOOL.~~

(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A STUDENT ENROLLED IN A PUBLIC PREKINDERGARTEN PROGRAM, KINDERGARTEN, FIRST GRADE, OR SECOND GRADE MAY NOT BE SUSPENDED OR EXPELLED FROM SCHOOL.

(2) A STUDENT DESCRIBED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY ONLY BE:

(I) EXPELLED FROM SCHOOL IF REQUIRED BY FEDERAL LAW;  
OR

(II) SUSPENDED FOR NOT MORE THAN 5 SCHOOL DAYS 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.

(3) THE PRINCIPAL OR SCHOOL ADMINISTRATION SHALL PROMPTLY CONTACT THE PARENT OR GUARDIAN OF A STUDENT SUSPENDED OR EXPELLED UNDER PARAGRAPH (2) OF THIS SUBSECTION.

~~(C) THE SCHOOL SHALL RETURN ANY STUDENT SUSPENDED UNDER SUBSECTION (B) OF THIS SECTION TO THE LOCAL SCHOOL SYSTEM BY A MEANS THAT MINIMIZES, TO THE GREATEST EXTENT POSSIBLE, ANY DISRUPTION OF THE STUDENT'S ACADEMIC INSTRUCTION.~~

~~(D)~~ (C) (1) THE SCHOOL SHALL PROVIDE INTERVENTION AND SUPPORT TO ADDRESS THE STUDENT'S BEHAVIOR IF THE STUDENT IS:

(I) SUSPENDED UNDER SUBSECTION (B) OF THIS SECTION; OR

(II) ENROLLED IN PREKINDERGARTEN, KINDERGARTEN, FIRST GRADE, OR SECOND GRADE AND:

1. IS DISRUPTIVE TO THE SCHOOL ENVIRONMENT; OR

2. COMMITS AN ACT THAT WOULD BE CONSIDERED AN OFFENSE SUBJECT TO SUSPENSION BUT FOR THE STUDENT'S GRADE.

(2) ~~SUPPORT~~ INTERVENTION AND SUPPORT PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION INCLUDES:

(I) POSITIVE BEHAVIOR INTERVENTIONS AND SUPPORTS;

(II) A BEHAVIOR INTERVENTION PLAN;

(III) A REFERRAL TO A STUDENT SUPPORT TEAM;

(IV) A REFERRAL TO AN INDIVIDUALIZED EDUCATION PROGRAM TEAM; AND

(V) A REFERRAL FOR APPROPRIATE COMMUNITY-BASED SERVICES.

~~(D)~~ (D) THE SCHOOL SYSTEM SHALL REMEDY THE IMPACT OF A STUDENT'S BEHAVIOR THROUGH APPROPRIATE INTERVENTION METHODS INCLUDING RESTORATIVE PRACTICES.

~~(E)~~ (E) ON OR BEFORE MAY 1, 2018, THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THE REQUIREMENTS OF THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 27, 2017.