

Task Force on Student Discipline Regulations  
March 28, 2019  
Maryland State Department of Education  
8<sup>th</sup> Floor – Conference Room 6  
200 W. Baltimore Street  
Baltimore, MD 21201

Meeting Minutes

The Task Force on Student Discipline Regulations (Task Force) met on Thursday, March 28<sup>th</sup> at the Maryland State Department of Education (MSDE), 200 West Baltimore Street, Baltimore, MD 21201, 8<sup>th</sup> Floor, Room 6.

Task Force Members in attendance included: Dr. Vermelle Greene (Task Force Chair), Ms. Cheryl Bost, Ms. Gail Bussell, Mr. Jon Carrier, Mr. Lou D'Ambrosio, Mr. Theo Devine (on behalf of Ms. Marietta English), Mr. Dwayne Jones, Dr. Andrea Kane, Dr. Sylvia Lawson, Ms. Marissa Thompson (on behalf of Mr. Joshua Omolola), Mr. C. Tolbert Rowe, Mr. Elliott Schoen, Mr. Michael Sedgwick (on behalf of Ms. Latisha Carey), and Ms. Rachel Spangler. (Pastor Gavin Brown was unable to attend.)

MSDE Staff in Attendance: Ms. Kimberly Buckheit, Mr. Shane J. McCormick, Mr. Walter Sallee, Dr. Miya T. Simpson

The meeting was called to order at 9:01 a.m.

**Opening Remarks and Updates**

Dr. Vermelle Greene, Task Force Chair, welcomed the Task Force members, invited guests, and members of the public to the meeting. Dr. Greene stated the Task Force was honored to have school administrators from thirteen school districts across the state attending. Dr. Greene reminded members of the public that the meeting was an open meeting but there would be no public comment. Dr. Greene encouraged members of the public to forward questions and comments to Dr. Miya Simpson, Executive Director to the State Board of Education.

Dr. Greene called for an additional Task Force meeting on May 9, 2019. The meeting will (tentatively) include a panel of parents and students to share their experiences and suggestions. The regularly scheduled May meeting will still take place on May 23, 2019.

**Maryland Schools' Codes of Conduct: Comparing Discipline Policy Across Districts**

The meeting began with a presentation from Dr. Chris Curran from the University of Maryland, Baltimore County (UMBC), and Dr. Maida Finch from Salisbury University on their report *Maryland Schools' Codes of Conduct: Comparing Discipline Policy Across Districts*. Dr. Greene welcomed and introduced Dr. Curran and Dr. Finch.

Dr. Finch shared that a new version of the *Maryland Guidelines for a State Code of Discipline* was released in 2014. It defined 27 infractions, 31 responses, and infraction-response conditions in a five-tier system. Dr. Curran shared that their study collected and coded district codes of conduct for the 2013-2014 and 2015-2016 school years, quantified changes in codes of conduct in response to revised state guidelines, and created data visualizations for comparing district codes to state guidelines.

Dr. Curran summarized the six findings of the study:

1. State guidelines were very broad.
2. School districts varied in their adherence to state recommendations.
3. After the state policy change, district codes of conduct included more response options, on average, per infraction than before, though the number of infractions to which in-school suspension were an option increased.
4. Increases in response options were generally driven by less exclusionary responses.
5. Variation in codes of conduct were largely unrelated to racial composition of districts.
6. Measurement matters when assessing racial disparities in discipline across districts.

Dr. Curran highlighted additional findings related to the study's main conclusion that variation in codes of conduct were largely unrelated to racial composition of districts. Dr. Curran shared that the study used a relative-risk ratio to assess racial disparities, and provided a technical definition of relative-risk ratio. As highlighted in the handout, the choice of measurement of the Black-White discipline gap had major implications for how districts are ranked in terms of equity in school discipline. As an example, Dr. Curran noted that in the findings identified Montgomery County Public Schools had either the largest racial disparity or the smallest racial disparity. Dr. Curran encouraged the Task Force members to think about the choice of measurements utilized when considering racial disparities.

Ms. Finch shared potential implications with the Task Force based on the report findings:

- Consider the State's intention;
- Consider offering a prescriptive model while still allowing for local flexibility;
- Provide training/professional development on student-centered, non-exclusionary responses;
- Conduct research to learn more about the effectiveness of other responses;
- Utilize multiple measures when assessing disparities.

Ms. Finch shared final thoughts with the Task Force, and encouraged collaboration between stakeholders and researchers, and opened the floor to questions. Ms. Bussell asked about the data used in analyzing the Black-White gap and if other racial data was used. Dr. Curran shared this was based on national data which is largely focused on differences between Black-White students.

Mr. D'Ambrosio asked for the discrepancy between the findings in the PowerPoint compared to the handout that had only three findings. Dr. Curran stated that there are multiple tiers to implementation that vary based on the level where implementation is

taking place, such as a local level administrative level compared to at the State level. Dr. Curran stated the State may need to adopt a policy which is more prescriptive to allow local districts to have greater flexibility, and that policy-making should consider what is taking place at the local level.

Dr. Greene provided context to the members regarding the broadness of State guidelines, which from her perspective was based in part on a sensitivity to local education agencies (LEA's) to not appear as though the State was dictating or overpowering LEA's.

Dr. Greene expressed her thanks and appreciation to Dr. Curran and Dr. Finch for their presentation and sharing their expertise with the Task Force members.

The meeting was recessed for a short break at 10:01 a.m. The meeting was reconvened at 10:10 a.m.

### **Panel Discussion of School Administrators**

Dr. Greene introduced the members of the school administrators panel. Dr. Greene informed the panel that the Task Force members submitted questions in advance to their subcommittee chairs, Ms. Bussell and Ms. Spangler, who will lead the discussion with the panel. Dr. Greene asked the Task Force members to refrain from asking questions until the end of the panel.

Ms. Bussell asked the panelists about the greatest challenges they have faced as it relates to student behavior, and what kinds of support(s) they have received. Panelists expressed that lack of funding for additional staff and services has restricted what staff are able to do to address student behavior, but that in instances where additional funding is available it is of great value.

Ms. Spangler asked the panelists in elementary schools how they have identified changes in behavior amongst their student populations and what has been done to address them. Panelists expressed developing a sense of community is important within students at the elementary level, including mentorship and relationship building between students grades 3-5 towards students in grades K-2.

Ms. Bussell asked the panelists if students should be suspended for non-violent transactions, and if so under what circumstances. Panelists expressed that when there has been a pattern of repeated behavior, and when all protocols and standard mediation practices have been followed, such as parent-teacher conferences, that suspension should be considered.

Ms. Spangler asked the panelists about their experiences of partnering with community-based mental health support resources. Panelists expressed that it varies by county, as some counties do not have the resources to provide assistance to students and families in need, while others have formed multi-county partnerships to provide services.

Ms. Spangler asked the panelists about the educational services provided to students who receive in-school suspensions. Examples provided by the panelists included one-on-one tutoring, after-school programs with tutoring opportunities, fifth period study hall, twilight programs for middle and high school students, and Saturday school.

Dr. Karen Salmon, State Superintendent of Schools, joined the meeting briefly and was introduced by Dr. Greene. Dr. Salmon expressed her thanks and appreciation to the members for their service and to the panelists for their participation and attendance.

Ms. Spangler asked the panelists about programs and services offered to students in lieu of in-school suspensions, and the pros and cons of these services. Examples provided by the panelists included Saturday school, one-hour lunch period, and alternative education programs. The panelists indicated that the major limitation to services is that the amount of time allocated may limit the potential impact.

Ms. Bussell asked the panelists how many of their local counties have alternative schools. The majority of panelists indicated their counties have at least one alternative school. Ms. Bussell asked a follow-up question about the types of behavior that would result in a student being assigned to an alternative school. Panelists indicated that repeated cases of oppositional defiance, chronic and repeated behavior, and cases of drug or weapon possession would necessitate assigning a student to an alternative school.

Ms. Bussell asked panelists about their familiarity with COMAR, as it relates to discipline policy. Overall, by show of hands, panelists indicated average/some familiarity with COMAR. Some panelists candidly expressed that they may not be entirely familiar with COMAR, but noted that they have a copy of/access to the regulations to reference. Dr. Greene posed a follow-up question to the panelists asking if they felt pressure from their school system to address the discipline reported data but not the underlying behaviors. The panelists stated that conversations about reporting data are always ongoing and that both administrators and county officials are aware of data. Panelists did not express a consensus that the focus was to reduce the reported data. However, panelists agreed that limitations on discipline exist because of definitions within COMAR, and due to state law and regulations being limiting in terms of the actions that can be taken.

Ms. Spangler asked the panelists about their understanding of the requirements in COMAR on addressing discipline issues with students that have an Individualized Education Program (IEP). The panelists expressed they were familiar with the requirements within COMAR. The panelists stated that the regulations are not the main issue, but that the underlying issue is the lack of resources to have staff in place and services available to students with documented disabilities.

Ms. Spangler asked the panelists about the innovative strategies or best practices used within their schools and districts that have been effective in addressing discipline. The panelists highlighted placing an emphasis on relationship building between teachers and students, developing a support system amongst the teachers for each other, fostering an open dialogue and open space for students, and developing the right school culture.

Ms. Spangler asked the panelists their views on the effectiveness of restorative practices, such as PBIS, within their schools. The panelists expressed that restorative practices have proven effective in reducing the number of discipline cases, but that it is a work in progress.

Ms. Bussell asked the panelists for their observation regarding the rate of disciplinary infractions based on gender. The consensus of the panelists was that the majority of disciplinary infractions based on physical altercations are committed by males, but that the majority of disciplinary infractions for minor disruptions are committed by females.

Dr. Greene asked the panelists about the types of professional development or training teachers should receive as part of the teacher licensing process in order to be better prepared to support the school's discipline plan. Panelists indicated training focused on such topics as mental health, equity, cultural biases and diversity training, crisis management and life-space crisis intervention, partnering with families, and special education.

### **Discussion and Next Steps**

Dr. Greene thanked the panelists for their attendance and participation. She also asked panelists to submit to Dr. Simpson any additional thoughts/feedback and specific recommendations they believe that if enacted immediately, could help every school in Maryland maintain a safe and orderly environment where teachers could teach, children could learn, and the administrative team could focus on being instructional leaders.

Dr. Greene informed the Task Force members that a packet of information would be sent in advance of the April 25, 2019, meeting, and asked that they thoroughly review the information and develop questions related to the subject matter that will be discussed.

Dr. Greene shared with the panelists that the Task Force is recruiting parents and students to serve on the panel for the May meeting and encouraged panelists and Task Force members to submit names to Dr. Simpson.

### **Adjournment**

The meeting was adjourned at 12:00 p.m.