

Task Force on Student Discipline Regulations Meeting
January 24, 2019
Maryland State Department of Education
8th 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, January 24th at the Maryland State Department of Education (MSDE), 200 West Baltimore Street, Baltimore, MD 21201, 8th Floor, Room 6. Task Force Members in attendance included: Dr. Vermelle Greene, chair; Dr. Sylvia Lawson, Chief Performance Office, MSDE; Tolbert Rowe, President, Maryland Association of Boards of Education (MABE); Brad Engel (designee of Dr. Andrea Kane in absentia), Public School Superintendents Association of Maryland (PSSAM); Latisha Corey, President, Maryland Parent Teacher Association (MPTA); Cheryl Bost, President, Maryland State Education Association (MSEA); Marietta English, President, Baltimore Teachers Union (BTU); Lou D'Ambrosio, President, Maryland Association of Elementary School Principals (MAESP); Dwayne Jones, President, Maryland Association of Secondary School Principals (MASSP); Elliott Schoen, Deputy Counsel, Office of the Attorney General; Joshua Omolola, President, Maryland Association of Student Councils (MASC); Jon Carrier, President, Maryland Association of School Resource Officers (MASRO); Rachel Spangler, Lead Behavior Mental Health Specialist, MSDE; Pastor Gavin Brown, Member-At-Large; and Gail Bussell, Member-At-Large.

The following staff members were also in attendance: Dr. Miya T. Simpson, Ms. Mary Gable, Mr. Walt Sallee, Ms. Kimberly Buckheit

Dr. Vermelle Greene, State Board Member and Task Force Chair, called the meeting to order at 9:00 a.m.

Dr. Hartings provided opening remarks and welcomed the Task Force Members. Dr. Hartings explained the charge, as set forth by the State Board, and set the stage for the work of the task force. He also highlighted some general principles that influenced the State Board's thinking around the issue under study to include: Every student has the right to a free and appropriate education; No student has a right to deny another student from their free and appropriate education; No teacher or administrator should fear being assaulted; and no student should ever be deferred from their education pathway because of a choice they made. Dr. Hartings also made it clear to the members that the State Board had no predetermined vision of what the outcome of work conducted by the Task Force should be. Dr. Hartings thanked Dr. Greene for taking on the task of leading the Task Force.

Dr. Greene introduced Elizabeth (Liz) Kameen, Maryland Attorney General. Ms. Kameen reviewed the Open Meetings Act, highlighting the rules and procedures around what constituted a meeting. For example a quorum of this group were to meet and talk about school discipline (half plus 1) that becomes a public meeting. Advised the committee when they get an email chain going and involve all members of the committee it becomes a public meeting. Procedural requirements: public must be given notice, open meeting requires that minutes will be taken; subgroups are also public meetings and need to have notes taken as well.

Dr. Greene clarified that meetings will be open to the public to attend and listen to the discussions among the Task Force; however, the meetings are not open to members of the public in attendance to participate in the discussion. The discussions will occur among the Task Force members and those invited to speak to the group.

Dr. Greene recognized members of the committee and thanked them for their commitment of time. She asked members to provide brief introductions.

Dr. Greene opened her presentation with a video, "USS Montana vs. Lighthouse" and reiterated the purpose and charge of the Task Force, provided an overview of the composition of the group, and how the Task Force would be structured and operate. She also briefly highlighted what the national data tells us about gender disparities related to discipline and academic performance, noting the crisis among boys.

She explained that each member had been assigned to one of 2 subcommittees and outlined the tasks for each as follows. She also explained that both subcommittees would be responsible for drafting recommendations to share with the full task force.

Subcommittee 1 - MSDE Regulations and Guidelines Subcommittee:

- Examine the impact of regulations on teachers, students, administrators;
- Review implementation of regulations by school officials;
- Review local discipline data and statistics.

Subcommittee 2 - Best Practices

- Identify research and evaluation model programs;
- Determine effective interventions and programs;
- Gather supporting data.

Dr. Greene shared the resources available to members to complete the mission of the task force to include: MSDE staff; MSDE data; Web conferences, focus groups; Website for communication to the State;)Panels and special speakers

Dr. Greene recommended to committee members that they hear from people in the "trenches" and those who have positive as well as negative experiences. She also encouraged public input through email, letters, and public comments that can be submitted/registered through the State Board office.

Dr. Greene shared the task force's timeline, noting that the May 23rd meeting will be used to draft the report to be presented to the State Board at its June 25th meeting.

Dr. Greene asked that all members be in attendance and fully engaged for all meetings. She also indicated that emails and phone calls from the chairperson will occur weekly.

The Status of School Discipline in State Policy

Dr. Greene introduced Ms. Alyssa Raza and Kate Wolff of the Education Commission of the States who facilitated a presentation to the members on national student discipline data and research. Ms. Wolff shared the work and activities of the Commission with the members and explained that the role of the Commission is to highlight what states are doing in order to assist other states in making informed policy decisions.

Ms. Rafa shared national data regarding discipline disparities amongst minority and students of color compared to white students. Discipline disparities persisted regardless of the type of discipline. Outcomes of exclusionary discipline were shared with the task force members. With each suspension, the percentage of dropping out increased while the percentage of graduating decreased. Ms. Rafa also shared the key factors that support implementation of policies. And examples of existing state laws:

Ms. Rafa also provided information on alternative strategies to student discipline that other states have adopted and links to resources that may be valuable to task force members.

Student Discipline in Maryland:

A Look Backward and Forward: Legislation and Policy
{Presenter: Liz Kameen, Esq.}

Dr. Greene reintroduced Ms. Kameen to present on current student discipline laws in Maryland. Ms. Kameen shared that every discipline case in Maryland is subject to appeal to the local Boards of Education, however noted that the State Board reviews very few disciplinary appeals, annually. She explained that the State Board has the authority to adopt or amend regulations as they exist under the law.

Ms. Kameen reported that the State Board received over six thousand comments regarding school discipline policies when it conducted its last study that resulted in the 2014 discipline reforms. Ms. Kameen shared the statement regarding school discipline put forth by the previous State Board President and highlighted some of the details related to that work to include the State Board changing the definition of short-term suspension from 1-10 days to be 1-3 days and the regulations adopted by the State Board of Education charging the MSDE to begin collecting data on student discipline, specifically disproportionality and schools-to-prison pipeline data.

Ms. Kameen highlighted some of the hypotheses and theories present in the regulations, as adopted by the State Board that the task force will need to consider.

What We Know: Data Review and Statewide Initiatives to Improve School Climate
(Presenters: Walt Sallee and Dr. Deborah Nelson, MSDE)

Dr. Greene introduced Mr. Walt Sallee and Dr. Deborah Nelson, MSDE staff, to present on statewide data and school climate data. Mr. Sallee reported on incidents of bullying and increases between the 2014-2015 through the 2016-2017 school years. Data from the 2017-2018 school year is currently under review and will be made publicly available in the coming months. The MSDE is hopeful that climate surveys mandated under the Every Student Succeeds Act (ESSA) will be useful in understanding and providing insight into what is going on within the schools. The most prominent form of reported discipline incidents have been “teasing, name calling, making critical remarks, or threatening remarks.”

Mr. Sallee shared some of the corrective actions used in student discipline cases. The most commonly used actions included: student conference, parent phone call, and student warning.

Dr. Nelson explained the Positive Behavior Intervention Supports (PBIS) framework and shared data on implementation of PBIS in LEA in Maryland. Major findings on PBIS in Maryland showed improvements in school climate, and staff and school environment. Additional state level

initiatives to support student behavior were shared with members, including a description of the initiative, and the level of support by the MSDE.

Transition to Subcommittee Breakout Rooms (Minutes for each subcommittee are attached)

Dr. Greene asked members to break out into their subcommittees and provided an overview of how the sessions will be structured. The meeting was recessed at 10:51 a.m. for members to transition to subgroup meetings. Subcommittee meetings convened at 11:00 a.m.

Reconvening of Full Group and Next Steps

The Task Force full group meeting was reconvened at 11:54 a.m.

Dr. Greene stated that during subcommittee meetings she encouraged both subcommittees to recommend speakers, presentations, and agenda topics for full meetings.

Dr. Greene share that the Kirwan Commission presented preliminary findings to the State Board at a recent information session and expressed her opinion that funding provided through the Kirwan Commission should be used to address the issue of student discipline.

Mr. Schoen requested if the document of guiding questions can be sent to the members. Dr. Simpson stated that the document would be sent to the task force members.

Adjournment

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

**Maryland State Board of Education
Task Force on Student Discipline Regulations**

**Subcommittee 1: MSDE Regulations and Guidelines
January 24, 2019
Minutes**

Subcommittee 1: MSDE Regulations and Guidelines convened the meeting at 11:00 a.m.

Members Present: Gail Bussell (Chair) Lou D'Ambrosio; C. Tolbert Rowe; Michael Sedgwick (Representing Latisha Corey; Cheryl Bost; Elliott Schoen; Joshua Omolola.

MSDE Staff: Mary Gable; Walter Sallee

General Meeting Notes:

- Members of the subcommittee introduced themselves and shared a brief summary of their respective backgrounds.
- The subcommittee chair shared the charge of the subcommittee as follows:
 - Examine/review current State discipline regulations and the impact of state policies and guidelines on students, teachers, classrooms, learning environments, and schools;
 - Evaluate the scope of implementation by teachers, school-based administrators, and local districts and identify problematic policies, practices, and procedures;
 - Review SEA/LEA's discipline data and statistics, including the school climate survey; and
 - Draft recommendations.
- Members of the subcommittee were tasked to complete a literature review of assigned documents and be prepared to summarize key points based on the guiding questions shared with the subcommittee.
- Members were asked to prepare a written handout and make copies listing findings and highlights.
- The committee chair requested that written responses be emailed to her no later than February 25th in preparation for the next meeting scheduled for February 28th.
- Members of the subcommittee requested that the guiding questions be sent to the group in Word format.

Committee Literature Review Assignments

1. Discipline Related Code of Maryland Regulations (COMAR) – 3 readers: Gail Bussell pp. 8-20; C. Tolbert Rowe pp. 1-7; Cheryl Bost – Proposed Action on Regulations
2. Maryland Schools' Codes of Conduct – 3 readers: Cheryl Bost pp. 1-17; Lou D'Ambrosio pp.18-35; Joshua Omolola pp. 36-51.
3. The Maryland Guidelines for a State Code of Discipline – 3 readers: Lou D'Ambrosio pp. 1-8; Cheryl Bost pp. 9-17; C. Tolbert Rowe pp. 18-26.
4. Maryland's Model Policy to Address Bullying, Harassment, or Intimidation – 1 reader: Joshua Omolola
5. Framework for Statewide School Discipline Plan – 1 reader: Latisha Corey (Selected by Mr. Sedgewick).
6. COMAR 13A.08.01 General Regulations (Adoption- January 28, 2014) – 1 reader: Elliott Schoen

7. Overview on Reducing and Eliminating Disproportionate/Discrepant Impact (COMAR 13A.08.01.21) – 2 readers: Elliott Schoen - COMAR 13A.08.01.21; C. Tolbert Rowe – Power Point
8. School Discipline in Maryland (September 25, 2018) – 2 readers Mary Gable pp. 1-12, Joshua Omolola pp. 13-25.

Guiding Questions

1. Look for policies/regulations that could be problematic if/when fully implemented.
2. Are the policies being implemented? What evidence is needed to determine this?
3. How easily could the policies be implemented?
 - a. Students
 - b. Teachers
 - c. Parents
 - d. Classrooms
 - e. Learning environments
 - f. Schools
4. If implemented as written, what would be the effect on the above?
5. If NOT implemented as written, what would be the effect on the above?
6. In your estimation, is the policy being implemented? What data do you need to make the determination?
7. MSDE staff and statisticians are available to collect data and prepare surveys. What further data should be collected to assess the effect of the policy implementation?
8. What other information would you like to receive to make the determinations as to the extent of impact?
9. Review the discipline data for the LEAs. What policies should be in place to improve the assorted incidences of misbehavior.
10. Which MSDE policies/procedures/recommendations should be modified or removed from COMAR?
11. Share your overall insights and impressions with the group about what you have read or what you personally have experienced or have knowledge about.

The next scheduled meeting of the Task Force is February 28, 2019, 9 a.m. to 12 noon.

**Task Force on Student Discipline Regulations
Best Practices Subcommittee**

Subcommittee 2: Best Practices

January 24, 2019

Minutes

Subcommittee 2 Best Practices convened the meeting at 11:00 am

Members Present: Rachel Spangler (chairperson), Jon Carrier, Marietta English, Brad Engel (Dr. Kane representative), Pastor Gavin Brown, Dr. Sylvia Lawson, Dwayne Jones, Kimberly Buckheit (MSDE support), Matt Duque (MSDE support)

MSDE Staff: Kimberly Buckheit

General Meeting Notes:

Subcommittee members introduced themselves.

Ms. Spangler shared that the first part of the process would be to complete a literature review. The guidelines for creating a summary of each document were reviewed with the committee members (hard copy provided and verbally reviewed). Rachel will send weekly emails asking members about their progress completing the assigned task(s). Ms. Spangler stated that any questions would be submitted to Dr. Greene.

Ms. Spangler read through the list of documents and how many readers would be needed for each document. Committee members selected which documents they would read. The expectation is for each document to have a one page summary of bulleted notes using the guidelines previously provided to the members..

Member Assignments of Articles to Read:

- *School Discipline in Maryland:* Dr. Lawson and Dwayne Jones (Dr. Lawson will read the whole document and create a summary to share with other readers to respond to and add comments as warranted)
- *Baltimore City Counsel Report:* Marietta English
- *School-to-Prison Pipeline:* (Dr. Lawson will read the whole document and create a summary to share with other readers to respond to and add comments as warranted): Jon Carrier, Dr. Lawson, Dwayne Jones, Pastor Brown
- *Science and Practices of SEL* (Marietta English and Dr. Kane will communicate to ensure completed): Marietta English, Dr. Andrea Kane
- *Resource Guide of Maryland School Discipline:* Jon Carrier , Rachel Spangler, Dr. Lawson (Dr. Lawson will read the whole document and create a summary to share with other readers to respond to and add comments as warranted)
- *Alternative School Discipline Strategies:* Marietta English

- *Advancing School Discipline Reform*: Dr. Lawson, Pastor Brown , Dr. Rachel Kane, Jon Carrier, Dwayne Jones (Dr. Lawson will read the whole document and create a summary to share with other readers to respond to and add comments as warranted)

Committee Discussion:

Dr. Greene shared with the subcommittee members that the time for discourse will happen as a whole group and in subcommittee. In the future the Task Force will meet first as a whole group and then break out into subcommittees.

Jon Carrier asked if we could add to the reading list a 2012 report by the Maryland State Department of Education (MSDE) related to alternative discipline practices. The request was passed along to Dr. Miya Simpson by Ms. Spangler.

Ms. Spangler shared that if there are school locations that members think would be helpful to visit, or if members know of other helpful information they would like to have located, to email her and she will pass the request along to Dr. Greene and the MSDE officials.

Dr. Greene directed committee members to consider the impact of student discipline upon teachers and administrators as well as parents in impact conversations. Mr. Jones shared concerns with the impact student misconduct has upon those students who come into the building and “do the right thing”. Ms. English agreed and shared that this is her big concern. Mr. Jones shared a specific example from his school and recommended that the Task Force seek studies and surveys that provide information about how students feel when misconduct occurs in their school. Dr. Greene agreed this would be an excellent panel and that it was already under development.

Mr. Carrier shared that he agrees with others and shared concerns about how group fights impact student’s feelings about their school.

Mr. Jones: “And now you have the impact with the phone.” Students record incidents and send them through social media platforms. Former students and other members of the public call him to ask what’s going on. He shared that as a Principal a single incident that occurs near the time of when the school climate survey happens will unfairly impact how students respond. He fears that students won’t respond with the lens of a whole school year, rather just that incident.

Mr. Carrier: this work touches upon things that are hard to quantify.

Pastor Brown: Responsibility comes into play - if structures are broken down. The influence of the home and the community can’t be thrown away. Pastor Brown shared a personal story as a dad the night before, his children witnessing young individuals running from a store having just shoplifted. Ms. English recalled during the Freddy Gray occurrence parents were shoplifting and students coming to school saying look at my new sneakers. She questioned the message this sends to young children.

Mr. Jones: we have to be careful we don’t “cookie cutter” solutions because our problems aren’t the same. “People are afraid about the socio economic piece and the race piece.” Mr. Jones provided examples related to shifting school and community demographics over time in his community and conversations he has had with his colleagues. “We don’t have the same problems. We can’t say all Maryland schools should do the same things.”

Mr. Jones: "PBIS is my teachers - they have to come every day and do the best they can."
(referencing that he does not have staff members singularly devoted to initiatives like PBIS, that it is an extension of teacher's regular teaching duties). "Student of the month becomes student of the quarter because of all the other demands. We don't touch the culture piece of students coming to school with different expectations."

Mr. Carrier: School staff need "tools for their toolbox". Staff encounter unique situations that aren't the norm but still need to be prepared for whatever happens.