



**Karen B. Salmon, Ph.D.**  
State Superintendent of Schools

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

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

**DATE:** June 23, 2020

**SUBJECT:** Review of Data related to Prekindergarten to Grade 2 Suspensions and Expulsions and Arrests on School Premises

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**PURPOSE:**

To review data related to Prekindergarten (Pre-K) to grade 2 suspensions and expulsions and arrests on school premises.

**BACKGROUND/HISTORICAL PERSPECTIVE:**

The Maryland General Assembly passed HB425/SB651 *Public Schools - Suspensions and Expulsions* in 2017, Education Article 7-305.1. The State Board adopted the Code of Maryland Regulation (COMAR) 13A.08.01.11 (C) *Suspension and Expulsion Prohibition* in 2017. COMAR states that a Pre-Kindergarten, Kindergarten, first grade, or second grade student may not be suspended or expelled unless (1) federal law requires it (ex: carrying a firearm on school property), or (2) 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. Suspensions may not exceed five days.

In January 2014, the State Board of Education adopted regulations guiding student discipline. The regulations were designed to keep students in school maintaining progress toward graduation while strengthening school safety. Beginning in the 2015-2016 school year, COMAR 13A.08.01.12 – *Arrests on School Premises*, required local school systems to report data on school arrests and referrals to law enforcement agencies or the Department of Juvenile Services (DJS) annually.

A report containing data on the number of student arrests in each school system has been collected and published annually since the first collection related to data from the 2015-2016 school year. The data includes arrests that occurred as a result of a referral of a student by school personnel to law enforcement or DJS for a disciplinary offense that occurred on school grounds or during off campus activities, including transportation. This report includes both physical and paper arrests. A physical arrest occurs when a student is physically placed under arrest by a law enforcement official. A paper arrest occurs when there is an officer-initiated referral or request for charges by school officials to DJS (e.g. Juvenile Offense Report, Citation for Court Appearance).

**EXECUTIVE SUMMARY:**

An analysis of the PreK-2 data is related to five research questions. The research brief examines out of school suspensions for students in Pre-Kindergarten, Kindergarten, first grade, and second grade before and after the enactment of HB425/SB651. The law prohibiting the suspension or expulsion of these students except in certain circumstances was passed in 2017 and implemented starting with the 2017-2018 school year.

The arrest data for the 2018-2019 school year is provided with a review of trends for the four years of data since the first collection based on data from the 2015-2016 school year.

**ACTION:**

Review of the PreK-2 suspension and expulsion data and the arrest on school premises data

**ATTACHMENT:**

Policy Impact: HB425/SB651 Early Grade Suspensions PowerPoint  
POLICY IMPACT ANALYSIS: HB425/SB651 (2017)

Data Review Arrests on School Premises COMAR 13A.08.01.12 PowerPoint  
Maryland Public Schools Arrest Data School Year 2018-2019