

Appendix K

Recent School Discipline Legislation from Other States

- Maine LD 1503 (2012)
 - ▶ Update due process standards for expulsions to require meeting between superintendent and family to explain procedures of hearing and rights.
 - ▶ Re-entry procedures after expulsions must include a plan with conditions that student can meet to gain early reentry, must be provided to parents.
 - ▶ Written notice to parents required for all suspensions, including those that occur in school.
 - ▶ Before referring students to truancy court, school teams must first refer to “student assistance team or designated personnel” to develop an intervention plan.

- Massachusetts HB 4332 (2012)
 - ▶ Limit school exclusion to a maximum of 90 days.
 - ▶ Before excluding for more than 10 days, superintendent must attempt other remedies/consequences.
 - ▶ Due process rights triggered by more than 10 days consecutively or cumulatively out of school in one school year.
 - ▶ Superintendent must be notified when a student in kindergarten through 3rd grade is suspended out of school; such a suspension does not start until the superintendent approves.
 - ▶ Provide educational services to excluded students.
 - Suspension of 10 days or fewer = schools must provide opportunity for student to make academic progress and make up assignments, tests, quizzes, etc.
 - Suspension of more than 10 days = same as above, plus provide “educational service plan” (schools eligible for reimbursement).
 - Educational Service Plan - may include tutoring, alternative placement, Saturday school, online/distance learning, etc. Parent must receive list of alternative educational services and be given the option to choose from the list.
 - Reimbursement for educational service plan will be studied to review costs and implementation, with reporting to the legislature.
 - Any school with “significant number of students suspended out of school more than 10 cumulative days in year shall be investigated.” Investigation results made public.

■ Illinois SB 2793 (2014)

- ▶ Require data submission from all schools, including charter schools, to the Agency of Education for a comprehensive statewide school discipline report to include cross-tabulated and disaggregated data. Report will be published on the Agency's website.
- ▶ Require investigation of schools meeting a certain threshold data for school discipline.
- ▶ Require school improvement plan for districts exceeding certain discipline thresholds.

■ Colorado HB 12-1345 (2012)

- ▶ Declaration regarding the School to Prison Pipeline.
- ▶ Require considerations before suspending a student out of school for more than 10 days.
- ▶ Require school disciplinary plans to include plans for Restorative Justice, Peer Mediation, Counseling, or other PBIS approaches.
- ▶ School Resource Officer (school-based police officers) must be familiar with school district's disciplinary code.
- ▶ Require police data collection and reporting to the Secretary of Education for school-related arrests, summons, tickets, trespass orders.
- ▶ Expulsions by district can be appealed to Head of State Education Agency w/in 10 days of local district decisions.
- ▶ Opportunity to make up school work during suspensions.
- ▶ Define what may be grounds for suspension/expulsion.
- ▶ School Resource Officer training required.
- ▶ Define "In-School Suspensions" and places limits.
- ▶ During expulsion, student's family must be contacted every 50 calendar days.

■ Washington SB 5946 (2013)

- ▶ Suspensions/Expulsions must be for specific period of time.
- ▶ "Emergency expulsions" must be converted to another form of corrective action w/in 10 school days.
- ▶ Reentry Plans required for all students suspended for more than 10 consecutive days.
- ▶ Annual reporting requirements with disaggregated and cross-tabulated data for gender, foster care, homeless, school district, infraction, bullying, in/out suspension, race, income, sped, LEP, immigrant made available to the public without request.