

## CHAPTER 185

(House Bill 1380)

AN ACT to repeal and re-enact, with amendments, Section 95 of Article 77 of the Annotated Code of Maryland (1969 Replacement Volume), title "Public Education," subtitle "Chapter 6. The Public Schools," to subject schools in Baltimore City to the provisions of Section 95 relating to suspension and expulsion of pupils.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section 95 of Article 77 of the Annotated Code of Maryland (1969 Replacement Volume), title "Public Education," subtitle "Chapter 6. The Public Schools," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

95.

(a) The principal of every public school in Maryland, in accordance with the rules of the county board of education, OR THE BOARD OF SCHOOL COMMISSIONERS OF BALTIMORE CITY, shall have the right to suspend temporarily, for cause, any pupil in the school under the direction of said principal for a period of not more than five school days, provided, however, that the pupil, parent, or guardian shall be given a conference promptly with the principal and appropriate personnel during the suspension period.

(b) Longer suspension or expulsions may be made by the [county] LOCAL superintendent of schools at the request of the principal. In case the principal shall determine that a longer suspension or expulsion is warranted, he shall forthwith in writing report the matter to the [county] LOCAL superintendent of schools. The superintendent or his designated representative shall make promptly a thorough investigation of the problem. If the [county] LOCAL superintendent, after such investigation shall determine that a longer suspension or expulsion is warranted, he, or his designated representative, shall arrange promptly a conference with the pupil and his parent or guardian. If the [county] LOCAL superintendent, or his designated representative, after such conference, shall determine that a suspension of more than ten school days or expulsion is warranted, the pupil or his parent or guardian shall have the right to appeal to the [county] LOCAL board of education within ten days thereafter and to request an opportunity to be heard before [such county] THE LOCAL board or a designated committee thereof. The pupil or his parent or guardian shall be allowed to bring counsel and witnesses, if he so desires. Unless a public hearing is requested by the parent or guardian of the pupil, hearings shall be conducted out of the presence of all persons except those whose presence is deemed necessary or desirable by the board. The appeal to the [county] LOCAL board shall not operate as a stay of the decision of the [county] LOCAL superintendent. The decision of the [county] LOCAL board shall be final.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1973.

Approved April 26, 1973.

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