Alternative School Discipline Practices:

Data Collection, Findings, and Considerations 2021-2022 School Year

Division of Student Support, Academic Enrichment, and Educational Policy

October 2022 Legislative Report

MARYLAND STATE DEPARTMENT OF
EDUCATION
EQUITY AND EXCELLENCE

MARYLAND STATE DEPARTMENT OF EDUCATION

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Background

The Annotated Code of Maryland Education Article § 7-306 requires the Maryland State Department of Education (MSDE), to "collect data on alternative school discipline practices in public schools for each local education agency (LEA), including: (i) the type of alternative school discipline practices that are used in an LEA; and (ii) the type of misconduct for which an alternative discipline practice is used."

During the 2019 legislative session, House Bill 725 – *Public Schools-Student Discipline-Restorative Approaches* (Chapter 691) was passed, amending Education Article § 7-306. The amended legislation defines restorative approaches as a relationship-focused student discipline model and requires MSDE to submit an annual student discipline data report, on or before October 1, to the Governor and the General Assembly that "includes a description of the uses of restorative approaches in the State and a review of disciplinary practices and policies in the State." Additionally, the amended legislation specifies that the MSDE, "shall disaggregate the information in any student discipline data report prepared by the Department by race, ethnicity, gender, disability status, eligibility for free or reduced price meals or an equivalent measure of socioeconomic status, English language proficiency, and type of discipline for: (i) the State; (ii) each local school system; and (iii) each public school."

The MSDE will provide disaggregated student discipline data based on the categorizations outlined in the legislation in the annual *Maryland Public School Suspensions by School and Major Offense Category: In-School Suspensions, Out-of-School Suspensions, and Expulsions* report. The *Alternative School Discipline Practices: Data Collection, Findings, and Considerations* report focuses specifically on alternative school discipline practices. The report describes the data collection process, provides statewide summary data based on LEA responses, and outlines findings and considerations based on an analysis of the data.

Alternative school discipline practices are defined in Education Article § 7-306 as, "a discipline practice used in a public school that is not an in-school or an out-of-school suspension." Currently, responsibility for defining discipline practices for specific code of conduct infractions and determining which disciplinary practices are utilized rests with individual LEAs. The MSDE has provided support and guidance on alternative disciplinary approaches to suspensions and expulsions to LEAs through the publication of documents such as *The Maryland Guidelines for State Code of Discipline*, collaborative partnerships with experts such as the Center for Dispute Resolution at the University of Maryland (C-DRUM), the Positive Behavior Intervention and Support (PBIS) Maryland collaborative, professional learning experiences conducted by MSDE specialists specifically in the area of alternative discipline approaches, and direct technical support to LEAs as they implement strategies to eliminate disproportionate disciplinary removals.

Data Collection

To obtain data on the use of alternative discipline practices in Maryland, MSDE staff developed an online survey, drawing on existing statewide guidance and current terminology (see Appendix A). The survey was completed by the Directors of Student Services in each LEA. The Director of Student Services is the LEA administrator who is most knowledgeable about central office guidance on discipline and school discipline practices. All 24 LEAs in Maryland completed the survey for the 2021-2022 school year.

The survey is comprised of two parts. Part one asked LEAs the degree to which school administrators used the following five alternative discipline practices/approaches:
- communication practices
- skill development practices
- restorative approaches
- referral practices
- consequence practices

For each question in part one, the following five response options were available:
- never
- less than half of the time
- about half of the time
- more than half of the time
- always

Part two asked LEAs to indicate which alternative school discipline practices/approaches (as identified in part one) the LEA used in response to the following types of student misconduct, as defined in the 2019 report by the Institute of Education Science's (IES) Regional Educational Laboratory Mid-Atlantic titled *Disproportionality in School Discipline: An Assessment in Maryland Through 2018*:
- attendance infractions (class cutting, tardiness, and truancy)
- conduct infractions (disrespect, disruption, academic dishonesty, dress code violations, inappropriate use of personal electronics, trespassing, and destruction of property)
- drugs and alcohol infractions (being under the influence/in possession of, or selling alcohol, inhalants, or controlled substances)
- sexual misconduct infractions (sexual harassment, attacks, or activity) [*Note: classified as sex infractions in the survey*]
- violent infractions (possession or use of firearms, explosives, or other weapons, threatening or attacking an adult or student, fighting, extortion, bullying and harassment, arson, and bomb threats)

Findings

ALTERNATIVE SCHOOL DISCIPLINE DATA BY THE DEGREE TO WHICH A PRACTICE/APPROACH IS USED

Please note that the data for part one of the survey (questions 3 through 7) have been collapsed into a single table for each of the five alternative school discipline practice/approach categories listed (communication practices, skill development practices, restorative approaches, referral practices, and consequence practices).

Tables 1 through 5 detail the degree to which each of the 24 LEAs in Maryland reported using the specified discipline practice/approach, displaying both the percentage and number of LEAs responding to each item for the 2021-2022 school year.

Communications Practices

With regard to the use of communication practices, 23 out of 24 LEAs indicated that parent-teacher outreach occurred more than half of the time or always, with 13 LEAs indicating that this practice is always used (see Table 1). Other high frequency practices (used by at least 63 percent of Maryland's 24 LEAs at least half of the time or more frequently) that LEAs reported using include in-person parent-teacher conferences, in-person parent-support staff conferences, in-person parent-administrator conferences, check-in/check-out with a school-based adult, and administrator-teacher support related to students. Home visit was the only practice that met the threshold for less frequently used (less than half of the time or never by at least 63 percent of Maryland's 24 LEAs).

Table 1. Extent to which Communication Practices are used across all LEAs

Frequency of Practice	Never	Less than half of the time	About half of the time	More than half of the time	Always
Parent-teacher outreach (phone, email, text)	0% (0)	0% (0)	4.17% (1)	41.67% (10)	54.17% (13)
Parent-teacher conference, in-person*	0% (0)	12.50% (3)	33.33% (8)	50% (12)	4.17% (1)
Parent-administrator conference, in-person	0% (0)	8.33% (2)	16.67% (3)	66.67% (16)	8.33% (2)
Parent-support staff conference, in-person	0% (0)	25% (6)	25% (6)	41.67% (10)	8.33% (2)
Check-in/check-out with a school-based adult	0% (0)	29.17% (7)	37.50% (9)	33.33% (8)	0% (0)
Daily or weekly student progress sheet	0% (0)	41.67% (10)	45.83% (11)	13.64% (3)	0% (0)
Mediation conference*	4.55% (1)	45.83% (11)	27.27% (6)	13.64% (3)	4.55% (1)

Frequency of Practice	Never	Less than half of the time	About half of the time	More than half of the time	Always
Behavior contract	0% (0)	45.83% (11)	33.33% (8)	20.83% (5)	0% (0)
Administrator-teacher support related to student*	0% (0)	26.09% (6)	17.39% (4)	39.13% (9)	17.399% (4)
Home visit	4.17% (1)	79.17% (18)	4.17% (1)	12.50% (3)	0% (0)

*Note: Not all 24 Maryland LEAs responded to this question.

Skill Development Practices

With regard to the use of skill development practices, 19 out of the 24 LEAs indicated using Positive Behavior Intervention and Support (PBIS) as a framework, and reminder/redirection to an appropriate replacement behavior at least half of the time or more frequently (see Table 2). All but two of the skill development practices were indicated to be used at a high frequency (at least 63 percent, more than half of the time or always) with the exception of role play, and peer mediation.

Table 2. Extent to which Skill Development Practices are used across all LEAs

Frequency of Practice	Never	Less than half of the time	About half of the time	More than half of the time	Always
Positive Behavior Intervention and Support (PBIS)	0% (0)	4.17% (1)	16.67% (4)	33.33% (8)	45.83% (11)
Trauma-informed care	0% (0)	0% (0)	37.50% (9)	54.17% (13)	8.33% (2)
Role play	4.17% (1)	83.33% (20)	12.50% (3)	0% (0)	0% (0)
Reminder/redirection to an appropriate replacement behavior	0% (0)	4.17% (1)	16.67% (4)	20.83% (5)	58.33% (14)
Peer mediation	12.50%	54.17%	29.17%	4.17%	0%

Frequency of Practice	Never	Less than half of the time	About half of the time	More than half of the time	Always
	(3)	(13)	(7)	(1)	(0)
Participation in a social emotional learning program	0% (0)	20.83% (5)	16.67% (4)	41.67% (10)	20.83% (5)
Participation in an academic skill development program	0% (0)	29.17% (7)	12.50% (3)	50% (12)	8.33% (2)
Participation in a targeted skill session with a student service professional	0% (0)	29.17% (7)	29.17% (7)	41.67% (10)	0% (0)
Review and practice of a classroom procedure	0% (0)	16.67% (4)	12.50% (3)	29.17% (7)	41.67% (10)

Restorative Approaches

With regard to the use of restorative approaches, the most frequently used restorative approach (about half of the time or more frequently) is conflict resolution with the student and victim, with 18 out of 24 LEAs responding, followed by 17 out of the 24 LEAs indicating the use of restorative conferences (see Table 3). Formal corrective circles with parents, school-based stakeholders, and other community members was the least used restorative approach, with 22 LEAs indicating that it is used less than half of the time or never, followed by rehabilitation, peer mediation, and formal corrective circles with school-based stakeholders.

Table 3. Extent to which Restorative Approaches are used across all LEAs

Frequency of Approach	Never	Less than half of the time	About half of the time	More than half of the time	Always
Conflict resolution with student and victim	4.17% (0)	25% (56)	41.67% (10)	29.17% (7)	4.17% (1)
Peer mediation	12.50% (3)	54.17% (13)	29.17% (7)	4.17% (1)	0% (0)
Other forms of mediation*	4.35%	47.83%	34.78%	13.04%	0%

Frequency of Approach	Never	Less than half of the time	About half of the time	More than half of the time	Always
	(1)	(11)	(8)	(3)	(0)
Restorative conferences (the act of repairing harm)	4.17% (1)	25% (6)	41.67% (10)	25% (6)	4.17% (1)
Formal corrective circle with school-based stakeholders and a written agreement	12.50% (3)	54.17% (13)	25% (6)	8.33% (2)	0% (0)
Formal corrective circle with parents, school-based stakeholders, community member(s), and a written agreement	20.83% (5)	70.83% (17)	4.17% (1)	4.17% (1)	0% (0)
Rehabilitation*	33.33% (8)	45.83% (11)	8.33% (2)	8.33% (2)	4.17% (1)

Note: Not all 24 Maryland LEAs responded to this question.

Referral Practices

With regard to the use of referral practices, a majority of Maryland's 24 LEAs (at least 63 percent) reported making referrals to a school counselor and/or school psychologist or to the student support team or other Tier 1 support team[1] more than half of the time or always (see Table 4). With one exception,[2] a majority of Maryland's 24 LEAs reported employing the other referral practices listed in Table 4 less than half of the time or never, with referral for rehabilitative services being the least commonly used practice (21 out of 24 LEAs reported that they used this practice less than half of the time or never).

Table 4. Extent to which Referral Practices are used across all LEAs

Frequency of Practice	Never	Less than half of the time	About half of the time	More than half of the time	Always
Referral to a mentoring program	4.17% (1)	58.33% (14)	25% (6)	12.50% (3)	0% (0)
Referral to a school counselor and/or school psychologist	0% (0)	8.33% (2)	25% (6)	45.83% (11)	20.83% (5)
Referral to the student support team or other Tier 1 support team	0% (0)	12.50% (3)	16.67% (4)	33.33% (8)	37.50% (9)
Referral to the school nurse or school health professional	4.17% (1)	50% (12)	20.83% (5)	8.33% (2)	16.7% (4)
Referral to a school-based social worker, behavior interventionist, or a school-based mental health worker	4.17% (1)	16.67% (4)	20.83% (5)	33.33% (8)	25% (6)
Referral to a community-based mental health professional	0% (0)	45.83% (11)	16.67% (4)	20.83% (5)	16.67% (4)
Referral to a substance abuse counseling service	4.17% (1)	58.33% (14)	8.33% (2)	4.17% (1)	25% (6)

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[1] A team of school-based individuals who meet to discuss and develop a plan of intervention for students at risk.

[2] The exception being referrals to a school-based social worker, behavior interventionist, or a school-based mental health worker.

Frequency of Practice	Never	Less than half of the time	About half of the time	More than half of the time	Always
Referral to complete a Functional Behavior Assessment, Behavior Intervention Plan	4.17% (1)	50% (12)	20.83% (5)	20.83% (5)	4.17% (1)
Referral to a community-based agency	0% (0)	45.83% (11)	20.83% (5)	29.17% (7)	4.17% (1)
Referral to the individualized education program team	4.17% (1)	62.50% (15)	16.67% (4)	12.50% (3)	4.17% (1)
Referral for rehabilitative services	16.67% (4)	70.83% (17)	4.17% (1)	4.17% (1)	4.17% (1)
Referral to truancy diversion panel	20.83% (5)	62.50% (15)	0% (0)	4.17% (1)	12.50% (3)
Referral to a system level alternative placement	4.17% (1)	79.17% (19)	4.17% (1)	4.17% (1)	8.33% (2)
Referral for threat assessment	0% (0)	58.33% (14)	8.33% (2)	16.67% (4)	16.67% (4)

Consequence Practices

With regard to the use of consequence practices, 22 out of 24 LEAs indicated that they used verbal correction more than half of the time or always (see Table 5). Other high frequency practices (used by a majority of Maryland's 24 LEAs, at least 63 percent, about half of the time or more frequently) that LEAs reported using include after school detention, temporary removal from class, in-school intervention, lunch detention, and loss of school day privilege. Teen court, and Saturday school were the least used consequence practice, with 23 LSSs indicating that it is used less than half of the time or never. Other less frequently used consequence practices (used less than half of the time or never by at least 63 percent of Maryland's 24 LEAs) were written apologies to the victim(s), community service, removal from extra-curricular activity, in-school suspension, truancy court, loss of after-school privilege, and system level conduct officer hearing.

Table 5. Extent to which Consequence Practices are used across all LEAs

Frequency of Practice	Never	Less than half of the time	About half of the time	More than half of the time	Always
Written apology to the victim(s)	4.17% (1)	70.83% (17)	16.67% (4)	4.17% (1)	4.17% (1)
Verbal correction	0% (0)	0% (0)	8.33% (2)	29.17% (7)	62.50% (15)
After-school detention	4.17% (1)	33.33% (8)	50% (12)	12.50% (3)	0% (0)
Lunch detention	4.17% (1)	21.74% (5)	43.48% (10)	26.09% (6)	4.17% (1)
Community service	33.33% (8)	58.33% (14)	8.33% (2)	0% (0)	0% (0)
Loss of school day privilege	0% (0)	37.50% (9)	16.67% (4)	37.50% (9)	8.33% (2)
Loss of after-school privilege	0% (0)	50% (12)	29.17% (7)	20.83% (5)	0% (0)
Removal from extra-curricular activity	0%	58.33%	29.17%	12.5%	0%

Frequency of Practice	Never	Less than half of the time	About half of the time	More than half of the time	Always
	(0)	(14)	(7)	(3)	(0)
Temporary removal from class	4.17%	12.50%	45.83%	29.17%	8.33%
	(1)	(3)	(11)	(7)	(2)
In-school intervention	0%	20.83%	29.17%	37.50%	12.50%
	(0)	(5)	(7)	(9)	(3)
In-school suspension	20.83%	50%	12.50%	12.50%	4.17%
	(5)	(12)	(3)	(3)	(1)
Teen court	79.17%	16.67%	4.17%	0%	0%
	(19)	(4)	(1)	(0)	(0)
Truancy court	37.50%	41.67%	8.33%	8.33%	4.17%
	(9)	(10)	(2)	(2)	(1)
Saturday school	45.83%	50%	4.17%	0%	0%
	(11)	(12)	(1)	(0)	(0)
System level conduct officer hearing	16.67%	70.83%	8.33%	0%	4.17%
	(4)	(17)	(2)	(0)	(1)

ALTERNATIVE SCHOOL DISCIPLINE DATA BY THE TYPE OF PRACTICE/APPROACH USED FOR STUDENT MISCONDUCT

Tables six through 10, which relate to part two of the survey (questions 8 through 32), detail which alternative school discipline practices/approaches were used by LEAs during the 2021-2022 school year in response to five specific types of misconduct infraction: attendance, conduct infractions, drugs and alcohol, sexual misconduct, and violent infractions (see page 5 for further clarification). Please note that the data presented in this section do not indicate the frequency with which an LEA employed a particular practice/approach, but instead whether the LEA employed such a practice/approach during the 2021-2022 school year. For each of the five infraction categories, a narrative summarizing the data sets included with each infraction category is provided. Within each infraction category, data are displayed in five separate tables (6.1, 6.2, 6.3, 6.4, and 6.5), one table for each of the five overarching alternative school discipline practice/approach categories listed under part one of the survey (communication practices, skill development practices, restorative approaches,

referral practices, and consequence practices). Each table displays the percentage and number of LEAs that reported employing a specific alternative school discipline practice/approach during the 2021-2022 school year in response to the various infraction types listed in the survey. Not all LEAs in Maryland employ each specific alternative school discipline practices/approaches listed in the survey to address certain misconduct infraction types, and therefore, some LEAs did not respond to every question. In each instance where fewer than 24 LEAs responded to a survey question, a note to this effect has been included with the relevant data table.

Attendance Infractions

Survey responses indicate that the following alternative school discipline practices/approaches were used by a substantial proportion of LEAs (i.e. by at least 20 out of 24 LEAs or more than 80 percent of respondents for that particular question) for attendance infractions.
- communication practices – check-in/check-out, parent outreach, progress sheet, teacher-parent conference, administrator-parent conference, school support staff-parent conference, and home visit
- skill development practices – Positive Behavior Intervention and Support framework, reminder/redirection, social emotional learning program referral or academic skill development program referral, school counselor or other school-based personnel group skill/lesson referral, and trauma-informed approaches
- referral practices – school counselor, mental health professional, and student support team or other Tier 1 support team
- consequence practices – verbal correction, and loss of school day privilege

No restorative approaches met this 80 percent affirmative response threshold.

The least used alternative school discipline practices/approaches (i.e. used by no more than four out of 24 LEAs or less than 20 percent of respondents for that particular question) for attendance infractions were teen court, potential long term suspension, and potential expulsion (all consequence practice).

Table 6.1. Number/Percentage of LEAs employing **Communication Practices** to address **Attendance Infractions**

Communication Practice	Response Percent	Response Count
Community conference	41.67%	10
Check-in/check out	100.00%	24
Parent outreach	100.00%	24
Progress sheet	75.00%	18
Behavior contract	75.00%	18
Teacher-parent conference	95.3%	23
Conflict resolution conference	37.50%	9
Administrator-parent conference	91.67%	22

Communication Practice	Response Percent	Response Count
School support staff-parent conference	95.83%	23
Administrator-teacher conference	66.67%	16
Mediation conference	54.17%	13
Home visit	95.83%	23

Table 6.2. Number/Percentage of LEAs employing **Skill Development Practices** to address **Attendance Infractions**

Skill Development Practice	Response Percent	Response Count
Positive Behavior Intervention and Support (PBIS) framework	95.83%	23
Role play	16.67%	4
Reminder/redirection	91.67%	22
Peer mediation	41.67%	10
Social emotional learning program referral or academic skill development program referral	83.33%	20
School counselor or other school-based personnel group skill/lesson referral	100.00%	24
Academic remediation	79.17%	19
Practice of a classroom procedure	62.50%	15
Trauma-informed approaches	95.83%	23

Table 6.3. Number/Percentage of LEAs employing **Restorative Approaches** to address **Attendance Infractions***

Restorative Approach	Response Percent	Response Count
Circle conversation with student and victim	65.00%	13

Restorative Approach	Response Percent	Response Count
Restitution	35.00%	7
Formal corrective circle with school-based stakeholders	55.00%	11
Formal corrective circle with parents, school-based officials, and community members	25.00000%	5
Mediation	65.00%	13

*Note: 20 out of 24 LEAs responded to this question.

Table 6.4. Number/Percentage of LEAs employing **Referral Practices** to address **Attendance Infractions**

Referral Practice	Response Percent	Response Count
Mentoring	79.17%	19
School counselor	100.00%	24
Substance abuse counseling service	75.00%	18
School nurse or school health professional	79.17%	19
Mental health professional	91.67%	22
Community-based organization	66.67%	16
Functional Behavior Assessment, Behavior Intervention Plan	62.50%	15
IEP team	79.17%	19
Student support team or other Tier 1 support team	100.00%	24
School psychologist	75.00%	18
Outside counseling organization	75.00%	18
Rehabilitative	29.17%	7

Referral Practice	Response Percent	Response Count
Truancy diversion panel	45.83%	11
System level alternative placement	45.83%	11
Threat assessment	50.00%	12

Table 6.5. Number/Percentage of LEAs employing **Consequence Practices** to address **Attendance Infractions**

Consequence Practice	Response Percent	Response Count
After-school detention	70.83%	17
Lunch detention	75.00%	18
Written apology	45.83%	11
Verbal correction	83.33%	20
Loss of school day privilege	83.33%	20
Community service	25.00%	6
Loss of after-school privilege	79.17%	19
Removal from extra-curricular activity	66.67%	16
Truancy court	45.83%	11
Temporary removal from class	37.50%	9
Saturday school	41.67%	10
Teen court	8.33%	2
In-school intervention	66.67%	16
In-school suspension	25.00%	6
System level conduct officer hearing	16.67%	4

Consequence Practice	Response Percent	Response Count
Potential short-term suspension	25.00%	6
Potential long-term suspension	12.50%	3
Potential expulsion	4.17%	1

Conduct Infractions

Survey responses indicate that the following alternative school discipline practices/approaches were used by a substantial proportion of LEAs (i.e. by at least 20 out of 24 LEAs or more than 80 percent of respondents for that particular question) for conduct infractions.

- communication practices – check-in/check-out, parent outreach, progress sheet, behavior contract, teacher-parent conference, conflict resolution conference, administrator-parent conference, school support staff-parent conference, and administrator-teacher conference
- skill development practices – PBIS framework, reminder/redirection, social emotional learning program referral or academic skill development program referral, school counselor or other school-based personnel group skill/lesson referral, practice of a classroom procedure, and trauma-informed approaches
- restorative approaches – circle conversation with student and victim, and remediation
- referral practices – mentoring, school counselor, mental health professional, Functional Behavior Assessment/Behavior Intervention Plan, IEP team, student support team or other Tier 1 support team, and outside counseling organization
- consequence practices – lunch detention, written apology, verbal correction, loss of school day privilege, loss of after-school privilege, temporary removal from class, in-school intervention, and potential short-term suspension

The least used alternative school discipline practice/approach (i.e. used by no more than four out of 24 LEAs or less than 20 percent of respondents for that particular question) for conduct infractions was teen court.

Table 7.1. Number/Percentage of LEAs employing **Communication Practices** to address **Conduct Infractions**

Communication Practice	Response Percent	Response Count
Community conference	41.67%	10
Check-in/check-out	100.00%	24
Parent outreach	100.00%	24
Progress sheet	91.67%	22

Communication Practice	Response Percent	Response Count
Behavior contract	100.00%	24
Teacher-parent conference	100.00%	24
Conflict resolution conference	83.33%	20
Administrator-parent conference	100.00%	24
School support staff-parent conference	95.83%	23
Administrator-teacher conference	91.67%	22
Mediation conference	66.67%	16
Home visit	66.67%	16

Table 7.2. Number/Percentage of LEAs employing **Skill Development Practices** to address **Conduct Infractions**

Skill Development Practice	Response Percent	Response Count
Positive Behavior Intervention and Support (PBIS) framework	91.67%	22
Role play	50.00%	12
Reminder/redirection	100.00%	24
Peer mediation	54.17%	13
Social emotional learning program referral or academic skill development program referral	94.83%	23
School counselor or other school-based personnel group skill/lesson referral	100.00%	24
Academic remediation	75.00%	18
Practice of a classroom procedure	87.50%	21
Trauma-informed approaches	95.83%	23

Table 7.3. Number/Percentage of LEAs employing **Restorative Approaches** to address **Conduct Infractions***

Restorative Approach	Response Percent	Response Count
Circle conversation with student and victim	81.82%	18
Restitution	72.73%	16
Formal corrective circle with school-based stakeholders	68.18%	15
Formal corrective circle with parents, school-based officials, and community members	31.82%	7
Mediation	81.82%	18

Note: 22 out of 24 LEAs responded to this question.

Table 7.4. Number/Percentage of LEAs employing **Referral Practices** to address **Conduct Infractions***

Referral Practice	Response Percent	Response Count
Mentoring	91.30%	21
School counselor	100.00%	23
Substance abuse counseling service	78.26%	18
School nurse or School health professional	73.91%	17
Mental health professional	91.30%	21
Community-based organization	73.91%	17
Functional Behavior Assessment, Behavior Intervention Plan	91.30%	21
IEP team	82.61%	19
Student support team or other Tier 1 support team	100.00%	23
School psychologist	78.26%	18

Referral Practice	Response Percent	Response Count
Outside counseling organization	86.96%	20
Rehabilitative	47.83%	11
System level alternative placement	73.91%	17
Threat assessment	78.26%	18

*Note: 23 out of 24 LEAs responded to this question.

Table 7.5. Number/Percentage of LEAs employing **Consequence Practices** to address **Conduct Infractions**

Consequence Practice	Response Percent	Response Count
After-school detention	79.17%	19
Lunch detention	83.33%	20
Written apology	83.33%	20
Verbal correction	91.67%	22
Loss of school day privilege	91.67%	22
Community service	54.17%	13
Loss of after-school privilege	91.67%	22
Removal from extra-curricular activity	79.17%	19
Temporary removal from class	100.00%	24
Saturday school	45.83%	11
Teen court	12.50%	3
In-school intervention	95.83%	23
In-school suspension	75.00%	18

Consequence Practice	Response Percent	Response Count
System level conduct officer hearing	50.00%	12
Potential short-term suspension	95.83%	23
Potential long-term suspension	66.67%	16
Potential expulsion	25.00%	6
Potential law enforcement notification	58.33%	14

Drug and Alcohol Infractions

Survey responses indicate that the following alternative school discipline practices/approaches were used by a substantial proportion of LEAs (i.e. by at least 20 out of 24 LEAs or more than 80 percent of respondents for that particular question) for drugs and alcohol infractions.

- communication practices – parent outreach and administrator-parent conference
- skill development practices – social emotional learning program referral or academic skill development program referral, school counselor or other school-based personnel group skill/lesson referral and trauma-informed approaches
- restorative approaches – formal corrective circle with school-based stakeholders
- referral practices – school counselor, substance abuse counseling service, school nurse or school health professional, mental health professional, and outside counseling organization
- consequence practices – potential short-term suspension, and potential law-enforcement notification

The least used alternative school discipline practices/approaches (i.e. used by no more than four out of 24 LEAs or less than 20 percent of respondents for that particular question) for drug and alcohol infractions were practice of a classroom procedure, restitution, lunch detention, written apology, and teen court.

Table 8.1. Number/Percentage of LEAs employing **Communication Practices** to address **Drug and Alcohol Infractions**

Communication Practice	Response Percent	Response Count
Community conference	33.33%	8
Check-in/check-out	66.67%	16
Parent outreach	100.00%	24
Progress sheet	29.17%	7
Behavior contract	54.17%	13

Communication Practice	Response Percent	Response Count
Teacher-parent conference	62.50%	15
Conflict resolution conference	29.17%	7
Administrator-parent conference	87.50%	21
School support staff-parent conference	66.67%	16
Administrator-teacher conference	62.50%	15
Mediation conference	33.33%	8
Home visit	54.17%	13

Table 8.2. Number/Percentage of LEAs employing **Skill Development Practices** to address **Drug and Alcohol Infractions***

Skill Development Practice	Response Percent	Response Count
Positive Behavior Intervention and Support (PBIS) framework	63.64%	14
Role play	31.82%	7
Reminder/redirection	68.18%	15
Peer mediation	22.73%	5
Social emotional learning program referral or academic skill development program referral	81.82%	18
School counselor or other school-based personnel group skill/lesson referral	86.36%	19
Academic remediation	27.27%	6
Practice of a classroom procedure	18.18%	4
Trauma-informed approaches	90.91%	20

*Note: 22 out of 24 LEAs responded to this question.

Table 8.3. Number/Percentage of LEAs employing **Restorative Approaches** to address **Drug and Alcohol Infractions***

Restorative Approach	Response Percent	Response Count
Circle conversation with student and victim	46.67%	7
Restitution	20.00%	3
Formal corrective circle with school-based stakeholders	93.33%	14
Formal corrective circle with parents, school-based officials, and community members	46.67%	7
Mediation	40.00%	6

Note: 15 out of 24 LEAs responded to this question.

Table 8.4. Number/Percentage of LEAs employing **Referral Practices** to address **Drug and Alcohol Infractions**

Referral Practice	Response Percent	Response Count
Mentoring	70.83%	17
School counselor	87.50%	21
Substance abuse counseling service	100.00%	24
School nurse or school health professional	91.67%	22
Mental health professional	91.67%	22
Community-based organization	70.83%	17
Functional Behavior Assessment, Behavior Intervention Plan	37.50%	9
IEP team	33.33%	8
Student support team or other Tier 1 support seam	75.00%	18

Referral Practice	Response Percent	Response Count
School psychologist	58.33%	14
Outside counseling organization	87.50%	21
Rehabilitative	50.00%	12
System level alternative placement	54.17%	13
Threat assessment	29.17%	7

Table 8.5. Number/Percentage of LEAs employing **Consequence Practices** to address **Drug and Alcohol Infractions**

Consequence Practice	Response Percent	Response Count
After-school detention	25.00%	6
Lunch detention	12.50%	3
Written apology	8.33%	2
Verbal correction	29.17%	7
Loss of school day privilege	70.83%	17
Community service	25.00%	6
Loss of after-school privilege	70.83%	17
Removal from extra-curricular activity	75.00%	18
Temporary removal from class	66.67%	16
Saturday school	33.33%	8
Teen court	12.50%	3
In-school intervention	58.33%	14
In-school suspension	54.17%	13

Consequence Practice	Response Percent	Response Count
Superintendent school transfer	29.17%	7
System level conduct officer hearing	66.67%	16
Potential short-term suspension	91.67%	22
Potential long-term suspension	79.17%	19
Potential expulsion	45.83%	11
Potential law enforcement notification	83.33%	20

Sexual Misconduct Infractions

Survey responses indicate that the following alternative school discipline practices/approaches were used by a substantial proportion of LEAs (i.e. by at least 20 out of 24 LEAs or more than 80 percent of respondents for that particular question) for sexual misconduct infractions.

- communication practices – parent outreach and administrator-parent conference
- skill development practices – school counselor or other school-based personnel group skill/lesson referral, and trauma-informed approaches
- referral practices – school counselor, mental health professional, and outside counseling organization
- consequence practices – potential short-term suspension, potential long-term suspension, and potential law enforcement notification

No restorative approaches met this 80 percent affirmative response threshold.

The least used alternative school discipline practices/approaches (i.e. used by no more than four out of 24 LEAs or less than 20 percent of respondents for that particular question) for sexual misconduct infractions were peer mediation, academic remediation, practice of a classroom procedure, restitution, substance abuse counseling, and teen court.

Table 9.1. Number/Percentage of LEAs employing **Communication Practices** to address **Sexual Misconduct Infractions**

Communication Practice	Response Percent	Response Count
Community conference	20.83%	5
Check-in/check-out	54.17%	13
Parent outreach	95.83%	23

Communication Practice	Response Percent	Response Count
Progress sheet	29.17%	7
Behavior contract	75.00%	18
Teacher-parent conference	45.3%	11
Conflict resolution conference	41.67%	10
Administrator-parent conference	100.00%	24
School support staff-parent conference	66.67%	16
Administrator-teacher conference	66.67%	16
Mediation conference	41.67%	10
Home visit	45.83%	11

Table 9.2. Number/Percentage of LEAs employing **Skill Development Practices** to address **Sexual Misconduct Infractions**

Skill Development Practice	Response Percent	Response Count
Positive Behavior Intervention and Support (PBIS) framework	54.17%	13
Role play	37.50%	9
Reminder/redirection	58.33%	14
Peer mediation	12.50%	3
Social emotional learning program referral or academic skill development program referral	70.83%	17
School counselor or other school-based personnel group skill/lesson referral	91.67%	22
Academic remediation	8.33%	2

Skill Development Practice	Response Percent	Response Count
Practice of a classroom procedure	16.67%	4
Trauma-informed approaches	87.50%	21

Table 9.3. Number/Percentage of LEAs employing **Restorative Approaches** to address **Sexual Misconduct Infractions***

Restorative Approach	Response Percent	Response Count
Circle conversation with student and victim	52.94%	9
Restitution	17.65%	3
Formal corrective circle with school-based stakeholders	47.06%	8
Formal corrective circle with parents, school-based officials, and community members	35.29%	6
Mediation	58.82%	10

Note: 17 out of 24 LEAs responded to this question.

Table 9.4. Number/Percentage of LEAs employing **Referral Practices** to address **Sexual Misconduct Infractions**

Referral Practice	Response Percent	Response Count
Mentoring	58.33%	14
School counselor	91.67%	22
Substance abuse counseling service	16.67%	4
School nurse or school health professional	62.50%	15
Mental health professional	100.00%	24
Community-based organization	62.50%	15

Referral Practice	Response Percent	Response Count
Functional Behavior Assessment, Behavior Intervention Plan	58.33%	14
IEP team	41.67%	10
Student support team or other Tier 1 support team	75.00%	18
School psychologist	75.00%	18
Outside counseling organization	87.50%	21
Rehabilitative	37.50%	9
System level alternative placement	70.83%	17
Threat assessment	62.50%	10

Table 9.5. Number/Percentage of LEAs employing **Consequence Practices** to address **Sexual Misconduct Infractions**

Consequence Practice	Response Percent	Response Count
After-school detention	29.17%	7
Lunch detention	25.00%	6
Written apology	50.00%	12
Verbal correction	50.00%	12
Loss of school day privilege	70.83%	17
Community service	20.83%	5
Loss of after-school privilege	75.00%	18
Removal from extra-curricular activity	75.00%	18
Temporary removal from class	75.00%	18

Consequence Practice	Response Percent	Response Count
Saturday school	29.17%	7
Teen court	4.17%	1
In-school intervention	75.00%	18
In-school suspension	54.17%	13
System level conduct officer hearing	58.33%	14
Superintendent school transfer	54.17%	13
Potential short-term suspension	95.83%	23
Potential long-term suspension	87.50%	21
Potential expulsion	58.33%	14
Potential law enforcement notification	91.67%	22

Violent Infractions

Survey responses indicate that the following alternative school discipline practices/approaches were used by a substantial proportion of LEAs (i.e. by at least 20 out of 24 LEAs or more than 80 percent of respondents for that particular question) for violent infractions.

- communication practices – parent outreach, behavior contract, conflict resolution conference, and administrator-parent conference
- skill development practices – PBIS framework, school counselor or other school-based personnel group skill/lesson referral, and trauma-informed approaches
- restorative approaches – circle conversation with student and victim
- referral practices – school counselor, mental health professional, Functional Behavior Assessment/Behavior Intervention Plan, outside counseling organization, system level alternative placement, and threat assessment
- consequence practices – removal from extra-curricular activity, potential short-term suspension, potential long-term suspension, potential expulsion, and potential law enforcement notification

The least used alternative school discipline practice/approach (i.e. used by no more than four out of 24 LEAs or less than 20 percent of respondents for that particular question) for violent infractions was teen court.

Table 10.1. Number/Percentage of LEAs employing **Communication Practices** to address **Violent Infractions***

Communication Practice	Response Percent	Response Count
Community conference	43.48%	10
Check-in/check-out	73.91%	17
Parent outreach	95.65%	22
Progress sheet	60.87%	14
Behavior contract	91.30%	21
Teacher-parent conference	75.22%	15
Conflict resolution conference	82.61%	19
Administrator-parent conference	95.65%	22
School support staff-parent conference	78.26%	18
Administrator-teacher conference	73.91%	17
Mediation conference	69.57%	16
Home visit	73.91%	17

*Note: 23 out of 24 LEAs responded to this question.

Table 10.2. Number/Percentage of LEAs employing **Skill Development Practices** to address **Violent Infractions***

Skill Development Practice	Response Percent	Response Count
Positive Behavior Intervention and Support (PBIS) framework	81.82%	18
Role play	36.36%	8
Reminder/redirection	59.09%	13
Peer mediation	40.91%	9

Skill Development Practice	Response Percent	Response Count
Social emotional learning program referral or academic skill development program referral	77.273%	17
School counselor or other school-based personnel group skill/lesson referral	95.45%	21
Academic remediation	31.82%	7
Practice of a classroom procedure	45.45%	10
Trauma-informed approaches	95.45%	21

Note: 22 out of 24 LEAs responded to this question.

Table 10.3. Number/Percentage of LEAs employing **Restorative Approaches** to address **Violent Infractions***

Restorative Approach	Response Percent	Response Count
Circle conversation with student and victim	83.33%	15
Restitution	44.44%	8
Formal corrective circle with school-based stakeholders	66.67%	12
Formal corrective circle with parents, school-based officials, and community members	50.00%	9
Mediation	77.78%	14

Note: 18 out of 24 LEAs responded to this question.

Table 10.4. Number/Percentage of LEAs employing **Referral Practices** to address **Violent Infractions***

Referral Practice	Response Percent	Response Count
Mentoring	73.91%	17
School counselor	91.30%	21

Referral Practice	Response Percent	Response Count
Substance abuse counseling service	39.13%	9
School nurse or school health professional	60.87%	14
Mental health professional	91.30%	21
Community-based organization	78.26%	18
Functional Behavior Assessment, Behavior Intervention Plan	82.61%	19
IEP team	56.52%	13
Student support team or other Tier 1 support team	78.26%	18
School psychologist	73.91%	17
Outside counseling organization	82.61%	19
Rehabilitative	43.48%	10
System level alternative placement	91.30%	21
Threat assessment	100.00%	23

*Note: 23 out of 24 LEAs responded to this question in the survey.

Table 10.5. Number/Percentage of LEAs employing **Consequence Practices** to address **Violent Infractions***

Consequence Practice	Response Percent	Response Count
After-school detention	34.78%	8
Lunch detention	26.09%	6
Written apology	43.48%	10
Verbal correction	56.52%	13
Loss of school day privilege	65.22%	15

Consequence Practice	Response Percent	Response Count
Community service	34.78%	8
Loss of after-school privilege	69.57%	16
Removal from extra-curricular activity	82.61%	19
Temporary removal from class	73.91%	17
Saturday school	34.78%	8
Teen court	13.04%	3
In-school intervention	69.57%	16
In-school suspension	52.17%	12
System level conduct officer hearing	73.91%	17
Superintendent school transfer	56.52%	13
Potential short-term suspension	100.00%	23
Potential long-term suspension	100.00%	23
Potential expulsion	86.96%	20
Potential law enforcement notification	100.00%	23

Note: 23 out of 24 LSSs responded to this question.

Considerations

This report presents statewide data on alternative school discipline practices/approaches used in Maryland public schools. After review of the data, the following comments are provided for consideration:

- The types of alternative discipline approaches used for attendance infractions demonstrated that LEAs are relying primarily upon intervention measures as opposed to consequence practices (summary on page 14 reflecting tables 6.1, 6.2, 6.3, 6.5).

- Respondents indicated using a higher number of alternative discipline approaches for conduct infractions when compared to other infraction categories, with a total of 32 different practices being used by at least 80% of the LEAs (summary on page 18 reflecting tables 7.1, 7.2, 7.3, 7.4, 7.5).

- One hundred percent of LEAs indicate the use of parent outreach and substance abuse counseling for drug and alcohol infractions (Table 8.1, 8.4)

- All 24 LEAs indicate the use of referrals to mental health professional for sexual misconduct infractions (Table 9.4).

- All 24 LEAs indicate using referral for a behavior threat assessment, potential short term and potential long-term suspension for violent infractions (Table 10.4, 10.5).

- MSDE staff specialists will continue to provide technical assistance to LEAs to help develop their capacity to increase the implementation and integration of PBIS, restorative approaches, social-emotional skill programs, trauma-informed approaches, family engagement, anti-bully initiatives, behavior threat assessments, and discipline root cause analysis.

Appendix A

Maryland State Department of Education

Alternative School Discipline Practices Data Collection 2021-2022 Survey

Maryland State Department of Education Alternative School Discipline Practices Data Collection 2021-2022

Rationale

Section 7-306 of the Education Article of the Annotated Code of Maryland requires the Department to submit (on or before October 1 each year) an annual student discipline data report to the Governor and General Assembly that includes a description of the uses of restorative approaches in the State and a review of disciplinary practices and policies in the State. The requirement is a result of legislation passed in 2019 (House Bill 725 *Student Discipline-Restorative Approaches*).

This survey is divided into two parts.
Part one is intended to:
- **Provide the Maryland State Department of Education (MSDE) with a list of alternative discipline practices commonly used by school administrators across the State.**

Part two is intended to:
- **Gather information regarding the alternative discipline practices used for specific levels of misconduct.**

When completing the survey please think in general of the practices being used by PreK-12 school administrators in your Local Education Agency (LEA). The MSDE is not looking for exact metrics. Information collected will be used to update the 2017 Resource Guide of Maryland School Discipline Practices. Please share any innovative alternative discipline practices within this survey, where the space is provided.

Definition:
Alternative School Discipline Practice means a discipline practice used in a public school that is not an in-school suspension, an out-of-school suspension, or expulsion.

For More Information:
Please feel free to contact Kim Buckheit at kimberly.buckheit@maryland.gov or 410-767-4420 with any questions.

* 1. Local Education Agency

[_____ ▲▼]

* 2. Please provide contact information for the individual completing this survey.

Name [_____]

Email Address [_____]

Phone Number [_____]

Maryland State Department of Education Alternative School Discipline Practices Data Collection 2021-2022

<mark>**Alternative Discipline Practices**
Part 1</mark>

Alternative Discipline Approaches

The following survey items assists the MSDE effort to maintain a list of alternative discipline practices commonly used by school administrators across the State and within LEAs. In this section, please indicate how frequently an alternative discipline practice is used. Alternative discipline practices are divided into five categories: communication practices, skill development practices, referral practices, restorative approaches, and consequences. Alternative practices related to Tier 2 and Tier 3 Positive Behavior Intervention and Supports (PBIS) are identified within each category.

Maryland State Department of Education Alternative School Discipline Practices Data Collection 2021-2022

Communication Practices

3. Indicate to what degree each of the following communication practices are used by administrators in your LEA when addressing student misconduct.

	Never	Less than half of the time	About half of the time	More than half of the time	Always
Parent - teacher outreach (phone, email, text)	○	○	○	○	○
Parent and/or student - teacher conference, in person	○	○	○	○	○
Parent and/or student - administrator conference, in person	○	○	○	○	○
Parent and/or student - support staff conference, in person	○	○	○	○	○
"Check-in Check-out" with a school-based adult	○	○	○	○	○
Daily or weekly tudent progress sheet (digital or paper)	○	○	○	○	○

Fix this

Maryland State Department of Education Alternative School Discipline Practices Data Collection 2021-2022

<mark>**Skill Development Practices**</mark>

4. Indicate to what degree each of the following skill development practices are used by administrators in your LEA when addressing student misconduct.

Maryland State Department of Education Alternative School Discipline Practices Data Collection 2021-2022

Restorative Approaches

5. Indicate to what degree each of the following restorative approaches are used by administrators in your LEA to address student misconduct.

Maryland State Department of Education Alternative School Discipline Practices Data Collection 2021-2022

Referral Practices

Maryland State Department of Education Alternative School Discipline Practices Data Collection 2021-2022

Consequence Practices

Maryland State Department of Education Alternative School Discipline Practices Data Collection 2021-2022

Misconduct and Alternative Discipline Practices part 2

Misconduct and Alternative Discipline Practices

The following survey items will allow the MSDE to determine what alternative school discipline practices are used for different types of student misconduct. Student misconduct has been grouped into five different categories. Please consider collectively the types of misconduct within each category and indicate what alternative school discipline practices are most often used within your LEA for that category of infractions.

Maryland State Department of Education Alternative School Discipline Practices Data Collection 2021-2022

<mark>**Attendance Infractions**</mark>

Attendance infractions include: class cutting, tardiness, and truancy

Please indicate what alternative school discipline practices are used in your LEA for attendance infractions. Check all that apply.

8. **Communication practices**

☐ Community conference   ☐ Conflict resolution conference Administrator:parent

☐ Check in/Check out   ☐ and/or student conference

☐ Parent outreach   ☐ School support staff:parent and/or student conference

☐ Progress sheet   ☐ Administrator:teacher conference Mediation

☐ Behavior contract   ☐ conference

☐ Parent:teacher conference   ☐ Home visit

Other (please specify)

[   ]

9. **Skill development practices**

☐ Positive Behavior Intervention & Supports (PBIS) framework   ☐ School Counselor or other school-based personnel group skill/ lesson referral

☐ Role Play   ☐ Academic remediation

☐ Reminder/redirection   ☐ Practice of a classroom procedure

☐ Peer mediation   ☐ Trauma-informed approaches

☐ Social emotional learning program referral or academic skill development program referral

☐ Other (please specify)

[   ]

10. **Restorative approaches**

☐ Circle conversation with student and victim

☐ Restitution

☐ Formal restorative circle with school-based stakeholders

☐ Other (please specify)

☐ Formal restorative circle with parents, school- based officials, and community members

☐ Mediation

11. **Referral practices**

☐ Mentoring

☐ School Counselor

☐ Substance abuse counseling service

☐ School Nurse or School Health Professional

☐ Mental Health Professional

☐ Community based organization

☐ Functional Behavior Assessment, Behavior Intervention Plan

☐ IEP team

☐ Student Support Team or other Tier 1 Support Team

☐ School Psychologist

☐ Outside counseling organization

☐ Rehabilitative

☐ Truancy diversion panel

☐ System level alternative placement

☐ Threat assessment

☐ Other (please specify)

12. **Consequence practices**

☐ After school detention

☐ Lunch detention

☐ Written apology

☐ Verbal correction

☐ Loss of school-day privilege

☐ Community service

☐ Loss of after-school privilege

☐ Removal from extra-curricular activity

☐ Truancy court

☐ Temporary removal from class Saturday school

☐ Teen court

☐ In-school intervention In-school suspension

☐ System level conduct officer hearing

☐ These infractions may lead to a short-term suspension

☐ These infractions may lead to a long-term suspension

☐ These infractions may lead to an expulsion

☐ Other (please specify)

Maryland State Department of Education Alternative School Discipline Practices Data Collection 2021-2022

<mark>**Attendance Infractions**</mark>

Conduct infractions include: disrespect, disruption, academic dishonesty, dress code violations, inappropriate use of personal electronics, trespassing, and destruction of property

Please indicate what alternative school discipline practices are used in your LEA for conduct infractions. Check all that apply.

13.   **Communication practices**

☐ Community conferencing   ☐ Conflict resolution conference

☐ Check in/Check out   ☐ Administrator:parent and/or student conference

☐ Parent outreach   ☐ School support staff:parent and/or student conference

☐ Progress sheet   ☐ Administrator:teacher conference

☐ Behavior contract   ☐ Mediation conference

☐ Teacher:parent and/or student conference   ☐ Home visit

☐ Other (please specify)

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14.   **Skill development practices**

☐ Positive Behavior Intervention & Supports (PBIS) framework   ☐ School Counselor or other school-based personnel group skill/ lesson referral

☐ Role Play   ☐ Academic remediation

☐ Reminder/redirection   ☐ Practice of a classroom procedure

☐ Peer mediation   ☐ Trauma-informed approaches

☐ Social emotional learning program referral or academic skill development program referral

☐ Other (please specify)

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15. **Restorative approaches**

- [ ] Circle conversation with student and victim
- [ ] Restitution
- [ ] Formal restorative circle with school-based stakeholders
- [ ] Formal restorative circle with parents, school-based officials, and community members
- [ ] Mediation

- [ ] Other (please specify)

16. **Referral practices**

- [ ] Mentoring
- [ ] School Counselor
- [ ] Substance abuse counseling service
- [ ] School Nurse or School Health Professional
- [ ] Mental Health Professional
- [ ] Community-based organization
- [ ] Functional Behavior Assessment, Behavior Intervention Plan
- [ ] IEP Team
- [ ] Student Support Team or other Tier 1 Support Team
- [ ] School Psychologist
- [ ] Outside counseling organization
- [ ] Rehabilitative
- [ ] System level alternative placement
- [ ] Threat assessment

- [ ] Other (please specify)

17. **Consequence practices**