

**Testimony in Support with Amendments to House Bill 84  
Education – Crimes on School Grounds – Application**

**Ways and Means  
1/20/2022  
1:00 p.m.**

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The Maryland State Education Association supports House Bill 84 with amendments that would exempt students from the provisions in Education 26-101(a) that relate to conduct that is more akin to being an adolescent rather than being criminal.

MSEA represents 76,000 educators and school employees who work in Maryland's public schools, teaching and preparing our almost 900,000 students for the careers and jobs of the future. MSEA also represents 39 local affiliates in every county across the state of Maryland, and our parent affiliate is the 3-million-member National Education Association (NEA).

As drafted, MSEA believes the legislation exempts students from responsibility for too many offenses, including molestation and bodily harm. As such, we believe an amendment that more simply exempts students from criminal charges for the items currently enumerated in 26-101(a) would be the appropriate course of action. Such an amendment would maintain the shared goal of eliminating punitive discipline that contributes to the school-to prison-pipeline, including the criminalization of disruptive behavior in adolescence, which continues to be disproportionately applied to Black and Brown students and students with disabilities.

This bill can be amended to rightfully remove students from a provision of law that can be used to criminalize children for behavior that should not be considered criminal. We hope to work with the sponsor and the committee to identify amended language that can accomplish this goal while also ensuring that harmful and offensive acts/threats of bodily harm are not tolerated by students or any other person on school grounds.