

HB730 Joint LOO_MSDE_SBOE.pdf

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Position: UNF

TO: Senate Education, Energy, and the Environment Committee
BILL: House Bill (HB) 730 - Education - Course on Collateral Consequences of a Criminal Conviction
DATE: April 2, 2024
POSITION: Oppose

Chair Feldman and Members of the Senate Education, Energy, and the Environment Committee:

The Maryland State Board of Education (State Board) and the Maryland State Department of Education (MSDE) respectfully oppose **HB 730**, which would require MSDE to develop an instructive program for students in grades 6 through 8 about the “collateral consequences of a criminal conviction.” The program would be provided to students who are returning to the classroom after an in-school suspension or who are returning to school after an out-of-school suspension. HB 730 defines “collateral consequences of a criminal conviction” as legal penalties that take away an individual’s rights or access to programs or services or impose another type of disadvantage that punishes an individual but is not part of the individual’s sentence imposed after conviction of a crime.

Currently, Maryland Local Education Agencies (LEAs) develop policies and procedures to address student discipline in their local codes of student discipline, which are aligned with the Maryland Guidelines for a State Code of Discipline. The Maryland Guidelines focus on progressive discipline and restorative approaches. It is important to note that disciplinary infractions, in most cases, are not criminal acts and are handled through the school disciplinary process. Mandating a specific consequence that involves instruction on collateral consequences of a criminal conviction for a disciplinary infraction may be confusing to students and imply that disciplinary infractions are equivalent to criminal acts.

The proposed requirement is contradictory to this current approach. It could send the message to students that infractions that result in in-school or out-of-school suspension are considered by the school to be a pre-cursor of future criminal activity and may put a student at greater risk for involvement in the “school-to-prison pipeline.” A student who has a disciplinary infraction as sixth, seventh, or eighth grader should be engaged to reflect on their behavior. It is anticipated that parents and guardians would also understand the proposed intervention to be a judgment of the student, rather than a supportive interaction.

MSDE and Maryland public schools continue to implement disciplinary approaches to counter trends of disproportionate application of disciplinary action for African American students and students with disabilities. Based on the data, the proposed intervention would also be implemented more often for these groups of students, compared to their peers.

Further, the language of HB 730 appears to conflate school discipline as defined in the Code of Maryland Regulations (COMAR) 13A.08.01.11 – Disciplinary Action and the Criminal Procedure Article of the Annotated Code of Maryland.

The State Board and MSDE request that the committee consider this information on **HB 730**. Please contact Dr. Akilah Alleyne, Executive Director of Government Affairs, Education Policy, and Government Relations, at Akilah.alleyne@maryland.gov or at 410-767-0504 or Zach Hands, Executive Director of the State Board, at Zachary.hands1@maryland.gov or at 443-915-6094, if you would like any additional information.

HB 730 - xover - Education - Public Middle Schools

Uploaded by: Mary Pat Fannon

Position: UNF



PSSAM
Public School Superintendents' Association
OF MARYLAND

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BILL: HB 730

TITLE: Education - Public Middle Schools - Course on Collateral Consequences of a Criminal Conviction

DATE: April 2, 2024

POSITION: Unfavorable

COMMITTEE: Senate Education, Energy, and the Environment Committee

CONTACT: Mary Pat Fannon, Executive Director, PSSAM

The Public School Superintendents' Association of Maryland (PSSAM), on behalf of all twenty-four public school superintendents, **opposes** House Bill 730.

This bill requires the State Department of Education to develop an instructive program on the collateral consequences of a criminal conviction for public middle school students in the State; providing for the method of administering the instructive program; and generally relating an instructive program on the collateral consequences of a criminal conviction for public middle school students.

PSSAM has a longstanding policy of opposing efforts by the General Assembly to codify curriculum standards, assessments, or graduation requirements. Local superintendents strongly believe that the role of curriculum development and implementation belongs solely to local boards of education in conjunction with MSDE. *Rest assured, PSSAM's opposition to this bill does not rest on an evaluation of the merits of teaching any specified subject matter*, but rather opposition to statutorily mandating revisions to content standards and curriculum.

The Maryland General Assembly, in creating the Maryland State Board of Education and local boards of education, has delegated to them the responsibility of delivering a high-quality statewide system of public education through State standards and accountability measures, as well as locally governed and administered curriculum. The State Board establishes State content frameworks, state assessment standards, and minimum state graduation requirements, while each local board and school system implement locally-developed curriculum to ensure that the state

content frameworks are followed, student performance standards are met, and students are prepared to meet graduation requirements.

Superintendents are committed to providing students with a comprehensive, well-rounded education through curriculum that is implemented after proper stakeholder input is received and review processes are completed in each individual system. However, as it stands, this bill would require all local systems to expend additional funds in curriculum and assessment creation that are not provided under the bill's current language. Therefore, this bill serves as an unfunded mandate for all twenty-four local systems.

Again, PSSAM's opposition to this bill rests on the implications of curricular mandates on local school systems. House Bill 730, alongside similar bills which seek to interject or extract piecemeal segments of the curriculum, only serve to weaken the effectiveness of the overall educational curriculum.

For these reasons, PSSAM **opposes** House Bill 730 and urges an unfavorable report.

XHB730_MSEA_Lamb_INFO.pdf

Uploaded by: Lauren Lamb

Position: INFO

INFORMATIONAL

House Bill 730

Education – Public Middle Schools – Course on Collateral Consequences of a Criminal Conviction

Senate Committee on Education, Energy, and the Environment

April 2, 2024

**Lauren Lamb
Government Relations**

The Maryland State Education Association offers this informational testimony on House Bill 730, which would require the State Department of Education to develop an instructive program on the collateral consequences of a criminal conviction for public middle school students in the State that aims to teach students in grades 6-8 about the collateral consequences of a criminal conviction in a short period of time.

MSEA represents 75,000 educators and school employees who work in Maryland's public schools, teaching and preparing our almost 900,000 students so they can pursue their dreams. 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).

MSEA tenaciously advocates for the policies and programs that will give our students access to the resources and knowledge they need to achieve their full potential. We understand that our students' wellbeing and awareness of high-risk behaviors affects their academic and nonacademic outcomes. Yet MSEA has longstanding concerns about legislatively mandating the creation of new curricular programming, and we believe that it is the responsibility of local districts to determine how best to implement a program of study that serves the needs of their students.

We appreciate the intent of this legislation. However, creating a program related to criminal convictions that will be directed specifically at students assigned to exclusionary discipline has troubling implications, and we do not believe it is appropriate to mandate additional coursework in this manner. We are further concerned by the ambiguity of the format of the required programming and its mode of implementation. MSEA believes that local boards and educators are best suited to determine how best to address such issues in existing courses.