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# MARYLAND COALITION TO REFORM SCHOOL DISCIPLINE

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## HOUSE WAYS and MEANS

### HOUSE BILL 1257: Public Schools- Restorative Practices Schools- Establishment

DATE: February 28, 2024

#### POSITION: Letter of Information

The Maryland Coalition to Reform School Discipline (CRSD) brings together advocates, service providers, and community members dedicated to transforming school discipline practices within Maryland's public school systems. CRSD is committed to the fair and equitable treatment of ALL students, including pregnant or parenting students, regardless of race, ethnicity, gender, gender identity, sexual orientation, disability, religion, and socio-economic status, and reducing barriers to learning for ALL students. CRSD has been a vocal advocate of Restorative Practices and decreasing our state's dependence on punitive discipline for the last 10 years. **CRSD strongly supports HB1257's goal to expand Restorative Practices in Maryland, but would also like to raise several questions and recommendations regarding implementation.**

**CRSD has questions regarding the bill's ability to scale Restorative Practices state-wide given Maryland's current human capital pool, the ability of districts to successfully implement current Restorative Practices initiatives, and community buy-in to the approach.** While some schools have successfully implemented Restorative Practices, scaling up from a few selected schools to the entire state may encounter many unanticipated challenges. These range from generating broad local support for the program (e.g., local district and staff buy-in and ownership) to the institutional and structural changes that are required for successful implementation (e.g., sufficient resources, trade-offs in establishing spending and program priorities, developing a Restorative Practices support infrastructure). In this letter of information, CRSD identifies some of the tools, techniques, mechanisms, structures, training, and capacity that need to be systematically identified, studied, funded, and put in place if scaling up Restorative Practice across the state will succeed.

CRSD supports this bill's gradualist approach, focusing on 50 schools in the first two years, and allowing up to 12 years for state-wide implementation. Educators, districts, and communities will require significant time to shift to a Restorative Approach. Restorative Practices, as defined by the 2019 Governor's Commission is a combination of "relationship-focused mindset and distinctive tools".<sup>1</sup> While there are evidence-based classroom and school-wide strategies, the mindset of adult educators and staff is essential. Unfortunately, mindset can not be quickly changed by an act of legislation. Without sufficient time, buy-in, and a restorative approach adopted by school and district leadership, scaling up Restorative Practices will not be effective.

Before implementing Restorative Practices with the full student body, best practice is to **first work with teachers and staff to create a restorative culture and practice among adults working in the school.**<sup>2</sup> To ensure a restorative mindset in Maryland, the Maryland State Department of Education (MSDE) and Local Education Agencies (LEA) will need to do more than create reporting standards. They must also build a supportive infrastructure across the state, develop a restorative culture among adults, and revise disciplinary and human capital policies to support the implementation of Restorative Practices.

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<sup>1</sup> <https://msa.maryland.gov/megafile/msa/speccol/sc5300/sc5339/000113/023600/023694/20190078e.pdf>

<sup>2</sup> <https://rjpartnership.org/wp-content/uploads/Implementation-Guide-FINAL.pdf>

CRSD is concerned that **a rushed or poorly communicated roll-out will harm the goal of a more restorative Maryland.** Unfortunately, Maryland already has a history of poor implementation of restorative practices due to insufficient training and poor community engagement.<sup>3 4 5</sup> This legislation could result in districts supporting more new Restorative Schools than they can implement with fidelity. A rushed or poorly communicated roll-out could also cause schools and districts to revert to the status quo and favor more punitive discipline policies, resulting in poor student and teacher disciplinary outcomes.<sup>6</sup>

The designated, school-based **Restorative Practices Coach model is highly promising and worth evaluation, however, it has not yet been validated.**<sup>7</sup> CRSD is concerned about the significant cost of this measure, as the state is simultaneously trying to fund the Blueprint for Maryland’s Future. In light of the current educator and clinician shortage, there are likely insufficient high-quality candidates to fill a Restorative Coach position in each of our more than 1,400 public schools. It is possible that greater harm could be caused by placing individuals who are ill-equipped or ill-suited for the Restorative Coach role, than not having a designated coach at all.

To develop these new 1,400 Restorative Coaches, **Maryland does not have sufficient Restorative Practices experts to provide the “intensive training”** described in the bill. Districts currently implementing Restorative Practices on a limited basis have exhausted the availability of trained practitioners, even after recruiting from surrounding states. To be effective, the school-based Restorative Coaches will need extensive technical assistance and coaching from either these Restorative Practices consultants or new hires at the district level. It is questionable whether the state has the human capital, let alone funds, to provide this extensive support.

Finally, CRSD is **concerned about the capacity of the Maryland Consortium for Coordinated Community Supports to effectively evaluate this effort** without additional resources. The research on Restorative Practices already lags behind implementation. Maryland districts that have been implementing Restorative Practices for more than five years are still struggling to effectively and efficiently evaluate school practice. The current bill needs to address the scale of this challenge.

Lastly, Restorative Approaches is not a one-size-fits-all.

**CRSD supports the expansion of Restorative Practices in Maryland Schools.** We have concerns about the scale and strategy of the current bill. Poorly implementing Restorative Practices at too many schools will challenge the long-term success of the initiative. CRSD recommends that lawmakers **consider a longer implementation window, allocating additional resources for training and evaluation, and increasing the resources within MSDE and LEAs to support school principals, communities, and Restorative Coaches. In addition, we recommend the convening of a Commission to study scaling up Restorative Practices, based on research, and develop an implementation plan that identifies strategies that will increase the chances of success.**

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<sup>3</sup> <https://www.washingtonpost.com/education/2023/07/15/restorative-justice-montgomery-county-schools/>

<sup>4</sup> <https://www.washingtonpost.com/opinions/2023/02/16/antisemitism-walt-whitman-high-school-opaque-social-justice-jargon/>

<sup>5</sup> <https://www.baltimoresun.com/2023/10/19/howard-superintendent-and-union-end-years-of-collaboration-to-train-educators-in-restorative-justice/?clearUserState=true>

<sup>6</sup> <https://www.wypr.org/wypr-news/2024-02-12/suspensions-are-increasing-in-baltimore-city-schools-is-that-a-solution-or-another-problem>

<sup>7</sup> <https://www.tandfonline.com/doi/full/10.1080/0145935X.2023.2191943>

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