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**Testimony in Opposition of House Bill 1407  
Primary and Secondary Education—Student Discipline  
(Right to Teach Act of 2020)**

**House Ways and Means Committee  
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1:00 PM**

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The Maryland State Education Association opposes House Bill 1407, which authorizes public school teachers to take delineated steps to address unwanted student behavior; requires school administrators and school security officers to take additional delineated steps under certain specific circumstances; and allows school administrators to apply certain punishments and corrective actions as a result of certain disruptive student behavior.

MSEA represents 75,000 educators and school employees who work in Maryland’s public schools, teaching and preparing our 896,837 students for 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).

Issues associated with school climate and student discipline have been at the center of a considerable amount of discussion and deliberation across our state. In 2014, the Maryland State Department of Education (MSDE) adopted the Maryland Guidelines for a State Code of Discipline, which have since been revisited by the members of the State Board of Education’s Task Force on Student Discipline Regulations. These model guidelines (and the Task Force’s recent recommended updates); relevant areas of COMAR, and recent legislation incorporating restorative approaches into school discipline policies are all designed to set clear expectations for student behavior, provide a means by which to address incidences of behavior that violate said expectations, and assure that remediation take place that is inclusive of all who have been harmed (to the extent practicable and possible).

A significant component of this legislation involves a requirement that teachers document and report student behavior that interferes with a teacher’s ability to, “maintain a conducive learning environment for all students.” COMAR Sec. 13A.08.01.15 (Reporting Delinquent Acts) clearly requires school officials to “report to the responsible law enforcement agencies all delinquent acts coming to their attention whether occurring on or away from the school premises which involve students attending the particular school.” It further goes on to clarify what constitutes delinquent acts, noting that they “...do not include conduct which has been traditionally treated as a matter of discipline to be handled administratively by the particular school, except that all conduct of a serious nature should be promptly reported to the parent or guardians concerned.”



It goes without saying that a student who violates behavioral expectations—and, in doing so, adversely impacts the culture and climate of their school—should be held accountable for the harm they have caused to specific individuals and the school community writ large. Teachers play a significant role in both helping their students to determine classroom behavioral norms and in enforcing said norms. But they are not the only adults who hold responsibility in this regard. Current state statutes and regulations as well as locally determined policies clearly delineate the roles and responsibilities of each member of the school community. As such, this legislation is unnecessary. Teachers and LEAs already are empowered to do what it necessary to allow teachers to teach. Our focus should instead be directed toward providing the training, resources, and supports our students and educators need to address the root causes of disruptive school environments and pursue effective, research-based solutions.

**We respectfully request an unfavorable report on House Bill 1407.**