

EQUITY FOR ALL KIDS



To: Chair Kaiser and members of the Ways and Means Committee
From: Shamoyia Gardiner, Education Policy Director
Re: House Bill 1407: Primary and Secondary Education – Student Discipline
(Right to Teach Act of 2020)
Date: March 4, 2020
Position: Oppose

House Bill 1407 flies in the face of decades of research on brain development, child psychology, and cultural practices by suggesting that we create a world in which sending students to a school administrator upon their failure to “conform to the behavioral guidelines” is a legitimate primary intervention by a Maryland public school teacher. The bill goes on to specify that a school administrator can, upon receiving that student, place them in an alternative educational program and **avoid formally reporting that student as being removed from their classroom.**

House Bill 1407 is not implementable as it is written. The permissions and mandates of the bill conflict with: the 2017 ban on pre-kindergarten through second grade suspensions and expulsions; COMAR language specifying that the primary purpose of school discipline is preventative and rehabilitative, not punitive; and the general notion that students have rights to education and due process when being removed from educational settings.

House Bill 1407 does very little to meet student needs. A redeeming aspect of the bill as drafted comes *after* a student has been arrested for committing a reportable offense, when school administrators are required to meet with the parent/guardian of the student to develop an “appropriate reportable offense plan”. If approached restoratively, with a focus on the student’s educational stability and making resource connections to meet the family’s broader needs, this provision of the bill could mitigate recidivist actions and/or family dysfunction.

House Bill 1407 plays into an existing shortcoming of the state’s school-based workforce: a lack of expertise in classroom environment/behavioral management. Though student-centered approaches like Restorative Practices and Approaches and Trauma-Informed and Responsive have been proposed and adopted, support in the form of funding for continuous coaching, evaluation, and other forms of technical assistance have been slow to follow. Coupled with Maryland’s penchant for **hiring out-of-state teachers through alternative certification programs that de-emphasize the importance of demonstrated behavioral management skills** in candidates, it is unsurprising that a bill like HB 1407 was introduced.

With a focus on student need, empirical evidence, and finishing what has been started, **ACY urges an unfavorable report on this bill.**

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