

EQUITY FOR ALL KIDS



To: Chair Kaiser and members of the Ways and Means Committee
From: Shamoyia Gardiner, Education Policy Director
Re: House Bill 277: State Department of Education – Guidelines on Trauma-Informed Approach
Date: March 4, 2020
Position: Oppose

HB 846 requires school administrators to file police reports for assault, crimes of violence, and felonies that take place on school grounds. **ACY is not opposed to the reporting crimes of violence, felonies, or extreme instances of assault that take place on school premises.** We hope that school leaders and their school resource officers/school police throughout the state are filing those reports when those very unfortunate situations arise.

House Bill 846 has good intentions but is flawed in its composition. HB 846 poses a specific threat to students of color, students with disabilities, low-income students, homeless students, and students whose sexual orientation or gender identity is marginalized in the mainstream, as all these groups are disproportionately represented in school discipline data.

Assault is defined as assault, battery, and/or both, all terms which retain their judicial meaning. In Maryland, assault can include threats of or actual physical acts of violence (common or second-degree assault). **This bill theoretically allows a school administrator's subjective determination of a student as a threat to constitute assault, thus transforming a subjective interpretation of a student's disposition into a police report.** Given disproportionate disciplinary data and a general lack of consistent anti-bias training throughout the state, it would be irresponsible to pass a bill with such a potential impact.

There are very real instances of first-degree assault and even battery taking place in schools. While the behavior is undesired and restorative approaches to discipline are necessary to hold students who fight at school accountable for their actions, introducing law enforcement is unnecessary and harmful. Schoolyard fights must have consequences but can also serve as opportunities to engage unheard students in conflict resolution, peer mediation, and identify students who might benefit from counseling.

When we force school administrators to defer to law enforcement on an ever broadening range of developmentally appropriate, undesired youth behaviors, we send the message that we don't trust our school administrators, school resource and police officers, school staff, students, or their families to reach peaceful resolutions in ways that are suitable for their communities. We must be careful to never cross that line. **ACY strongly urges an unfavorable report on HB 846.**

1 North Charles Street Suite 2400 | Baltimore, MD 21201 | www.acy.org | 410-547-9200 |

Advocates for Children and Youth builds a strong Maryland by advancing policies and programs to ensure children and families of every race, ethnicity, and place of birth achieve their full potential.