
MARYLAND COALITION TO REFORM SCHOOL DISCIPLINE

HOUSE WAYS AND MEANS COMMITTEE HOUSE BILL 846: PUBLIC SCHOOLS-REPORTING OF ASSAULTS, CRIMES OF VIOLENCE, AND FELONIES (REPORT ACT OF 2020)

March 4, 2020

POSITION: OPPOSE

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. We are committed to making discipline responsive to students' behavioral needs, fair, appropriate to the infraction, and designed to keep youth on track to graduate. House Bill 846, which criminalizes student behavior by requiring school administration to file a police report for each assault that occurs at a public school, will exacerbate the school-to-prison pipeline and exact a terrible toll on Maryland's most vulnerable students. **CRSD opposes House Bill 846.**

Maryland's School-to-Prison Pipeline Commission (Commission), an expert body comprised of educators, researchers, families, and advocates, recommends that Maryland "take action at the state and local level to dismantle the school-to-prison pipeline and promote whole school restorative approaches to building and sustaining positive learning communities."¹ House Bill 846 is antithetical to this recommendation because, if passed, it will significantly increase the number of children in Maryland who are court involved with juvenile and/or criminal records. This is especially the case because House Bill 846 requires the mandatory filing of a police report for all assaults, not just crimes of violence or felonies. The definition of assault can broadly encompass student behavior that is relatively trivial and common (e.g. a minor push or fist fight) and which is traditionally treated as a matter of school discipline by school administrators. It can also encompass behavior that is a manifestation or direct result of a student's disability. House Bill 846 takes discretion away from school administrators to decide how best to respond to student behaviors based on the totality of circumstances, and instead returns to an outdated and counterproductive zero-tolerance approach that criminalizes student discipline. This approach to school discipline will harm our students, increase the achievement gap, and likely have a disparate impact on students with disabilities and students of color.

¹ Maryland Commission on the School-to-Prison Pipeline and Restorative Practices, Final Report and Collaborative Action Plan 78 (2018), available at <https://www.law.umaryland.edu/media/SOL/pdfs/Programs/ADR/STPP%20%20ORP%20Commission%20Final%20Report.pdf> (February 20, 2019).