

Informational Testimony regarding House Bill 171
State Department of Education—School Discipline—Data Collection

Senate Education, Health, and Environmental Affairs Committee

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Government Relations

The Maryland State Education Association offers this informational testimony on House Bill 171, legislation that requires (among other things) MSDE to report all discipline-related data on the state report card website at the state, LEA, and school levels and lowers the risk ratio used for identifying schools as high suspending from 3.0 to 2.0. This legislation—one of several introduced since the 2019 legislative session—reflects one of the many recommendations proffered by the Maryland Commission on the School-to Prison Pipeline and Restorative Practices.

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 long been at the center of a considerable amount of discussion and deliberation across the country. MSEA has unequivocally added our voice to the collective national outrage over the unconscionable and inexcusable violence perpetrated against our family members within the Black, Indigenous, and People of Color (BIPOC) and transgender communities preceding as well as throughout 2020—far too much of which came as a result of police violence against Black and brown communities. We are well aware that public reporting of state, district, and school level data revealing significant and persistent student discipline disparities between student groups—particularly along racial and ethnic lines, special needs classification, and English language proficiency—has motivated many among our ranks and across the country to take definitive steps to confront and correct this gross inequity. It goes without saying that without data and



transparency, it is highly probable that the school-to-prison pipeline would have seen more students from vulnerable populations than the school-to-college- and career-pipeline would have.

While being a necessary and critical component of institutional change, this transparency has not come without considerable costs. In an effort to avoid being labeled as persistently failing in the area of school discipline and student behavior management, far too many districts and schools have responded by hiding the real school discipline and student behavior challenges they face, and have chosen instead to downplay the presence of disrupted learning environments existing in their districts and schools. This has led to even more challenging school climate conditions for all members of the school community—students and educators alike. And while some states, districts, and schools have sought solutions via restorative approaches and other less punitive and exclusionary behavior modification and student discipline practice, there are some that are opting instead to suffer in silence rather than call attention to themselves. We know that issues involving student and educator trauma as well as any mental and behavioral health concerns either surfaced or worsened by the COVID-19 global pandemic will only serve to further exacerbate these challenges as we move toward re-opening schools for in-person instruction. And given the ongoing resource and support challenges facing our schools and districts, it stands to reason that previously stretched supports will be even more threadbare and hard to come by in the go forward, thus increasing the suffering and further amplifying the silence.

It goes without saying that policies focused on “naming and shaming” and well as conditions where desperately needed financial, training, personnel, and resource supports are either grossly deficient or lacking all together will never result in the creation and maintenance of healthy, safe, and supportive teaching and learning environments. Providing robust, on-going supports at the district and school building level are what is required to bring about the long-term systemic change we all agree is vital.

We actively supported the passage of the Blueprint for Maryland’s Future and strongly urge the members of the General Assembly to override the Governor’s short-sighted veto of the legislation because we know that many of the policy changes and resources and supports called for by the School-to-Prison Pipeline and Restorative Practices Commission (of which MSEA was a member) are included in the Blueprint. These policy changes, resources, and supports, when coupled with efforts to use data that is called for in this legislation, are more likely to produce the outcomes sought by this legislation.

MSEA members appreciate the end goal of this legislation and are keenly aware of the fierce sense of urgency behind its intent. We realize that it is a part of an overall effort to shed light on a serious

problem and seek lasting solutions. We also acknowledge that some of what is called for in this legislation simply affirms that which is already in statute. Our concern, however, is that this could potentially exacerbate an already untenable situation where school staff feel like they are not supported, that they do not have the resources they need to deal with challenging and increasingly violent student behavior, and who feel that ownership for student behavior and accountability rests solely on their shoulders. Given that the implementation of the policies and the provision of the funding, additional staffing, and resource supports included in the Blueprint are essential to the ultimate success of this overall effort, it would be prudent to consider refraining from implementing reporting requirements called for in this legislation until such time as the Blueprint for Maryland's Future becomes law and has been given sufficient time to take root.