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State Superintendent of Schools

BILL: House Bill 171 **DATE:** January 20, 2021

SUBJECT: State Department of Education - **COMMITTEE:** Ways & Means
School Discipline - Data Collection

POSITION: Information Only

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EXPLANATION:

The Maryland State Department of Education (MSDE) is providing information for consideration regarding **House Bill (HB) 171** – *State Department of Education-School Discipline-Data Collection*, which requires the MSDE to make public, in an accessible and disaggregated spreadsheet format, all discipline-related data as a data download on the MSDE website at the State, local school system, and school levels. All discipline-related data included on the MSDE website must be disaggregated by grade level, race, ethnicity, special services, and gender and include alternative school programs and public separate day schools. This legislation also requires the MSDE to report on the MSDE website, disaggregated data related to disproportional disciplinary practices. An annual report on the data gathered under this bill must be submitted to the Governor and the General Assembly on or before August 1.

HB 171 defines the term “high suspending” for elementary and secondary schools and requires the MSDE to report the disproportionality data for any school identified as high suspending and to disaggregate these data by race, ethnicity, disability status, and English language Proficiency. As part of this reporting, HB 171 also requires the MSDE to lower the risk ratio and state comparison thresholds used for identifying action for schools with high disproportionality from 3.0 to 2.0.

Disaggregated student discipline data are currently posted in PDF format on the Maryland Public Schools website. Additionally, in January 2014, COMAR 13A.08.01.21-*Reducing and Eliminating Disproportionate /Discrepant Impact* required the MSDE to develop a method of identifying the presence of school-level discipline disproportionality based on race and students with disabilities. The Maryland Model of discipline disproportionality involves two complementary measures which are the risk ratio and the state comparison measure. When presented to the State Board of Education in January 2017, the State Board determined that 3.0 would be the threshold for disproportionality in Maryland.

To implement this legislation, the MSDE will need to dedicate additional staff time and resources to design and manage the creation and annual production of accessible data downloads in order to report all discipline related data. Additional staff time and resources to design and manage the reporting on data related to disproportional disciplinary practices would also be required.

HB 171 requires a change to the existing disproportionality model, including the threshold and further disaggregation of data that is not part of the Maryland Model. In order to develop a new system for reporting on student discipline disproportionality by high suspending schools, the MSDE would need to hire, at a minimum, one FTE Education Program Specialist I in the Office of Accountability to create and maintain this new model and reporting requirement. Significant time and cross-department collaboration would also be required.

In addition, a lower threshold would result in the identification of substantially more schools, which would have a significant operational impact on the MSDE and the local school systems. Technical assistance, professional development, and monitoring would need to be provided at the school and school system level.

The MSDE respectfully requests that this information be considered during deliberation of HB 171. For further information please contact Zachary Hands by phone at 410-260-6028 or by email at zachary.hands1@maryland.gov.