

BILL: **HB753 - Education - Student-Organized Peaceful Demonstrations - Student Discipline and Policy**

SPONSOR: **Delegate Eric Ebersole**

POSITION: **FAVORABLE**

Monday, March 29, 2021

HB 753

Chair Pinsky, Vice Chair Kagan, and Members of the Education, Health and Environmental Affairs Committee, as the original lead organizers of this initiative, a coalition of student leaders from across the state of Maryland, we are writing in support of House Bill 753.

“First Amendment rights, applied in light of the special characteristics of the school environment, are available to teachers and students. It can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech or expression at the schoolhouse gate.”

In *Tinker v. Des Moines Independent Community School District*, 393 U.S. 503 (1969), the Court solidified the judicial protection for students right’s to exercise their rights to peacefully demonstrate in school, through the means of a political expression in opposition to the ongoing Vietnam War. Federal and State courts have continuously upheld this ruling to protect the First Amendment rights of students, with only exceptions made with the intent to protect the safety of the students and learning environment. This coalition strongly believes that this interpretation extends to the rights of students to organize a demonstration on school grounds- public property that they are mandated to attend. House Bill 753, seeks to legislatate these protections and solidify Maryland’s commitment towards protecting the democratic rights of all its citizens. This legislation serves the important purpose of ensuring equal implementation of the Constitution, and forms mutually agreed upon procedures for students to organize and participate in

HB 753 FAVORABLE TESTIMONY
Maryland Student Coalition

demonstrations.

This coalition consists of student leaders, activists, organizers, and many student members of boards of education. Together we have worked closely with several school systems, teachers, administrators, parents, and legal counsel to ensure this initiative works for everyone and effectively protects students' rights to demonstrate.

As expressed previously, House Bill 753 legislates essential constitutional protections for the generations of our future. It ensures equal treatment of students for exercising their democratic responsibility, and seeks to build political efficacy to shape the future of our democracy.

For the reasons stated above, we urge the committee to issue a favorable report on HB753.