

Testimony In Support of HB 171 MSDE Data Collectio

Uploaded by: Ceruolo, Rich

Position: FAV

January 18, 2021

RE: HB 171
Maryland House of Delegates
House Ways and Means Committee
6 Bladen St.
Annapolis, MD. 21401

Testimony, In Support - HB 171 – MSDE – School Discipline – Data Collection

Good afternoon committee members.

I am the parent of a child with multiple challenges and disabilities. He has been bounced between 504 plans and IEP plans over the course of 8 years within the AACPS school system.

During that time, it has become increasingly harder to track his progress and performance as a student with disabilities, as some student records are often missing, inconsistent or incomplete. And part of that data includes discipline issues that arise while at school, on the bus or on school grounds.

As if the special education process is not difficult enough for families and students, factors like a lack of a reliable and consistent data sets further complicates our ability to advocate for appropriate accommodations and supports to help us protect our children during the school year.

Students with IEP's are protected by IDEA and ADA laws, which guarantee that a student's progress be tracked by all the members of a student's IEP team. There does not appear to be a consistent policy to protect the civil rights of these students when it comes to discipline. Students with Section 504 Accommodation Plans have even fewer protections. And many incidents go underreported or without any reporting by school system personnel. Oversight is lacking in these areas, as Section 504 plans are administered at the school system level, so discipline, progress data are not consistently or accurately tracked by the local school systems with fidelity, nor diligently overseen by the Maryland State Department of Education.

Discipline practices including, seclusion and restraint, occur every day in schools across the nation and involve students from all demographic groups. They disproportionately affect groups with minority children and children with disabilities. These practices have been shown to be detrimental to the growth, development and overall mental and physical health of students.

Therefore, it is important for all stakeholders to require MSDE to track school discipline, student progress and resulting student outcomes as the result of the use of such practices. And in the interest of transparency, to make that data available to the public, and to the Maryland State Legislative bodies.

Please return a favorable report on HB 171 so that MSDE will be tasked with accurately tracking the use, and results of the use of discipline, in our schools across the entire state of Maryland.

Thank you for considering my testimony in support of HB 171.

Mr. Richard Ceruolo
Parent and Advocate for Students with Disabilities | Parent Advocacy Consortium

MAREE_Support_HB171.pdf

Uploaded by: Fothergill, Sue

Position: FAV



Maryland Alliance for Racial Equity in Education

Testimony in SUPPORT of HB171

State Department of Education - School Discipline - Data Collection

March 18, 2021

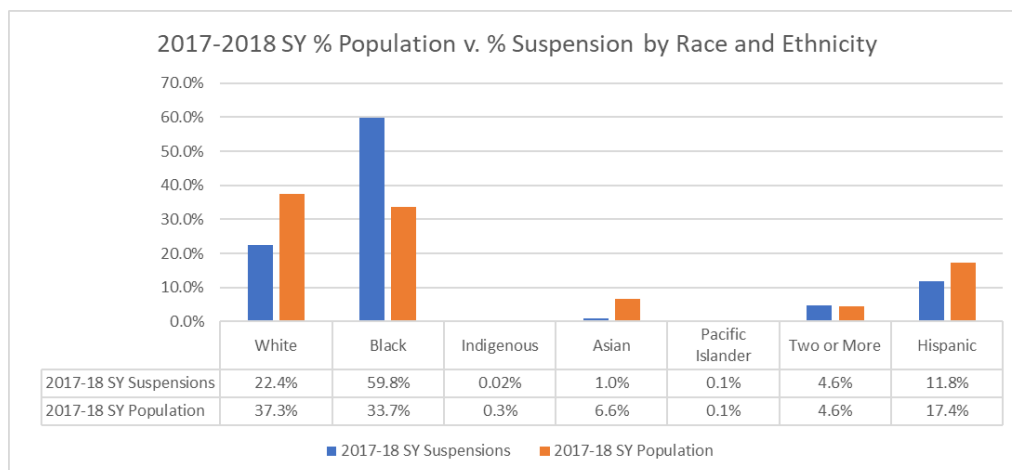
Dear Honorable Chairman Pinsky and Members of the EHEA:

The Maryland Alliance for Racial Equity in Education (MAREE) is pleased to provide favorable testimony for House Bill 171, State Department of Education - School Discipline - Data Collection. MAREE is a coalition of education advocacy, civil rights, and community-based organizations committed to eliminating racial disparities in Maryland's education system.

HB171 would require the Maryland State Department of Education to report on student discipline data disaggregated by race, gender, special education status, and other criteria, for the school system and individual schools, and provide these reports in a format similar to how other public education data are reported. Transparency and availability of data is a pre-condition for addressing disparities. The bill would also improve upon existing criteria for identifying high suspending schools by adding a provision for identifying schools based on the percent of the population suspended and changing the ratio for the disproportionate suspension of children with disabilities from a ratio of 3 to 1 to a ratio of 2 to 1. This bill will result in improved outcomes for students, reductions in overall suspensions, and reduce disproportionately.

While MAREE supports these provisions that will improve transparency in reporting and equity for children we remain deeply concerned about the extraordinarily high number and percent of students of Black students who are suspended. According to estimates released by the U.S. Department of Education there were 164,799 days of instruction lost due to out-of-school suspensions during the 2015-16 school year. Of these, 68.5% of days missed were by African American students. And in the 2017-18 school year Black students made up 34% of the student population and 60% of the total suspensions.

MAREE supports HB171 and will continue to advocate for legislation, policies and practices that not only eliminate racial disparities in discipline practices, but also eliminates racial disparities in all other educational practices and policies within the state of Maryland.



EHEA_HB171_Data Collection_CRSD_3.18.21.pdf

Uploaded by: Sunderman, Gail

Position: FAV

MARYLAND COALITION TO REFORM SCHOOL DISCIPLINE

SENATE EDUCATION, HEALTH AND ENVIRONMENTAL AFFAIRS (EHEA) COMMITTEE

HOUSE BILL 171: STATE DEPARTMENT OF EDUCATION – SCHOOL DISCIPLINE – DATA COLLECTION

March 18, 2021

POSITION: SUPPORT

The Maryland Coalition to Reform School Discipline (CRSD) brings together advocates, service providers, and concerned citizens interested in transforming school discipline practices within Maryland's public school system. 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. **CRSD strongly supports HB 171**, which will further strengthen efforts to promote data transparency and accessibility in the State and extend reporting requirements to include alternative schools and programs, and public separate day schools. The bill also prioritizes the reporting of disproportionality in discipline.

Addressing disparities in school discipline practices begins with data access and transparency. However, data on school discipline is very hard to find in Maryland. Part of the difficulty is that the data is contained in several different reports, all reported as pdf reports. Just finding these reports can be a challenge as it is not readily apparent where they are located on the state's website. While these reports are useful, they do not report discipline data at the individual school level. The web-based *Maryland Report Card*, the main accountability reporting mechanism for public schools in Maryland, includes a link to a spread sheet with school level data reported as frequencies and the percentage of total for various subgroups, but does not report disproportionalities. The usefulness of the spread sheet is limited. Data reported as frequencies masks disproportionalities. For example, a district may suspend 10 students with disabilities over the course of the year. That may not seem like a lot, but if the enrollment of students with disabilities is just 50 students, that means that 20% of all students with disabilities were suspended. In addition, the data reported is limited and requires analytical capabilities to use.

A primary reason to have access to discipline data is that school discipline policies and practices are a central factor in shaping the educational opportunities and life chances of students, particularly students from low-income and historically underserved populations. The Maryland Commission on the School-to-Prison Pipeline and Restorative Practices—a body created by the General Assembly and comprised of a diverse group of educators, parent representatives, and school discipline experts—documented the continued disparities in the use of exclusionary discipline in Maryland public schools.¹

¹ Maryland Commission on the School-to-Prison Pipeline and Restorative Practices (December, 20, 2018). *Final Report and Collaborative Action Plan*. Retrieved from:

During the 2015-16 school, according to estimates released by the U.S. Department of Education in May 2020, *there were 164,799 days of instruction lost due to out-of-school suspensions in Maryland. Of these, 68.5% of days missed were by African American students.*² Given the awareness that the pandemic has raised to how missing school diminishes the opportunity to learn, it raises the question of how we can close the achievement gap if we do not close the discipline gap.³

Because of the important role discipline policies and practices have on the educational experiences of students, data about discipline actions should be transparent, reasonably detailed and accessible to policymakers, researchers, educators and the public. By ensuring that discipline data is in an accessible and transparent format, *House Bill 171 encourages accountability for disciplinary actions and will facilitate dialogue about the consequences of disciplinary actions for different populations of students.*

By extending discipline reporting requirements to alternative schools and programs, and public separate day schools, *HB 171 closes a gap in reporting requirements and encourages accountability for the use of punitive and exclusionary practices.* Research found that alternative schools in Maryland are among the schools with the highest suspension rates.⁴

HB 171 also includes using an additional measure to identify “high suspending” schools and lowers the risk ratio currently used to identify a school as high suspending. These provisions would provide a better method of identifying schools that consistently disproportionately suspend students based on race/ethnicity, disability status, and English language ability. It would also provide an impetus for schools to assess their disciplinary practices to determine why suspensions rates are high, identify where there are disparities, and adopt and implement more effective practices.

Adopting an additional of measure of disproportionality based on the percent of students suspended in one or more subgroups as HB 171 does would provide a substantive measure of removals – it commits the state to identifying a removal rate that it deems too high. This approach uses a removal rate that compares the removal rate of students in a particular subgroup *to the enrollment of students in that subgroup.* As such it is not subject to over or under

<https://www.law.umaryland.edu/media/SOL/pdfs/Programs/ADR/STPP%20%20RP%20Commission%20Final%20Report.pdf>.

² Civil Rights Data Collection (n.d.). <https://ocrdata.ed.gov/> (accessed 01/13/2021). To find the raw data, click on “State and National Estimations” on the left, click “2015-16 state and national estimations,” click “Discipline” in the last category on the page, and then click “Days missed due to out-of-school suspensions.”

³ Losen, D. L. & Martinez, P. (2020). *Lost opportunities: How disparate school discipline continues to drive differences in the opportunity to learn.* Palo Alto, CA/Los Angeles, CA: Learning Policy Institute; Center for Civil Rights Remedies at the Civil Rights Project, UCLA. Retrieved from: <https://www.civilrightsproject.ucla.edu/research/k-12-education/school-discipline/lost-opportunities-how-disparate-school-discipline-continues-to-drive-differences-in-the-opportunity-to-learn/Lost-Opportunities-REPORT-v14.pdf>

Horriagan, J. B. (2020). *Disconnected in Maryland: Statewide data show the racial and economic underpinnings of the digital divide.* Baltimore, MD: Abell Foundation. Retrieved from: <https://abell.org/publications/disconnected-maryland>

⁴ Sunderman, G. L. & Croninger, R. (2018). *High suspending schools in Maryland: Where are they located and who attends them?* College Park, MD: Maryland Equity Project, The University of Maryland. https://education.umd.edu/sites/education.umd.edu/files/MEP_High%20Suspending_Oct%202018.pdf

estimating disproportionality because the base removal rate is low or high, an issue with the current MSDE measure. Finally, this measure will be helpful to schools because it provides information that they can use to review their practices and develop a corrective action plan if rates approach or surpass the threshold.

Although MSDE currently collects and disseminates school discipline data, HB 171 will strengthen reporting practices, enhance the accessibility of these data for additional stakeholders, and provide a better method of identify high suspending schools.

For these reasons, CRSD strongly supports House Bill 171.

For more information contact:
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CRSD Organizational Member

ACLU of Maryland
The Arc Maryland
Alliance Against Seclusion and Restraint
Attendance Works
BMore Awesome, Inc.
The Choice Program at UMBC
Disability Rights Maryland
Family League of Maryland
Maryland Developmental Disabilities Council
NARAL Pro Choice Maryland
Maryland Office of the Public Defender
Maryland PTA
Open Society Institute
Project HEAL at Kennedy Krieger Institute
Public Justice Center
Restorative Counseling Services
Schools Not Jails
Youth, Education, and Justice Clinic, University of Maryland Carey School of Law

CRSD Individual Members

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Testimony in Support of HB 171.pdf

Uploaded by: Washington, Alonzo

Position: FAV

ALONZO T. WASHINGTON
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Vice Chair
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Chair, Education Subcommittee



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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

**Testimony in Support of HB 171 – State Department of Education - School Discipline –
Data Collection**

HB 171 represents a recommendation from the Maryland Commission on the School-to-Prison Pipeline and Restorative Practices that will expand the accessibility of school discipline data and lower the threshold used to identify schools that disproportionately suspend subgroups of students.

Improving Accessibility of Discipline Data:

To effectively address the disproportionate use of school suspensions, we need to require transparency in the data that conveys the current use of school suspensions.

Therefore, data about discipline actions should be transparent, detailed, and accessible to policymakers, researchers, educators, and the public.

Currently, MSDE's school discipline data reports do not meet these qualifications. Data is reported only as a PDF document with a pre-existing set of categories.

These "data dumps" limit comparisons across schools and districts and make it difficult to analyze the predictors or causes of suspensions.

Making this data available in downloadable spreadsheets would greatly enhance the use of this data for both researchers and the public to better understand and reduce the use of suspensions in Maryland schools.

Identifying Disparities in School Suspension:

HB 171 also sets more ambitious targets for reducing racial disparities in the use of school suspensions.

According to MSDE's suspension report from the 2018-2019 school year, over 76% of out-of-school suspensions were given to students of color that year.

Lowering the risk ratio threshold from 3.0 to 2.0 for identifying schools with high disproportionality in their school discipline practices will contribute to increased efforts to improve equity in school discipline.

The risk ratio compares the removal rate of each student group in a school to the removal rate of a comparison group in the school. To calculate this ratio, the removal rate of a student group is divided by the removal rate of all other students in the comparison group.

Conclusion:

Adopting more ambitious standards for measuring disproportionality in school discipline will ultimately facilitate a stronger dialogue about the consequences of disciplinary actions for different populations of students, and promote positive school climates that foster higher academic achievement.

For these reasons, I respectfully ask for a favorable report on HB 171.

Amend HB0171 to make it Favorable.pdf

Uploaded by: mcavoy, vince

Position: FWA

Amend HB0171 to make it Favorable

vince mcavoy po box 41075 baltimore md

AMENDMENT

Add

(2) “Restorative approaches” may include:

(x) **STATUS OF FATHERLESSNESS**

Add

(2) FOR ALL DATA MADE PUBLIC UNDER PARAGRAPH (1) OF THIS 32 SUBSECTION, THE DEPARTMENT SHALL INCLUDE ON THE DEPARTMENT’S WEBSITE 33 DATA, DISAGGREGATED BY GRADE LEVEL, RACE, ETHNICITY, **STATUS OF FATHERLESSNESS**

Psychologically, children without a father in their life are more likely to have emotional and behavioral problems including lower self-esteem, higher rates of depression, and lower academic and occupational achievement.



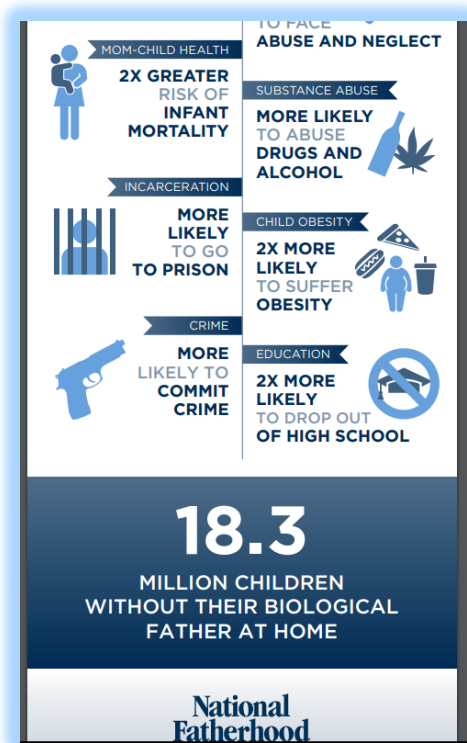
<https://cdn2.hubspot.net/hubfs/135704/NFIFatherAbsenceInfoGraphic071118.pdf>

Amend HB0171 to make it Favorable

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So, what does science say about the contributions of fathers? Research has found that children who are raised in homes without a father are four times more likely to live in poverty. They are also seven times more likely to become pregnant during their teen years which severely limits their own personal growth. Children raised without fathers are twice as likely to be overweight and twice as likely to drop out of high school without earning their degree....

Psychologically, children without a father in their life are more likely to have emotional and behavioral problems including lower self-esteem, higher rates of depression, and lower academic and occupational achievement.



Amend HB0171 to make it Favorable

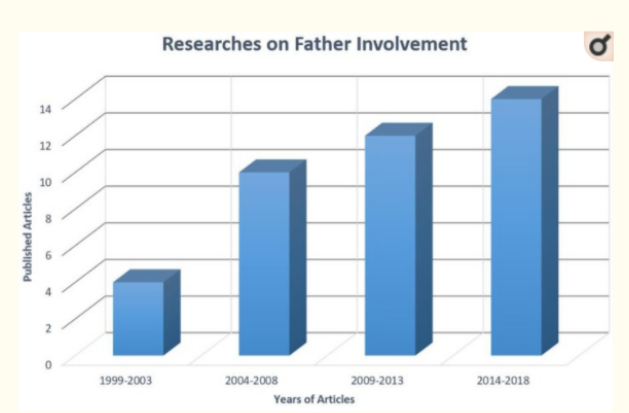
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Front Psychol

Growing Interest in the Role of Father Involvement in Children's Education

This paragraph's main objective is to expand on the state of the literature about father involvement in children's cognitive skills development. One of the more widespread problems was that, in the literature on caregiving and children, fathers' parenting has been studied less than mothers' (Downer et al., 2008).

However, in the 70s and 80s the scholarly interest in fatherhood grew (Lamb, 2004) and, during the 90s, there was an increase in the researches on various fatherhood aspects, developing a large and heterogeneous body of studies that emphasized the unique role of fathers in children's development. For example, Marsiglio et al. (2000), in their review about fatherhood, examined the relationships between the dimensions of the father-child relationship (e.g., time spent with children, emotional support, everyday encouragement, and overseeing children's behaviors) and children outcomes. The increasing trend of the number of articles specifically focused on the construct of "father involvement" in children's education is shown in Figure 2. In the next paragraphs, we will focus on the main sociodemographic characteristics and measurement methods used in this growing literature.



Years of Articles	Published Articles
1999-2003	5
2004-2008	11
2009-2013	13
2014-2018	14

Figure 2

African American fathers in low income, urban families: development, behavior, and home environmen [Child Dev. 1999]

African American fathers in low income, urban families: development, behavior, and home environmen [Child Dev. 1999]

African American fathers in low income, urban families: development, behavior, and home environmen [Child Dev. 1999]

Patterns and predictors of father-infant engagement across race/ethnic groups. [Early Child Res Q. 2011]

Front Psychol

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6823210/>

Even more, concerning from a societal standpoint are the findings that children without a meaningful relationship to their father are far more likely to develop serious problems with drugs and alcohol. They are also more likely to be arrested and to commit a crime resulting in incarceration. Psychologically, children without a father in their life are more likely to have emotional and behavioral problems including lower self-esteem, higher rates of depression, and lower academic and occupational achievement.

On the positive side, studies have shown that children with a positive father relationship show greater overall cognitive and intellectual development, go further in school, have a greater understanding of "cause and effect", and show a greater verbal capacity. They also report higher self-esteem and confidence and have higher educational and occupational achievement.

These findings raise the question as to how dads make such a positive impact on their children. Findings are that fathers in the U.S. are now more involved in direct care of their

<https://www.capitalgazette.com/lifestyles/ac-cn-scott-smith-2020617-20200616-f3p5tefdwngwrhe36cpqoh66fe-story.html>

Amend HB0171 to make it Favorable

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MEC testimony-HB171-School Discipline – Data Colle

Uploaded by: Tyler, Jr.-Chair, Rick

Position: FWA



Maryland Education Coalition



INSPIRES ACTION & POSITIVE CHANGE SO MARYLAND'S STUDENTS SUCCEED

Rick Tyler, Jr., Chair

Web site - www.marylandeducationcoalition.org

Email - md.education.coaliton@gmail.com

DATE: March 18, 2021

BILL: HB171
COMMITTEE: Education, Health, and
Environmental Affairs

TITLE: State Department of Education - School Discipline –
Data Collection
POSITION: SUPPORT

The Maryland Education Coalition (MEC) has been in existence for over 40 years and is made up of 20 statewide organizations & several individuals who represent parents, civil rights, & special population groups including lower income, special needs, limited English, Gifted & Talented and people of color. We advocate for adequate, equitable funding and systematic accountability for Maryland public school students regardless of their academic, cultural, economic, geographic, racial, or other demographic status. We believe a public education allows all students access to a quality education so each may graduate college or career-ready is a constitutional right based on [Article VIII of the Maryland Constitution](#). We also believe it is a civil right.

MEC supports HB171, requiring the Maryland State Department of Education to report on student discipline data disaggregated by race, gender, special education status, and other criteria. It also would require school systems and individual schools to provide these reports in a format similar compatible to other public education data collection that is reported. The bill would also improve upon existing criteria for identifying high suspending schools by adding a provision for identifying schools based on the percent of the population suspended and changing the ratio for the disproportionate suspension of children with disabilities from a ratio of 3 to 1 to a ratio of 2 to 1.

Several MEC representatives were active members of the Commission on the School-to-Prison Pipeline and Restorative Practices and have extensive experience working with the General Assembly, MSDE and local school systems on updating and reforming discipline policies and practices in Maryland Schools. Among the ongoing concerns has been the lack of detailed demographic data, transparency, and availability of such data in a timely manner.

MEC supports transparency and the availability of data as a pre-condition for addressing disparities and remains concern with the disproportionately high number and percentage of black students who are suspended. These students lose an unreasonable and unacceptable amount of critical instructional time and days in school. This bill will result in improved outcomes for students, reductions in overall suspensions, and reduce disproportionately and evidence shows that suspensions severely disrupt a child's education and set them back academically in ways that are at times impossible to make up.

MEC also offers an excerpt from our [position on Discipline](#) – *“Ample evidence establishes that too many children continue to be pushed out of school. These children are disproportionately students of color, lower-income, students with disabilities or gifted and talented. Once suspended, these children are denied crucial instruction time and placed at significant risk of disengaging from school, dropping out, acting inappropriately or entering the criminal justice system.”*

Therefore, MEC request supports of HB171 State Department of Education - School Discipline - Data Collection.

Respectfully yours,
Rick Tyler, Jr., Chair

Advocates for Children and Youth, American Civil Liberties Union of MD, Arts Education in Maryland Schools, Arts Every Day, Attendance Works, CASA, Decoding Dyslexia of MD, Disability Rights MD, League of Women Voters of MD, Let Them See Clearly, MSC-NAACP, Maryland PTA, Maryland Coalition for Community Schools, Maryland Coalition for Gifted & Talented Ed, Maryland Out of School Time Network, Public Justice Center, Maryland School Psychologists' Association, Parent Advocacy Consortium, Right to Read MD, School Social Workers of MD, Barbara Dezmon, Kalam Hettleman, David Hornbeck, Rick Tyler, Jr., Shamoyia Gardiner, Sharon Rubinstein

HB 171--School Discipline--Data Collection Xfile--

Uploaded by: Dove, Tina

Position: INFO

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

Senate Education, Health, and Environmental Affairs Committee

March 18, 2021

1:00 pm

Tina N. Dove, M.Ed.
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.

HB 171 - LOI - State Department of Education - Sch

Uploaded by: Hands, Zachary

Position: INFO

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.

AACPS HB171 Discipline Data INFO 3.18.21.pdf

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Position: INFO



HB171 STATE DEPARTMENT OF EDUCATION - SCHOOL DISCIPLINE - DATA COLLECTION

March 18, 2021

EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE

LETTER OF INFORMATION

Jeanette Ortiz, Esq., Legislative & Policy Counsel (410.703.5352)

Anne Arundel County Public Schools (AACPS) is submitting a letter of information on **HB171 State Department of Education - School Discipline - Data Collection**. This bill requires the Maryland State Department of Education (MSDE) to disaggregate discipline-related data in an electronic spreadsheet format for the Maryland Report Card and provide the discipline-related data to the public in an accessible electronic spreadsheet format. The bill would also require MSDE to lower the risk ratio used to identify a school as high suspending from 3.0 to 2.0.

The AACPS Instructional Data Division collects, analyzes, and applies instructional data to assist students, teachers, instructional leaders, parents and the public. The goal is to enhance learning and positively impact student achievement. At AACPS, student achievement data is analyzed to identify relationships between different types of student achievement measures; and predicting student performance in order to better identify appropriate instructional strategies to address the needs of our students.

Currently, disaggregated student discipline data are currently posted on the MSDE website. State regulations require MSDE to develop a method to analyze local school system discipline data to determine whether there is a disproportionate impact on minority students. MSDE may use the discrepancy model to assess the impact of discipline on special education students. If MSDE identifies a school's discipline process as having a disproportionate impact on minority students or a discrepant impact on special education students, the local school system must prepare and present to the State Board of Education a plan to reduce the impact within one year and eliminate it within three years. A local school system must report its progress annually to the State Board. 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. Accordingly, we have concerns that HB171 would lower the ratio to 2.0.

In addition, we have concerns with the definition of high suspending schools. As with disproportionality, it is important to be very careful with small student groups. According to this bill, an elementary school with 1 student suspended out of 10 would be labeled "high-suspending."

Finally, it is important to note that alternative schools and special programs work with unique students by design and should never be compared to comprehensive schools. These schools face challenges and needs that far exceed any comprehensive school. As such, if you take all the students who are struggling behaviorally and put them in the same school or program, the data is going to be disproportionate because the population is disproportionate. Alternative schools and special programs do such wonderful work for students and families and including them in this legislation would have such a negative impact on the hard work that these schools and their staff do every single day.

Thank you for consideration of this information regarding HB171.

AACPS HB171 Discipline Data INFO 3.18.21.pdf

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