

HB23 - MYAC Support - 4.5.22 (1).pdf

Uploaded by: Christina Drushel Williams

Position: FAV



Maryland Youth Advisory Council
c/o Governor's Office of Crime
Prevention, Youth, and Victim Services
100 Community Place,
Crownsville, MD 21032

James Mu, *Chair*
Ricky Bridges, *Vice-Chair*
Jason Park, *Secretary*

4/4/2022

The Honorable Paul G. Pinsky, Chair
Education, Health, and Environmental Affairs
2 West Miller Senate Office Building
Annapolis, Maryland 21401

Re: HB 23 School Discipline Data Collection
Position: Support

Dear Chairman Pinsky:

On behalf of the Maryland Youth Advisory Council, I am pleased to have the opportunity to offer comments regarding **HB0023 School Discipline Data Collection**.

The Maryland Youth Advisory Council prides itself on being a coalition of diverse young advocates and leaders from across the state, working to serve as a voice for youth in the state of Maryland. As leaders in our communities, and as appointees of the Governor, President of the Senate, Speaker of the House, Maryland Association of Student Councils, Maryland Higher Education Commission, and the University System of Maryland, we take every opportunity to address relevant issues by influencing legislation, spreading public awareness and serving as a liaison between youth and policymakers regarding issues impacting youth.

We applaud Delegate Washington for proposing this bill to identify and address disproportionate disciplinary practices among Maryland schools. As a voice for Maryland's youth, we value the accessibility of quality education for all students regardless of their background. Therefore, we recognize the importance of providing clear data on disciplinary issues and utilizing such data for further school improvement. The most crucial part of the bill is the inclusion of data reporting for schools identified as high suspending. In addition, we are particularly pleased to see the emphasis on alternative methods of discipline such as restorative approaches.

According to the National Education Association, restorative approaches to school discipline have not only been able to build stronger student and teacher relationships but also, allow youth to learn conflict resolution skills. This is an integral part of establishing a healthy school environment where Maryland's students are provided with the opportunity to grow. Therefore, understanding and providing access to school discipline data is a crucial step towards an improved school environment.

The 2018 research of the Maryland Equity Project showed that about 60% of out-of-school suspensions in Maryland are black students when they only make up about 35% of the public school population. These findings also concluded that schools with high suspension rates were struggling to be academically successful and had fewer experienced teachers. This only proves that school discipline data collection is not only crucial to identifying the needs of a school system but also to ensure that steps are being taken to maintain an equitable school environment.

Every student is unique and deserves the best environment for quality education. This proposed policy is crucial to providing Maryland's students with an improved school environment because disciplinary actions amongst schools are an integral part of an educational environment. This regulation further pushes for the data collected to be utilized towards building relationships with youth and overall contributing to the well-being of the school community. **Therefore, we urge favorable support for HB0023 School Discipline - Data Collection.**

Sincerely,

James Mu, Chair
Maryland Youth Advisory Council

HB23 - School Discipline - Data Collection & SROs

Uploaded by: Frank Patinella

Position: FAV



**Testimony for the Senate Education, Health, and Environmental
Affairs Committee**

FRANK PATINELLA
SENIOR EDUCATION
ADVOCATE

April 5, 2022

**House Bill 23 — School Discipline - Data Collection and School
Resource Officers**

TESTIMONY

AMERICAN CIVIL
LIBERTIES UNION
OF MARYLAND

3600 CLIPPER MILL ROAD
SUITE 350
BALTIMORE, MD 21211
T/410-889-8555
F/410-366-7838

WWW.ACLU-MD.ORG

OFFICERS AND DIRECTORS
HOMAYRA ZIAD
PRESIDENT

DANA VICKERS SHELLEY
EXECUTIVE DIRECTOR

ANDREW FREEMAN
GENERAL COUNSEL

The ACLU of Maryland's *Right to Education* works to ensure that all public school students can learn, thrive, and effectively engage in the social, political, and economic life of their community. Given the prevalence of disproportionality in suspensions in Maryland's public schools, we strongly support the passage with amendments, HB23 - School Discipline - Data Collection and School Resource Officers. HB23 will ensure that discipline data for each public school in Maryland, disaggregated by race/ethnicity, gender, socioeconomic status, disability status, and English language ability is made available to the public.

Over the past decade, the Maryland State Department of Education, local school districts, legal and policy advocates, and grassroots groups and individuals, have worked collaboratively to ensure that suspensions and discipline practices in public schools are fair and effective, especially for students who are disproportionately impacted by out-of-school suspensions. The growing use of restorative approaches to address disciplinary infractions is showing much promise. However, based on federal data, Black students make up approximately 65% of the total out-of-school suspensions in Maryland in the 2017-2018 school year¹. Students with disabilities make up nearly 25% of the suspensions in the same year.

The Maryland Commission on the School-To-Prison Pipeline has reported on the deleterious impact that disproportionality in discipline has on Black students, students of color, and other underserved populations. To close the achievement

¹ *Days Missed Due to Out of School Suspensions, Civil Rights Data Collection, 2017-2018* (n.d.). <https://ocrdata.ed.gov/>

gap and to ensure student success after high school, it is critical that Maryland moves forward by passing HB23, one of the Commission's core priorities². Access to data and transparency are key to our collective efforts to ensure that schools are trending in the right direction in terms of overall climate. Currently, discipline data on MSDE's website is not easily accessible and the data does not report on disproportionality. HB23 would provide access to disaggregated data on suspensions and report on schools identified as "high-suspending" — 10% of the total enrollment for an elementary school and 25% for a high school. The data would also show when the ratio of suspensions reaches a disproportionality level of 2:1, which is a decrease from the current 3:1 threshold.

One issue in HB23 that needs clarity has to do with how an individual student with multiple suspensions are counted at a school, and how that might affect the overall rating for that school. The ACLU-MD is proposing an amendment to ensure that the data also report on individuals with multiple suspensions at the school level. Further, the bill should clarify whether or not the threshold for a "high suspending" school includes counting each suspension for individuals suspended multiple times. This level of detail can also help administrators, school staff, and the school community to better understand the issues at a school and develop a tailored strategy to improve the situation.

The ACLU-MD is also asking the committee to support the House Ways and Means Committee's action to strike the language referring to School Resource Officers (SROs). Language preventing SROs from enforcing the discipline policy already exists in many school districts' MOUs with their local police departments. And since many disciplinary infractions could also be characterized as violations of criminal law, HB23 will not prevent SROs from intervening in routine student misbehavior. HB23 should remain focused on the accessibility and transparency of discipline data.

Lastly, HB23 aligns well with the General Assembly's \$4 billion commitment to reform our state's education system, via the *Blueprint for Maryland's Future*. The *Blueprint's* focus on accountability and transparency must be coupled with access to data that is critical to measuring the success of our public schools. To that end, we ask the committee to give HB23, with our amendments, a favorable vote so that government officials and the public have more data and information available to make this once-in-a-generation opportunity a success.

² *Maryland Commission on the School-to-Prison Pipeline and Restorative Practices, Final Report, December, 20, 2018.*

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Uploaded by: Gail Sunderman

Position: FAV



TESTIMONY TO THE SENATE EDUCATION, HEALTH, & ENVIRONMENTAL AFFAIRS

HB 23 School Discipline – Data Collection

POSITION: Support

BY: Nancy Soreng – President

Date: April 5, 2022

The League of Women Voters of Maryland (LWVMD) **supports House Bill 23**. We strongly support the bill's provisions to strengthen efforts to promote data transparency and accessibility in Maryland and the additional measures to identify "high suspending" schools and lower the risk ratio currently used to identify a school as high suspending. We further support extending the discipline reporting requirements to include alternative schools and programs, and public separate day schools. These provisions, together with prioritizing disproportionality in discipline, will strengthen reporting practices, enhance the accessibility of data, and provide a better method of identifying high suspending schools.

We also strongly support the amendments on Restorative Approaches to student discipline.

Restorative approaches provide a far more effective alternative to exclusionary consequence such as suspensions and expulsions, which are disproportionately imposed on black students and students with disabilities, fail to reduce misbehavior or make schools safer. The Maryland Commission on the School-to-Prison Pipeline and Restorative Practices urged Maryland schools to transition to restorative approaches, such as those outlined in this bill.¹ This amendment does that by defining restorative approaches and providing an array of restorative approaches and strategies.

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.² Research on exclusionary discipline in Maryland shows that:

- 60% of out-of-school suspensions (OSS) are Black students, even though Black students make up only 35% of public school enrollment in Maryland.
- Students with disabilities represent 13% of enrollment in Maryland public schools but 25% of out-of-school suspensions.
- School OSS rates for Black students are twice as high as OSS rates for White students.

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

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

² Maryland Commission on the School-to-Prison Pipeline and Restorative Practices, Final Report and Collaborative Action Plan (December, 20, 2018),

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

The highest school suspension rate is for students with disabilities, with schools suspending on average 9.5% of their students with disabilities.³

While the Maryland State Department of Education (MSDE) currently prepares reports on school discipline, these reports are of limited usefulness for several reasons: reports are hard to find, data is contained in several different reports, disproportionality data is not reported at the school level, and data is reported as frequencies which masks disproportionalities. For example, a district may suspend 10 students with disabilities over the course of a year. This may not seem like a lot, but if enrollment of students with disabilities is just 50 students, that means that 20% of all students with disabilities were suspended.

HB 23 addresses these concerns around school discipline data collection and dissemination and will ensure that this data is reported in an accessible format, allowing easy access for the community, advocates and researchers to drill down on specific areas of interest. It will ensure that school discipline data is disaggregated by subgroups that have historically been disproportionately impacted by out of school discipline practices.

By extending discipline reporting requirements to alternative schools and programs and public separate day schools, ***HB 23 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 23 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.

Addressing disparities in school disciplinary practices begins with data access and transparency. HB 23 will strengthen reporting practices, enhance the accessibility of these data for additional stakeholders, and provide a better method of identify high suspending schools.

The League urges the committee to give a favorable report to House Bill 23.

³ 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

⁴ Ibid.

Testimony In Support of HB 23 - Senate - EHE - Sch

Uploaded by: Rich Ceruolo

Position: FAV



March 28, 2022

Maryland Senate
11 Bladen St.
Annapolis, MD. 21401

Testimony, In Support: HB 23 – School Discipline – Data Collection

Good afternoon members of Senate's EHE Committee.

We are an organization of military and non-military families with over 1400 members and fully support students with disabilities. It has become increasingly harder to track student progress and performance. But this landscape has changed due to the passage of the Blueprint for Maryland's Future.

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 while they are on school grounds, during the school academic year.

Discipline practices including, seclusion and restraint, occur every day in schools across the state and involve students from all demographic groups. They disproportionately affect groups with minority children especially those children with disabilities. These practices have been shown to be detrimental to the growth, development and overall mental and physical health of students. And often times involve school staff like SROs who may, or may not be fully trained to handle these students properly.

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 23 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 our testimony in support of HB 23.

Mr. Richard Ceruolo
Parent and Lead Advocate and Director of Legislative Efforts
Parent Advocacy Consortium (Find us on Facebook/Meta)
richceruolo@gmail.com

HB 23 - SWA - School Discipline - Data Collection.

Uploaded by: Yousuf Ahmad

Position: FWA



Mohammed Choudhury
State Superintendent of Schools

BILL:	House Bill 23	DATE:	April 5, 2022
SUBJECT:	School Discipline - Data Collection	COMMITTEE:	Education, Health, and Environmental Affairs
POSITION:	Support with Amendments		
CONTACT:	Ary Amerikaner 410-767-0090 ary.amerikaner@maryland.gov		

EXPLANATION:

The Maryland State Department of Education (MSDE) supports **House Bill (HB) 23 – School Discipline - Data Collection**, with amendments. HB 23 would require the MSDE to disaggregate and make available to the public various discipline-related data and reports, and report data regarding high-suspending schools.

MSDE considers the collection and publication of discipline-related data to be vital in the public discourse, as it aids in systematic efforts to reduce disproportionality in every discipline-related metric in Maryland's public schools. Disproportionality in student discipline continues to be a significant challenge and has lasting impacts on outcomes for students of color and students with disabilities.

While supportive of the premise of the legislation, the Department continues to register operational concerns regarding the language as amended by the House in the bill. In 2016, the State Board of Education passed regulations that require the identification of schools with disproportionate school discipline for students of color and students with disabilities. *See* COMAR 13A.08.01.21. MSDE has required each identified local school system to submit corrective action plans as a result of this work.

This disproportionality work is separate and distinct from the “significant disproportionality” data collection required under the Individuals with Disabilities Education Act (IDEA). The bill as currently written conflates “significant disproportionality” under IDEA with MSDE’s “Reducing and Eliminating Disproportionate/Discrepant Impact” regulations. MSDE’s regulations utilize the state comparison and risk ratio methods for identifying disproportionality with a threshold of 3.0. The “significant disproportionality” regulations under IDEA utilize the risk ratio method solely and already employ a threshold of 2.0.

MSDE is in support of strengthening and expanding its current approach to disproportionality. However, MSDE recommends the following amendments to ensure a consistent approach to addressing disproportionality that is consistent with federal law, while expanding existing work to include English Language Learners and guarantee the public availability of data:

On page 7, strike lines 27-30, and on page 8, line 6, insert:

(H) (1) BY DECEMBER 1, 2022, THE DEPARTMENT SHALL DEVELOP A METHOD FOR DETERMINING THE DISPROPORTIONATE IMPACT OF SCHOOL DISCIPLINE IN PUBLIC SCHOOLS FOR EACH OF THE FOLLOWING SUBGROUPS:

- (I) STUDENTS OF COLOR;
- (II) STUDENTS WITH DISABILITIES; AND
- (III) ENGLISH LANGUAGE LEARNERS.

(2) IF A LOCAL SCHOOL SYSTEM HAS ONE OR MORE SCHOOLS DETERMINED TO HAVE DISPROPORTIONATE IMPACT UNDER SUBSECTION (H)(1), THE DEPARTMENT SHALL REQUIRE THE LOCAL SCHOOL SYSTEM TO TAKE CORRECTIVE ACTION TO REDUCE THE DISPROPORTIONATE IMPACT.

(3) THE DEPARTMENT MAY WITHHOLD GENERAL FUNDS FROM ANY LOCAL SCHOOL SYSTEM THAT FAILS TO CORRECT DISPROPORTIONATE IMPACT AS REQUIRED UNDER SUBSECTION (H)(2).

(4) THE DEPARTMENT SHALL REVIEW THE METHOD FOR DETERMINING DISPROPORTIONATE IMPACT UNDER SUBSECTION (H)(1) EVERY FIVE YEARS TO DETERMINE WHETHER IT REMAINS EFFECTIVE AND REFLECTS NATIONAL BEST PRACTICES.

(5) DISAGGREGATED DISPROPORTIONATE IMPACT DATA COLLECTED UNDER SUBSECTION (H)(1) SHALL BE REPORTED ANNUALLY ON THE DEPARTMENT'S WEBSITE IN AN ACCESSIBLE ELECTRONIC SPREADSHEET, AVAILABLE AS A DATA DOWNLOAD.

Reducing disproportionality requires multifaceted interventions, including school-wide positive behavioral interventions and supports, as well as policies armed with accountability measures. MSDE is very supportive of the fundamental concepts identified in this legislation and is committed to working with the General Assembly and local school systems to actualize the goal of reducing disproportionality in student discipline.

We respectfully request that you consider this information as you deliberate **HB 23**. Please contact Ary Amerikaner, at 410-767-0090, or ary.amerikaner@maryland.gov, for any additional information.