

SB 519.pdf

Uploaded by: Christian Thomas

Position: FAV

ORAL TESTIMONY

BILL: SB - 519 - Education - Student Organized Peaceful Demonstrations - Student Discipline and Policy

SPONSOR: Senator Washington, *Baltimore City*

POSITION: **FAVORABLE**

FROM: Christian Thomas, District 6
christian.thomas@bcps.org

February 16, 2022

SB 519: Favorable

Good afternoon Chair Pinsky, Vice-Chair Kagan, and honorable members of the Senate Education, Health, and Environmental Affairs Committee:

My name is Christian Thomas, the 41st Student Member of the Baltimore County Public Schools Board of Education. I am here today speaking as an individual, and not on behalf of the Board, to implore this committee to submit a favorable report for SB0519.

The first-amendment right to peacefully assemble has been the cornerstone of political movements and the catalyst for action that has driven our country to change, with youth playing no small part. However, in our country’s history, and this state’s, that right has not always been equally guaranteed to students.

I have seen it in place with some incredible student movements in Baltimore County. From a peaceful demonstration in my own school, Eastern Tech, a year before I arrived, where students gathered in the cafeteria in solidarity against acts of racism from students on social media, to students at Patapsco High School who, earlier this year, crafted eloquent speeches in their writing programs and gave them during a walk-out that focused on demanding their administration to continue incorporating advising and student breaks during the school day.

But, I’ve also witnessed students being silenced and prevented from organizing, like one administration who, earlier this year, threatened to remove a student from their role as student government vice president if she followed through with plans to organize a demonstration protesting the dress code policy that she deemed to be “sexist”. Or as I sat in a middle school

classroom where teachers threatened to refuse to allow students to make-up work if they joined their peers in the auditorium demanding an end to gun violence in schools.

In BCPS, our student handbook reads: “Students’ right to assemble is subject to school authorities setting reasonable limits regarding the time, place, and way students may assemble.” But, our unanswered question is, what constitutes a limit as “reasonable”? Is it threatening to remove a student from their leadership roles if they were to be involved, if they were to stand up against dress code policies that they feel unequally target their gender over another? Is it refusing to allow a middle school student to make-up assignments if they wish to stand up against mass school shootings across our country, is that a reasonable limit? If we can’t protest the decisions of our school systems then how are we, as students, to even be engaged?

We need a law allowing us to demonstrate peacefully. We need our school systems to hear this message. We need our legislators to stand behind the very ideals of our democracy. And, we need SB0519 to pass so that our students’ voices are not stifled, but rather uplifted.

Committee members, I am urging you to support this bill. The 111,000+ students I represent deserve this bill, they shouldn’t have to fear consequences for taking a stance or standing up for what they believe.

Thank you,
Christian Thomas

SB519 Testimony.pdf

Uploaded by: Hunter Craig

Position: FAV

MARYLAND STUDENT COALITION

ORAL TESTIMONY

BILL: Senate Bill (SB) 519 - Education - Student-Organized Peaceful Demonstrations
- Student Discipline and Policy

SPONSOR: Senator Washington, *Baltimore City (43)*

FROM: Hunter Craig, Deputy Director (MSC)

POSITION: **FAVORABLE**

Wednesday, January 16, 2022

SB 519: Favorable

Chair Pinsky, Vice Chair Kagan and esteemed Members of the Committee. My name is Hunter Craig and I am speaking today as the Deputy Director of the Maryland Student Coalition in favor of Senate Bill 519.

“It can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech or expression at the schoolhouse gate.” This argument made by Supreme Court Justice Abe Fortas during the *Tinker v. Des Moines* trial illuminates the legal right that students have to demonstrate on school grounds. The 1969 ruling made clear that students' first amendment constitutional rights shall not be muted upon stepping foot into a public institution that they're legally required to attend. Senate Bill 519 will serve to protect such universal rights for students without the fear of additional consequences. This bill will also elevate student voice and recognize the importance of peaceful demonstration. Furthermore, this bill will offer an unintentional but wholly desired educational experience; civic engagement.

Unfortunately, many school systems in the state of Maryland either directly or indirectly fail to recognize this Supreme Court precedent. Some students are subject to penalties ranging from detention to expulsion if they carry out a demonstration on school grounds. In 2018, a group of

Maryland students pleaded to their county's Board of Education to allow them to organize and participate in nationwide protests. Even though that county had a policy in their rule books suggesting students could participate in demonstrations, it's obscurity allowed the Board to block the student's request. Like this case, the majority of school systems in the state do not outline clear and consistent standards for which students shall have the ability to peacefully assemble. This bill provides a necessary, uniformed code to permit agreed upon conditions between students and administration when it comes to organizing a student demonstration. It also respects local autonomy by directing school systems to develop their own policy within the scope of the bill's standards. This will ensure that it fits the respective school systems needs and applies equal implementation to all students across the district. If we continue going by the status quo, it will leave open the opportunity for schools and local jurisdictions to unjustly restrict free speech.

For the reasons stated above, I urge the committee to issue a favorable report on Senate Bill 519.

Directors.pdf

Uploaded by: Jon DiPietro

Position: FAV

HB 495 TESTIMONY: MSC Directors



MARYLAND STUDENT COALITION

2022 Legislative Session

About Our Organization:

The Maryland Student Coalition (MSC) is an advocacy group comprised of secondary and post secondary school students working together to create and advocate for effective and equitable education policy.

MSC Leadership:

Jonathon T. DiPietro
Director

Hunter P. Craig
Deputy Director

Christopher D. Lidard
Associate Director

Lauren A. Raskin
Associate Director

Vinay K. Khosla
Associate Director

MSC Senior Associates:

Olivia Le (Anne Arundel County)
Maja Durkovic (Baltimore County)
Kyle Abosch (Cecil County)
Harshia Bhagat (Howard County)
Neha Dinesh (Howard County)
Noah Hanssen (Howard County)
Julia Littlefield (Howard County)
Chikamara Obioha (Howard County)
Sidd Shah (Howard County)
Elani Bui (Montgomery County)SB116
Senior Associates

marylandstudents.org

About this Document:

This document is a compilation of testimony collected and presented on the previously introduced 2021 version of the same bill, House Bill 753. This package contains relevant testimonials in favor of the current iteration of the Student Demonstrations Initiative, House Bill 495.

Additional questions can be directed to marylandstudentcoalition@gmail.com or you can visit our website at marylandstudents.org.

Testimony Package:

‘A’

Coalition Leadership

MARYLAND STUDENT COALITION

2021

Maryland Student Coalition

PACKAGE 'A'

Contents:

Number	Name	Description
<i>1</i>	Jonathon DiPietro	Coalition Director (Student - Howard County); <i>Chair Legislative Affairs Committee - HCASC; Student Member, Howard County Human Rights Commission.</i>
<i>2</i>	Hunter Craig	Coalition Assistant Director (Recent Graduate - Howard County); <i>Member, Howard County MLK Jr. Holiday Commission.</i>
<i>3</i>	Christopher Lidard	Coalition Outreach Coordinator (Student - Howard County); <i>President, Howard County Association of Student Councils ("HCASC").</i>
<i>4</i>	Lauren Raskin	Coalition Outreach Coordinator (Student - Montgomery County); <i>Advocacy Coordinator, Maryland Association of Student Councils; Member, Maryland Youth Advisory Council.</i>

February 12, 2021

TO: Members of the Ways and Means Committee; Maryland House of Delegates

FROM: Jonathon DiPietro, Director - Maryland Student Coalition
(410)960-0726 , jonathon.dipietro1@gmail.com
6000 Leaves of Grass Court, Clarksville, MD 21029

RE: House Bill 753: Education - Student-Organized Peaceful Demonstrations -
Student Discipline and Policy

POSITION: **In Favor**

Chair Kaiser, Vice Chair Washington, and Members of the Committee, as the original lead organizer of this initiative, Director of the Maryland Student Coalition, a current Howard County high school student, Chair of the Legislative Affairs Committee of the Howard County Association of Student Councils, and the Student Member of the Howard County Human Rights Commission¹, I am 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 democrats rights of all its citizens. This

¹ I am representing my personal views, and do not represent the whole Human Rights Commission

February 12, 2021

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 demonstrations.

In the past, I have had the ability to participate in demonstrations at my school, and have witnessed first hand the large amount of inconsistencies when it comes to the allowance for students to organize, and in many instances, the outright attempt to prohibit participation in demonstrations on campus. Students continue to act with passion, responsibility, and the maturity to engage their democratic institutions through the test of speaking out.

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, I urge the committee to issue a favorable report on House Bill 753.

February 12, 2021

TO: Members of the Ways and Means Committee; Maryland House of Delegates

FROM: Hunter Craig; huntercraig71108@gmail.com; 410-979-6862
7357 Broken Staff Columbia, MD 21045

RE: House Bill 753: Education - Student-Organized Peaceful Demonstrations -
Student Discipline and Policy

POSITION: In Favor

Chair Kaiser, Vice Chair Washington and esteemed Members of the Committee, I am writing as the Assistant Director of the Maryland Student Coalition, a Commissioner on the Howard County MLK Jr. Holiday Commission, and a recent graduate from HCPSS, in favor of House Bill 753.

“It can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech or expression at the schoolhouse gate.” This argument made by Supreme Court Justice Abe Fortas during the Tinker v. Des Moines trial illuminates the legal right that students have to demonstrate on school grounds. The 1969 ruling made clear that students' constitutional rights shall not be muted upon stepping foot into a public institution that they're legally required to attend. House Bill 753 will serve to protect such universal rights for students without the fear of additional consequences. This bill will also elevate student voice and recognize the importance of peaceful demonstration. Furthermore, this bill will offer an unintentional but wholly desired educational experience; civic engagement.

I have personally participated in a walk out demonstration as a student in the Howard County Public School System. In March of 2018, students at my school and around the country led an organized and peaceful movement as a response to the mass shooting that took place one month prior at Marjory Stoneman Douglas High School in Parkland, Florida. Our demonstration turned out to be a huge success. Students conducted themselves in a respectful manner and staff encouraged my fellow peers and I to stand up for what we believe in. Hundreds of students walked out, gathered on the football field bleachers and listened to powerful speeches given by

our classmates. I will never forget this experience and the role we all played in making our voices heard. Time and time again we hear politicians say that students are our future. Well, it's time to give the future a voice free from barriers.

For the reasons stated above, I urge the committee to issue a favorable report on House Bill 753.

February 12, 2021

TO: Members of the Ways and Means Committee; Maryland House of Delegates

FROM: Christopher Lidard,
President, Howard County Association of Student Councils

RE: House Bill 753: Education - Student-Organized Peaceful Demonstrations
Student Discipline and Policy

POSITION: In Favor

Chair Kaiser, Vice Chair Washington, and Members of the Committee, as one of the student organizers for this initiative, a Howard County student, and the President of the Howard County Association of Student Councils, I am writing in support of House Bill 753.

As the External Outreach Coordinator for the coalition of Maryland students who have worked so diligently to create and advocate for this bill, I have seen firsthand the amazing work of a group of organized, engaged, and thoughtful students. Our coalition represents just over 60 students from 16 school systems, ranging from the mountains of Garrett County to the shores of Wicomico. A key aspect of our composition is that we have no adult members or advisors-- our actions and advocacy work are completely facilitated by students, for students.

Among the coalition members are Student Members on the local board of education, student government leaders, and other student activists. Many, but not all, are also members of statewide advocacy groups such as the Maryland Association of Student Councils, the Maryland Youth Advisory Council, and the Maryland SMOB Coalition. Those experiences alone are a testament to how deeply our students care about the future of education in our state and are willing to dedicate their time and energy into crafting the solutions that will support that vision.

However, the most impressive feature of our coalition is its diversity. Our coalition represents students who come from a wide variety of cultural, socioeconomic and geographic backgrounds. We include students who have widely differing political ideologies and educational philosophies. Despite all of this, each member of this coalition shares the common goal of protecting students' fundamental right to free speech and assembly.

That is because this bill does not represent a partisan agenda or an isolated cause. It represents the ability for students to demonstrate and stand up for their beliefs, whatever they may be. It represents the ability for students to act on and share their lived experiences. And it represents the ability for students to feel confident that the institutions they are a part of value their voices and their perspectives in the things that affect them most.

We have assembled a coalition of students that looks like Maryland. Dozens of our voices have cried out for change from each corner of the state. We now look to our legislators to make that change a reality for all Maryland students.

For these reasons, I urge the committee to issue a favorable report on HB0753.

February 12, 2021

TO: Members of the Ways and Means Committee; Maryland House of Delegates
FROM: Lauren Raskin, laurenraskin5@gmail.com, 301-366-9479
22321 Flintridge Drive, Brookeville, MD, 20833
RE: House Bill 753
POSITION: **In Favor**

Chair Kaiser, Vice Chair Washington, and Members of the Committee, I am writing as a student from Montgomery County, in favor of House Bill 753, which seeks to protect the right for students to peacefully demonstrate on public school grounds and legalize all forms of peaceful and student led protest on Maryland Public School property.

In the simplest of terms: uninhibited student voice, the principle to which this bill seeks to achieve, is unequivocally a necessity- and yet, as it stands, it is currently a necessity that is by no means being protected or fulfilled by our school systems. It is in these same school systems in which we are taught from a young age the importance of civic engagement, the sheer significance and power of peaceful activism as a means of facilitating change in our communities and society. The lack of protection for student voice and youth empowerment, therefore, is a source of vile hypocrisy; how can we justifiably mandate civic education in our academic institutions, and yet in the same breath punish students for exercising what they have learned? The foundation to which this bill stands upon actively promotes the importance of the preservation and encouragement of student voice, and should be passed, will symbolise the support of law makers in this same capacity. Members of the Committee, we need you on our side. We must no longer remain complacent in lack of provisions that allow school systems to diminish our Constitutional right to activism; mere acknowledgment of the problem is no longer acceptable. In a time in which more and more students begin to tackle issues pertaining to racial injustice, climate change, gun regulations, and more, we as a State must actively support their ability to take a stand in what they believe in a regulated and responsible manner. And we must start now, with the passing and ratification of House Bill 753.

As someone who has participated (and served as a leader) in a multitude of advocacy related pursuits, I can attest to the impact they have on one's maturity and development. Whether it be organized walk outs for gun reform, sit-ins for achievement of educational equity in our schools, or marches for the Black Lives Matter movement, I have learned more about public speaking, interacting with elected officials, and the intricacies of our governing systems more so than I ever have in an academic setting. The ability to engage in political participation, is thereby, not only a right, but an entity which will prove to be beneficial for our current student body, and the future generations to come.

For the reasons stated above, I urge the committee to issue a favorable report on House Bill 753.

Endorsements.pdf

Uploaded by: Jon DiPietro

Position: FAV

HB 495 TESTIMONY: Endorsements



MARYLAND STUDENT COALITION

2022 Legislative Session

About Our Organization:

The Maryland Student Coalition (MSC) is an advocacy group comprised of secondary and post secondary school students working together to create and advocate for effective and equitable education policy.

MSC Leadership:

Jonathon T. DiPietro
Director

Hunter P. Craig
Deputy Director

Christopher D. Lidard
Associate Director

Lauren A. Raskin
Associate Director

Vinay K. Khosla
Associate Director

MSC Senior Associates:

Olivia Le (Anne Arundel County)
Maja Durkovic (Baltimore County)
Kyle Abosch (Cecil County)
Harshia Bhagat (Howard County)
Neha Dinesh (Howard County)
Noah Hanssen (Howard County)
Julia Littlefield (Howard County)
Chikamara Obioha (Howard County)
Sidd Shah (Howard County)
Elani Bui (Montgomery County)SB116
Senior Associates

marylandstudents.org

About this Document:

This document is a compilation of testimony collected and presented on the previously introduced 2021 version of the same bill, House Bill 753. This package contains relevant testimonials in favor of the current iteration of the Student Demonstrations Initiative, House Bill 495.

Additional questions can be directed to marylandstudentcoalition@gmail.com or you can visit our website at marylandstudents.org.

Testimony Package: 'B'

**Elected Officials
and
Organizations**

Maryland Student Coalition

PACKAGE 'B'

Contents:

Number	Name	Description
<i>1</i>	Howard County Council	A joint letter from several members of the Howard County Council.
<i>2</i>	Maryland SMOB Coalition	A joint letter from several current serving student members (or equivalent) of boards of education.
<i>3</i>	MYAC Support	The Maryland Youth Advisory Council ("MYAC") has passed a stance to officially support this initiative.
<i>4</i>	HCASC Stance	The Howard County Association of Student Councils ("HCASC") has passed a stance to officially support this initiative.
<i>5</i>	MCR Resolution	The Montgomery County Regional Student Government Association ("MCR") has passed a stance to officially support this initiative.

*Please Note: Additional Organizations have supported this initiative, but did not submit written testimony in time to be filed with this package.

Please inquire for further information by contacting: jonathon.dipietro1@gmail.com



Howard County Council

George Howard Building
3430 Court House Drive
Ellicott City, Maryland 21043-4392

Liz Walsh
District 1

Christiana Rigby
District 3

TESTIMONY IN SUPPORT OF HB0753

Education - Student-Organized Peaceful Demonstrations - Student Discipline and Policy

February 10, 2021

Dear Chair Kaiser, Vice Chair Washington, and Members of the Ways and Means Committee:

Thank you for the opportunity to provide written testimony to the Committee. We are writing today to express our **support for HB0753**, legislation introduced by Delegate Ebersole to protect the rights of students to peacefully demonstrate in schools.

In recent years, students across Maryland have organized and led peaceful demonstrations at school to protest gun violence, police brutality, and racism. While many of these demonstrations have been permitted in Maryland school districts, some students have faced threats of disciplinary action for exercising their right to speech and peaceful protest. This bill would ensure that all Maryland students are protected from disciplinary action if they choose to participate in peaceful, organized protests on school campuses.

We have met with several student leaders and activists in Howard County who have highlighted the importance of protecting this right for students in schools. As we continue to witness incredible leadership and courage from young people in our community who are standing up for social justice and change, this legislation makes important strides in protecting students' right to speech and peaceful demonstration.

Our school systems should be empowering students to be civically engaged and educating young people on how to use their agency for change. HB0753 will support those goals and support our students. Thank you for your consideration of this legislation. We respectfully encourage a favorable report.

Sincerely,

Handwritten signature of Liz Walsh in blue ink.

Liz Walsh
Councilmember, District 1

Handwritten signature of Christiana Mercer Rigby in blue ink.

Christiana Rigby
Councilmember, District 3

Monday, February 8, 2021

The Honorable Anne R. Kaiser, Chair of the House Ways and Means Committee
Room 131, House Office Building
Annapolis, Maryland 21401

RE: In Favor of HB0753 Sponsored by Delegate Eric Ebersole

Students of Maryland's Boards of Education

Dear Honorable Members of the Ways and Means Committee:

We, the students of Maryland's Boards of Education, are in favor of HB0753. Our commitment to student voice and advocacy led us to run for our positions, and HB0753 seeks to help uplift and protect every student in their advocacy.

If passed, this bill would allow universal rights for students to demonstrate on school grounds without fear of consequence, elevates student voices, recognizes the importance of peaceful demonstration, and serves an important educational experience; civic responsibility.

We are at a time in history when young people are increasingly involved in movements to bring about change, be it on issues of racial justice or the climate. And why shouldn't we be – we are demanding change for our own future; we are holding ourselves and our elected leaders accountable to uphold our responsibilities to future generations.

Students peacefully protesting for what they believe in is nothing new. It was famously four college students from North Carolina Agricultural and Technical State University who in 1960 started the sit-in movement when they sat at a segregated Woolworth's lunch counter in Greensboro, North Carolina. Their seemingly simple protest and show of great courage is arguably one of the most important events of the Civil Rights movement. Similarly, the Cambridge movement over on our Eastern Shore here in Maryland was led by students who, like the Greensboro Four, conducted sit-ins and other peaceful protests against segregation.

Most of us had just entered high school when the entire country watched the Parkland Massacre occur, and what resulted was one of the most prominent examples of youth protest and advocacy to date: the March for Our Lives movement. Many of us helped respectfully and responsibly demonstrate in solidarity with fellow students across the nation. Actions like these must be protected, and students should not fear repercussions for their advocacy. The right to non-violent protest and assembly is one of the fundamental civil liberties of American democracy, and students should be accorded this right without fear of retribution.

For the reasons stated above, we urge the committee to issue a favorable report on House Bill 0753.

Signed in solidarity,

Drake Smith
Student Member
Anne Arundel County Board of Education

Kyree' M. Sykes
Student Commissioner
Baltimore City Board of School
Commissioners

Devanshi Mistry
Student Representative
Carroll County Board of Education

Ian Herd
Student Member
Charles County Board of Education

Jarrett M. Miller
Student Member
Garrett County Board of Education

Phoebe Bailey
Student Member
Harford County Board of Education

Zachary Koung
Student Member
Howard County Board of Education

Rachel Jones
Student Member
Kent County Board of Education

Jason T. Wu
Student Member
Maryland State Board of Education

Ninah Jackson
Student Member
Prince George's County Board of Education

Kevin Bokoum
Student Member
Washington County Board of Education

Disclaimer:

The views expressed in this letter are the personal views of the signatories and do not necessarily reflect those of any of our respective organizations or Boards of Education.

MARYLAND YOUTH ADVISORY COUNCIL ENDORSEMENT
Written by the Maryland Student Coalition

On December 12, 2020 the Maryland Youth Advisory Council (“MYAC”) voted to approve two motions:

- 1) In favor of the provided draft legislation; *and*
- 2) Assigns their Legislative Committee to assist in advocating for the initiative and promote the principles outlined in the provided resolution.

Please Note: This document is not from the Maryland Youth Advisory Council. Official written support for the Student Demonstrations Initiative can be obtained by contacting the Chairperson of MYAC, Ian Herd.

Mr. Herd can be contacted at: ianherd2004@gmail.com



A STANCE OF THE
HOWARD COUNTY ASSOCIATION OF STUDENT COUNCILS REGARDING:

**Public Secondary School Students’ Rights to Peacefully Assemble
and Demonstrate on School Grounds and During School Hours**

Article XI, Section 5 of the Constitution of the Howard County Association of Student Councils states that “The Legislative Affairs Committee shall provide the General Assembly stances on HCPSS Policy or Legislative Matters, in writing, and the General Assembly, by majority vote, will have the ability to vote to uphold or deny that stance”; and

The Legislative Affairs Committee has provided a stance regarding a “legislative matter”, in writing, that has been approved by the Howard County Association of Student Councils General Assembly; therefore

The following stance is issued by the Howard County Association of Student Councils:

The Howard County Association of Student Councils is in favor of protections for secondary school students’ right to peacefully demonstrate on school grounds, during school hours; and

The Howard County Association of Student Councils is in favor of advancing the principles outlined in the resolution, submitted with the stance proposal (“A House Joint Resolution Concerning: Public School Students’ Rights to Peacefully Assemble and Demonstrate on School Grounds and During School Hours”) and will advocate on behalf of these proposed principles.

SPONSORED

Mr. Jonathon DiPietro, *Chair*

Mr. Peter Banyas, *Vice-Chair*

DATED

Thursday, December 10, 2020

Public School Students' Rights to Peacefully Assemble and Demonstrate on School Grounds, During School Hours

Sponsors: Helena Aytenfisu and Maeve Sanford-Kelly

WHEREAS Montgomery County Regional Student Government Association is dedicated to student advocacy and thus the ability of students to assemble is central to MCR's mission;

WHEREAS Many students are not comfortable participating in demonstrations or peaceful assemblies unaware of what protections to their freedom of assembly exist;

WHEREAS the right to freedom of speech and assembly are protected by the First Amendment of the United States Constitution;

WHEREAS there are school systems around Maryland that do not outline students rights and responsibilities with respect to demonstrations and assemblies as clearly and accessibly as Montgomery County Public Schools does;

WHEREAS a Maryland General Assembly resolution recognizing the rights and responsibilities of students with respect to speech and assembly, as well as encouraging school systems around Maryland to promote policies outlining these rights and responsibilities, would be an important step for further protecting students rights to advocacy; therefore

Be It Hereby Resolved: The MCR-SGA is in support of the principles outlined in the [Public School Students' Rights to Peacefully Assemble and Demonstrate on School Grounds, During School Hours](#) sample bill and will advocate on the behalf of these proposed principles.

Testimony in Support of House Bill 753
Education—Student-Organized Peaceful Demonstrations—
Student Discipline and Policy

House Ways and Means Committee

February 12, 2021

1:30 pm

Tina N. Dove, M.Ed.

Government Relations

The Maryland State Education Association supports House Bill 753, legislation that would prohibit a public school from prohibiting a student from engaging in a student-organized peaceful demonstration or imposing certain limits on a student's right to free speech. Additionally, it would prohibit a public school from disciplining a student for engaging in a student-organized peaceful demonstration under certain circumstances and allows a public school to impose certain limitations on said demonstrations.

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).

According to survey data from the PRRI/The Atlantic Civic Engagement Survey detailed in a 2018 report from PRRI¹, children who engage in civic and political activities when they are young are more likely to engage in civic activities later in life. Their survey found that,

Americans who say they went to a rally or demonstration with their parents are almost three times as likely as those who did not to score highly on the Civic and Political Engagement Scale, meaning participating in at least four different activities within the last 12 months (50% vs. 18%). Attending a community meeting, such as a school board or city council meeting, as a child

¹ *American Democracy In Crisis: Civic Engagement, Young Adult Activism, and the 2018 Midterm Elections*. Accessed online at <https://www.prrri.org/wp-content/uploads/2018/10/Civic-Engagement-NovB.pdf> (February 3, 2021)



is also strongly associated with higher rates of civic engagement later in life. Americans who had that experience are about twice as likely as those who did not to report a high level of engagement in the last year (36% vs. 17%).

This same survey found that Americans who were influenced to become active by their teachers were more than twice as likely to be civically engaged and involved than those who said they were not influenced by their teachers (46 percent to 19 percent respectively).²

Educators take very seriously our responsibility to prepare all of our students for college, career, and citizenship. We are alarmed when we see that only 24 percent of our students scored at or above proficient in civics on the 2018 NAEP³ civics achievement assessment. An even greater cause for alarm: this score has not significantly changed when compared to score from both the 2014 and 1998 NAEP assessment.

Our democracy doesn't work if our body politic is uninformed and unengaged. The data is clear. We must teach our young people the importance of civic involvement and encourage them to actively engage at an early age. We must also teach them safe and effective ways in which to exercise their First Amendment rights to peaceably assemble and redress their grievances. School should serve as a laboratory where our students can learn their rights as citizens and practice these rights—at appropriate times and with fair and appropriate guidelines.

Our students deserve agency and a voice in their educations and in their lives. **Therefore, we urge the committee to issue a favorable report on House Bill 753.**

² Ibid

³ <https://www.nationsreportcard.gov/highlights/civics/2018/> (Accessed on February 3, 2021)



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

Ian Herd, *Chair*
Marvin Li, *Vice-Chair*
Maggie Harkins, *Secretary*

February 17, 2021

Re: Students' Right to Demonstrate in Schools
Position: Support

The Maryland Youth Advisory Council (the Council) prides itself on being a group of young adults who work to serve as a voice for youth in the state of Maryland. As leaders in our communities and in our State, 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 advise legislators and the Governor regarding issues facing youth.

The Council advocates for the protection and expansion of youth voice in multiple settings, and extends this advocacy to educational institutions. As the resolution indicates, there are numerous counties in Maryland that employ attendance policies that have the potential to infringe upon students' First Amendment rights when used in inappropriate manners, such as the dissuasion of protest or other student-led peaceful assembly. Current attendance policies can be applied inappropriately, with penalties for missed instruction time intentionally used to discourage students from attending student demonstrations. The resolution seeks to limit the possibility for abuse of such policies and thus improve the application and preservation of students' First Amendment rights.

The Council consistently demonstrates the value and importance of youth civic engagement; visible through its advocacy outcomes and the continued activism of former Council members. Many alumni further their pursuit of civic engagement, through other youth-led organizations, coalitions, and public office. The inclusion and support of youth voice empowers young people to be productive and civically engaged citizens. Civic engagement is a valued and continuous element of the Maryland education curriculum. To limit students' rights in acts directly contributing to civic engagement is a great disservice to the students, their community, and the value of their education. When adult stakeholders support processes that meaningfully involve youth and/or allow for youth engagement, individual students can accrue relational and developmental benefits from participation and engagement itself, promoting both youth and community well-being. (e.g., Akiva, Cortina, & Smith, 2014; Larson, Walker & Pearce, 2005; Zeldin, 2004).

The Council unequivocally supports this resolution, as it creates clear guidelines and objectives to foster and protect First Amendment rights for students. Without such protections, students can be subjected to unjust interpretations and applications of school policies, with the intent to discourage and disabnd student-led demonstrations on school grounds.

For these reasons, the Council supports **Students' Right to Demonstrate in Schools**.

Sincerely,

A handwritten signature in cursive script that reads "Ian Herd".

Ian Herd, Chair
Maryland Youth Advisory Council

A handwritten signature in cursive script that reads "Maya Matava".

Maya Matava, Legislative Committee Chair
Maryland Youth Advisory Council

MASC 2021 Legislative Session
Prefiled Legislation, Bill Synopses, & Proposed Stances

ALL RESOLUTIONS PASSED BY AN OVERWHELMING MAJORITY 2/20/21

20/21-GA-11 - HB0753 - Education - Student-Organized Peaceful Demonstrations - Student Discipline and Policy

[\(Click here to view HB753\)](#)

Title: Education - Student -Organized Peaceful Demonstrations - Student Discipline and Policy

Sponsored by: Delegate Ebersole

Committee Assignment: Ways and Means

FOR Prohibiting a public school from prohibiting a student from engaging in a student-organized peaceful demonstration or imposing certain limits on a student's right to free speech, subject to certain limitations; prohibiting a public school from disciplining a student for engaging in a student-organized peaceful demonstration under certain circumstances; authorizing a public school to impose certain limitations on a student-organized peaceful demonstration under certain circumstances; etc.

Proposed Position: SUPPORT

Resolution: *20/21-GA-11 Co-authored by Tolu Dapo-Adeyemo and Maja Durkovic, the 2020-21 MASC State Legislative Affairs Coordinators*

WHEREAS, we support "providing students opportunities to speak out about issues that may directly affect them." and "youth involvement in the creation and revision of legislation impacting students" (Plank I; H and I respectively), and

WHEREAS, students reserve the right to free speech, which has been verified in countless court cases, both on the federal and state level, and

WHEREAS, counties in Maryland have already established guidelines for approving student demonstrations in order to protect the free speech of students, and

WHEREAS, every student should be allowed to speak up for what they believe is right, be it hereby

RESOLVED that the Maryland Association of Student Councils supports HB0753.



**Board of Education of Howard County
Testimony Submitted to the Maryland Senate,
Education, Health, and Environmental Affairs Committee
April 1, 2021**

**Board of Education
of Howard County**

Chao Wu, Ph.D.
Chair

Jennifer Swickard Mallo
Vice Chair

Vicky Cutroneo

Christina Delmont-Small

Yun Lu, Ph.D.

Jolene Mosley

Antonia Watts

Zachary F. Koung
Student Member

Michael J. Martirano, Ed.D.
*Superintendent
Secretary/Treasurer*

HB0753: FAVORABLE W/AMENDMENTS

Education - Student-Organized Peaceful Demonstrations - Student Discipline and Policy

The Board of Education of Howard County (the Board) supports **HB0753 Education - Student-Organized Peaceful Demonstrations - Student Discipline and Policy** to allow for peaceful student demonstrations in a manner that lifts up student voice and promotes civics engagement in schools.

Under HB0753, schools could not prohibit student-organized peaceful demonstrations but could impose reasonable limitations on the time and place in order to protect the health, safety, and welfare of students and school personnel, and minimize disruption to the educational environment. Local school systems would be required to adopt a policy for student demonstrations that includes guidelines for demonstrations such as manner of expression, what constitutes reasonable requirements for the time and place, and limitations on language that has the intent to harass, threaten or intimidate.

The Howard County Public School System (HCPSS) Policy 9020 Students' Rights and Responsibilities is currently under the policy review process, with the Charter issued by the Board on November 20, 2020, including a charge to include best practices in the area of student assembly. As a matter of local interest, this particular bill stemmed from a request by current and former Howard County students who are part of an effort by the Maryland Student Coalition (MSC):

<https://mdstudentcoalition.wixsite.com/demonstrations>.

While a mandate on local policy, HCPSS staff supports the goals of this bill to recognize increasing student activism and the important role student demonstrations have in allowing the next generation of leaders to express their views on societal issues and injustices. Staff would recommend the following amendments to the version as passed by the House in order to allow local school systems the most flexibility when setting appropriate parameters:

- On page 2 strike "ON A SCHOOL BUS" in line 15 – this would eliminate concerns of the safety of demonstrations on a school bus. With only one driver in most cases, there is no staff/administrator to oversee logistics and any kind of student activity could be distracting for the driver.
- On page 3 after line 11, add "NOTHING IN THIS SECTION PROHIBITS A SCHOOL SYSTEM FROM IMPOSING DISCIPLINARY MEASURES"

FOR VIOLATIONS OF LOCAL POLICY OR STUDENT CODE OF CONDUCT FOR ACTIONS OTHER THAN PARTICIPATION IN A STUDENT-ORGANIZED PEACEFUL DEMONSTRATION AS OUTLINED IN SUBSECTION (E)” – while the sponsor has indicated such measures are still available to schools, an addition here would clarify subsection D and E do not limit all such authority if a student claims their actions were in connection with the demonstration.

An additional concern regarding “48 hour” notification of intent to hold a student-organized peaceful demonstration - as this could mean notification is permissible on a non-school day when 48 hours falls over the weekend or a holiday - has been addressed in amendments from the House, with the replacement language “WITHIN A REASONABLE AMOUNT OF TIME,” which the Board supports.

For these reasons, we urge a FAVORABLE report of HB0753 from this Committee with the inclusion of the suggested amendments. The Board also commend the efforts of the youth leaders in our county who turned their passion for student rights into this legislative movement.

SABINA
TAJ

HOWARD COUNTY
Board of Education

[In regards to HB0753] “I fully support students’ right to organize or participate in a student–organized peaceful demonstration.”

Sabina Taj
Member of the Howard County Board of Education (2018-2020)

MONTGOMERY COUNTY PUBLIC SCHOOLS

MEMORANDUM: February 23, 2021

To: Members of the Board of Education

From: Danielle M. Susskind, Coordinator, Legislative Affairs

Subject: Recommended Positions on Education Legislation

Position: Support with Amendments

HB0753 Education - Student-Organized Peaceful Demonstrations - Student Discipline and Policy

Sponsor: Delegate Ebersole

Committee: Ways and Means

Synopsis:

Prohibiting a public school from prohibiting a student from engaging in a student-organized peaceful demonstration or imposing certain limits on a student's right to free speech, subject to certain limitations; prohibiting a public school from disciplining a student for engaging in a student-organized peaceful demonstration under certain circumstances; authorizing a public school to impose certain limitations on a student-organized peaceful demonstration under certain circumstances; etc.

Analysis:

While the proposed HB0753 has many of needed elements itemized below, they present many problems with interpretation and implementation as currently written. The Board should only support with substantial revisions.

The requirement that a public school system have a policy is not problematic, as MCPS already has Board Policy, JFA, Student Rights and Responsibilities, and MCPS Regulation JFA-RA, Student Rights and Responsibilities. MCPS Regulation JFA-RA sets forth provisions regarding student speech and assembly in Regulation JFA-RA, section IV. Student rights to assemble are likewise recognized and supported by MCPS, under circumstances set forth in Regulation JFA-RA.

COURTESY OF:

[https://go.boarddocs.com/mabe/mcpsmd/Board.nsf/files/BYJQXZ6B194C/\\$file/Board%20Positions%20As%20Of%20February%2023%2C%202021.pdf](https://go.boarddocs.com/mabe/mcpsmd/Board.nsf/files/BYJQXZ6B194C/$file/Board%20Positions%20As%20Of%20February%2023%2C%202021.pdf)

Section IV.F of MCPS Regulation JFA-RA sets forth rights and responsibilities regarding student speech, that contain key elements which should be included in this bill, in alignment with MCPS requirements regarding the performance of a student production or the distribution of a publication or other information material, about which a principal may exercise prior restraint, halt or reject based on the following criteria, if:

- It is obscene, libelous, slanderous, profane, vulgar, lewd, or contains language that has the intent to harass, threaten, or intimidate.
- It constitutes an unwarranted invasion of privacy.
- It incites students to create a clear and present danger of:
 - the commission of an unlawful act, the violation of Board policies and/or MCPS regulations or rules; or the material and substantial disruption of the orderly operation of the public school. “Substantial disruption” means either interference with school or disorderly conduct by a significant number of students, including rioting, school boycotts, sit-ins, destroying property, and walkouts.
- It violates state or federal law.

HB0753 Page 1 Line 25: the term “student-organized peaceful demonstration” contains subjective terminology, specifically what constitutes “peaceful” and “demonstration”. The legally recognized terms “speech” and “assembly” should be used instead with clear criteria for grounds on which a school may prohibit or discipline students for certain speech or assembly.

HB0753 Page 2 Lines 3-7 are insufficient and should be amended to include the following criteria as to what constitutes “welfare” of the school community. Again, this is highly subjective language. “Substantial disruption” is clearer, in line with case law:

“Substantial disruption” is defined in MCPS regulation to mean “either interference with school or disorderly conduct by a significant number of students, including rioting, school boycotts, sit-ins, destroying property, and walkouts.

Because the term “welfare of the community” is problematic and insufficiently defined, “speech” is better, and schools should have the ability to prohibit such speech and discipline students if such speech—

- violates state or federal law; and
- is obscene, libelous, slanderous, profane, vulgar, lewd, or contains language that has the intent to harass, threaten, or intimidate otherwise causes or could be reasonably expected to cause substantial disruption to the operation of the school.

PLEASE NOTE: The Montgomery County Board has distributed for public comment amendments to Policy ACA, Nondiscrimination, Equity, and Cultural Proficiency. that prohibits “the use of language and or the display of images and symbols which promote hate and can be

reasonably expected to cause substantial disruption to school or district operations or activities. [This would be interpreted to include the display of items referenced in HB0418 at an assemblage of students or student clothing with certain symbols.]

MCPS Regulation JFA-RA, Student Rights and Responsibilities, section IV.G sets forth students' right to assemble for discussion of issues of importance to them and to demonstrate.

HB0753 Page 2 lines 20-21 are problematic because they restrict a school from prohibiting organizing or participating in a "peaceful demonstration" [again, problematic and subjective] without acknowledging the potential for such activities to take place during class. "Minimizing" disruption to class does not go far enough.

HB0753 Page 2 lines 26-27 restrict discipline for organizing, but the time, place, and manner allowance for such discipline are insufficient.



[In regards to HB0753] "Student voices matter and students often successfully lead social change campaigns. We should not only respect their right to protest but support their full participation in civic and political affairs."

Hans Riemer
Member of the Montgomery County Council

Legislative Brief.pdf

Uploaded by: Jon DiPietro

Position: FAV

**LEGISLATIVE BRIEF ON:
Senate Bill 519 (House Bill 495)**



*Written By:
MSC Board of Directors*

MARYLAND STUDENT COALITION

2022 Legislative Session

MARYLAND STUDENT COALITION

About Our Organization:

The Maryland Student Coalition (MSC) is an advocacy group comprised of secondary and post secondary school students working together to create and advocate for effective and equitable education policy.

MSC Leadership:

Jonathon T. DiPietro (Howard County)
Director

Hunter P. Craig (Howard County)
Deputy Director

Christopher D. Lidard (Howard County)
Associate Director

Lauren A. Raskin (Montgomery County)
Associate Director

Vinay Khosla (Baltimore County)
Chair, Senior Associate Group

MSC Senior Associates:

Olivia Le (Anne Arundel County)
Maja Durkovic (Baltimore County)
Kyle Abosch (Cecil County)
Harshia Bhagat (Howard County)
Neha Dinesh (Howard County)
Noah Hanssen (Howard County)
Julia Littlefield (Howard County)
Chikamara Obioha (Howard County)
Sidd Shah (Howard County)
Elani Bui (Montgomery County)
Senior Associates

Contact:

marylandstudentcoalition@gmail.com

marylandstudents.org

Table of Contents

Table of Contents	3
Abstract	4
Introduction	5
QUESTIONS	7
Liability	8
Truancy	10
Disruption	12
Hate Speech	13
Why This Concerns The State	14
REFERENCES	16
Special Thanks To	20
Endorsements	21
Example Policy	22
Draft Resolution	25
SUPPORTING DOCUMENTS	27
Major Points	28
Legislative Language	30

Abstract

The story of education in the United States cannot be told without homage to the long history of students invoking their freedom of expression, speech, and assembly through peaceful and impactful demonstrations on school campuses. In the past few years, the amount of youth-led protests and walkouts has increased dramatically in the wake of a social shift towards civic engagement and social progress. Youth activists have recognized that social issues have plagued American society since its inception and will continue to negatively impact the lives of students if immediate action is not taken. Through this spirit of advocacy, younger generations have learned how to brighten their future by affecting the present, in particular keeping their government in check. Education is a student's fundamental place in society. When students witness an injustice and establish a platform that engages the attention of those in power, they can create a profound social impact. These platforms include assemblies, sit-ins, walkouts, and other demonstrations, all of which take place on school grounds. As the prevalence of student demonstrations increases, so does the opposition to suppress youth voices. School administrators have limited students' rights to speech by calling them disruptive, off-topic, or truant. The purpose of our organization is to advocate to establish protections for students' right to demonstrate in school.

Introduction

The first historically well-known instance of a youth demonstration was in 1955. Over nine months before Rosa Parks's famous protest, fifteen-year-old Claudette Colvin¹ refused to move to the back of the bus she rode, resulting in her immediate arrest. It was not until 1969 when the first Supreme Court case² would begin to set a precedent regarding students' rights to freedom of expression. Four years earlier, the Des Moines Independent Community School District implemented a policy that resulted in the suspension of seven students for wearing a black armband in protest of the Vietnam War. After years in the legal system, the Court ruled that: First, "In wearing armbands, the petitioners were quiet and passive. They were not disruptive and did not impinge upon the rights of others. In these circumstances, their conduct was within the protection of the Free Speech Clause of the First Amendment and the Due Process Clause of the Fourteenth." Secondly, "First Amendment rights are available to teachers and students, subject to application in light of the special characteristics of the school environment." and finally, "a prohibition against expression of opinion, without any evidence that the rule is necessary to avoid substantial interference with school discipline or the rights of others, is not permissible under the First and Fourteenth Amendments."

The critical points of the Court's ruling were that the demonstration was not disruptive, students do not lose their First Amendment³ rights when in school, and that expression that does not interfere with other students' rights are protected under the First and Fourteenth Amendments⁴. The decision set precedent that students in school are protected under the First Amendment but are limited to ensure it is non-disruptive and can be proven to stem from proper motivation.

Because of this precedent, schools are not legally allowed to limit students' ability to express their ideas, through words or actions, if the students are not disruptive. Complicating this precedent, however, is the lack of definition for 'disruption,' which can provide a loophole for school staff and administration to more arbitrarily limit the voices of students. The same issue can be applied to clothing. Students are 'permitted' to wear politically motivated clothes to the extent that it does not disrupt the learning environment, but the ambiguity of 'disruption' still remains. In the instance of *Tinker v. Des Moines*, the teacher disrupted the class to ask John Tinker to explain the reasoning behind his armband— although, in oral arguments, the petitioner explained that this class was usually conducted through open discussion. As such, the armbands were deemed non-disruptive in that particular instance, but little Court insight remains for other articles of clothing or class situation.

While schools are also not permitted to punish students for their ideas, they commonly utilize other rules and technicalities to disincentivize student speech and action. For example, in 2016, dozens of high school students in Prince George's County walked out of school in protest of the election of President Trump, ignoring warnings from school officials. These students were not punished for "protesting," but they received unexcused absences for walking out of school. Absences, though not officially a disciplinary practice, were used against students as a means to

¹ <https://www.npr.org/2009/03/15/101719889/before-rosa-parks-there-was-claudette-colvin>

² *Tinker v. Des Moines Independent Community School District*, 393 U.S. 503 (1969)

³ U.S. Const. amend. I

⁴ U.S. Const. amend. XIV

MARYLAND STUDENT COALITION

suppress their voice. Unexcused students are typically not permitted to make up work they missed during their absence, and if they are absent for an extended period, they can be prevented from graduating altogether. While this drastic scenario is very unlikely, it is an affront to the intent behind *Tinker* and detrimental to students seeking to advocate for issues important to them.

Further judicial precedent regarding students' right to freedom of speech was decided in 1986⁵. High School student Matthew Fraser made a speech before six hundred of his peers, nominating a few classmates for elected office. During the speech, he used graphic sexual metaphors resulting in his suspension for two days. The Court held that it was appropriate for the school to prohibit students from using vulgar language, arguing that "lewd speech is inconsistent with the fundamental values of public-school education." Several Justices dissented the opinion of the Court⁶including Justice Marshall, who wrote that "we may not unquestioningly accept a teacher's or administrator's assertion that certain pure speech interfered with education." This established the question, *'What extent do we trust the judgment of the schools to limit speech?'*

One year later, the Supreme Court heard another case about students' right to speech⁷. In this case, a newspaper written and edited by students was censored by the school administration. The students brought the matter to Court, questioning whether the school had the right to delete articles by the students. The Court held that the school did not offend the First Amendment by controlling the content of a "school-sponsored publication." This case also resulted in several Justices' dissenting, including the opinion that "public educators must accommodate some student expressions even if it offends them or offers views or values that contradict those the schools wish to inculcate." This opinion established the question, *'Can the school limit a student's speech if it offends them, or they contradict the school's values?'*

Finally, decades later, in 2007, the Supreme Court heard another case regarding students' right to speech and expression⁸. This case was about a student who was suspended from school after displaying a banner with "Bong Hits 4 Jesus" in front of the school. The school justified their actions because they interpreted the banner as a promotion of illegal drugs. It was also stated that the banner was not shown with the intent for a political demonstration, rather than just an expression of free speech.

Although none of these cases directly pertain to students' assembling and organizing a demonstration on school grounds, they provide essential information concerning the Court's opinions on how the First Amendment applies to students. First, students are protected from repercussions from their school regarding their exercise of free speech off-campus in non-school-affiliated contexts.. However, the school can, and in most cases, will discipline the students for missing class. The State of Maryland must establish protections that allow students to demonstrate on and off school grounds during school hours and ensure school administrations do not exploit attendance policies to suppress students' voices.

⁵ Bethel Sch. Dist. v. Fraser, 478 U.S. 675 (1986)

⁶ Bethel Sch. Dist. v. Fraser, 478 U.S. 675 (1986) (7-2 decision) (Marshall, T., dissenting)

⁷ Hazelwood Sch. Dist. v. Kuhlmeier, 484 U.S. 260 (1988)

⁸ Morse v. Frederick, 551 U.S. 393 (2007)

**COMMON
QUESTIONS**

Liability

Are school systems going to be held liable if an accident were to occur on school grounds? If so, what would that look like?

Students have a reasonable expectation for safety while attending school, and the school has the legal responsibility to ensure the safety of students while on campus⁹. The Supreme Court has also held that a municipality can impose regulations on a demonstration to "create order and safety." This means the school, a public government institution, can impose regulations requiring prior knowledge of an upcoming demonstration to ensure those participating are compliant with standing regulations and operate in a safe, non-conflicting manner. By being granted the right to require prior notice of student demonstrations, the school should incur the responsibility of ensuring the safety of all participants and should be held liable for accidents if student organizers provide reasonable notice.

For demonstrations that occur without providing reasonable notice, the school system should not be held liable for any injuries at a student-led demonstration, but the liability could be held on the student organizers or participants. This means that schools should not prevent spontaneous demonstrations, but they would not assume responsibility for any misconduct or accidents if they have not been provided reasonable prior notice. Students should only be held liable for their safety if they wish to participate in a spontaneous student-led demonstration or assembly.

When provided reasonable notice of an upcoming student demonstration, it is expected that the school should take all reasonable precautions to ensure the safety of all participants. These measures should not limit the speech of demonstrations, but they could limit actions that are illegal or violate other sections of other governing and disciplinary documents.

Who will be overseeing student-led demonstrations?

School systems ought to provide the necessary precautions to ensure safe and orderly demonstrations. This can include having an administrator or faculty member present for the duration of the assembly. Any faculty member(s) involved in the planning of the demonstration should be in attendance and thus should be part of the overseeing of the assembly.

What happens if a student gets hurt while attending a student-led demonstration?

Like all civil cases, it depends on the action. As previously stated, students have a reasonable expectation of safety while in school. If a student were to participate in actions (such as violence, rowdiness, indecent behavior), there is no expectation for the school and school system to be held liable for their actions.

Who is liable for the topic of discussion?

Student organizers who are leading the demonstration should be responsible for the topic of discussion. Furthermore, the school and school system would not be required to endorse the topic

⁹This comes from the legal doctrine of *loco parentis*, which means "in the place of a parent", where there is the legal understanding that if a student is temporarily in the custody of another trusted adult, they are acting in place of a parent and assume all liability over the safety of the student.

STUDENT DEMONSTRATIONS INITIATIVE

of discussion, but they would be permitted to do so.

Who is responsible for cleaning up after the demonstration?

Students should be permitted to distribute literature and other supplemental documents related to the cause of their assembly. However, student organizers would be responsible for adequately discarding such loose-leaf items left behind at the student demonstration. If a participant were to misbehave and commit an act of vandalism involving paint or other hard to remove the substance, student organizers would not be responsible for using paint/substance removing chemicals.

Truancy

How will students be held responsible for skipping class to demonstrate in a planned student-led assembly peacefully?

Students who wish to participate in a planned student demonstration should be marked 'present' for the school day and any class periods that occur during the demonstration. Students should not be subjected to an administrative consequence if they wish to participate in a planned student-led demonstration on school grounds. If a student is denied their right to participate in demonstration or assembly, it should qualify as their freedom of expression and right to peacefully assemble. Any student who wishes to participate in a student-led demonstration should be provided allotted time to complete the assignments they missed while they were exercising their First Amendment rights.

How will students be held responsible for skipping class to demonstrate in a spontaneous student-led assembly peacefully?

Students should not be subjected to an administrative consequence if they wish to participate in a spontaneous student-led demonstration on school grounds. However, it should be the student's responsibility to communicate with their teachers about attending such a demonstration and to request any assignments they miss while they take part in the demonstration. Teachers should provide an allotted time slot for students who miss class

participating in a spontaneous demonstration to make up their missing classwork assignment(s). This can mirror policies regarding students' excused absences established in several states¹⁰. Students who wish to participate in a spontaneous student-demonstration should also be marked 'present' for the school day.

Where are demonstrations allowed to take place?

All student-led demonstrations should take place at the school attended by the organizers, and should only be attended by students at that school. These demonstrations should be on-campus in a safe and open area. These areas may include but are not limited to outside fields, inside the gymnasium, cafeteria, and designated classroom(s).

Are students required to be present for school?

To ensure student safety, students must be marked 'present' for the school day to be allowed to participate in any student-led demonstration. Students who choose to leave school grounds during a student-led demonstration will be subject to potential consequences from their school. These protections must prevent truancy consequences for all planned and spontaneous student-led demonstrations so long as they remain on-campus.

¹⁰ Washington State Legislature. n.d. *WAC 392-401-020: Excused Absences*. <https://apps.leg.wa.gov/wac/default.aspx?cite=392-401-020&pdf=true>.

STUDENT DEMONSTRATIONS INITIATIVE

Can students exploit this bill to get out of school for extended periods?

Both planned and spontaneous student-led demonstrations will require a political motive. Students who wish to organize and participate in such demonstrations must have a reasonable excuse for a public demonstration. Therefore, students cannot utilize this policy to get out of class.

Disruption

While these protections exist to protect the rights of students' demonstrating in school, it should in no way interfere with the learning of students who are not participating. Demonstrations in no way can disrupt the normal operations of the school and shall abide by all other school policies.

What is a disruption?

Disruption is an action that directly interferes with the normal operations of the school. These include¹¹:

1. Gathering in a way that physically hinders entrances to, exits from, or passageways within the campus
2. Gathering in a way that physically hinders the normal flow of pedestrian or vehicular traffic on or to the campus.
3. Creating a volume of noise that interferes with the normal activities of the campus.
4. Employing violence or threat of violence against a group of persons, an individual, or a piece of property.

Disruptions are apparent and require minimal interpretation. If it is preventing others from learning or participating in the daily functions of the school, then it is likely a disturbance. Disturbances can be prevented by the school administrators¹² and may be appealed by the county Ombudsman or similar appellate institutions. If students feel that the school is improperly preventing a demonstration and inappropriately deeming a demonstration as "disruptive," they are encouraged to appeal the decision.

Are there any materials deemed 'disruptive' or 'inappropriate'? If so, what are they, and will they be allowed to be distributed?

Disruptive materials are those that interfere with the operations of the school (i.e., noisemakers, silly string, etcetera) or promote illegal¹³ or inappropriate messages (i.e., drug/alcohol usage, pornography, etcetera). The only exclusion of these inappropriate materials is if these messages have a clear political motive behind their promotion.

¹¹ https://www.fordham.edu/info/21684/university_regulations/3709/demonstration_policy.

¹² Bethel Sch. Dist. v. Fraser, 478 U.S. 675 (1986)

¹³ Morse v. Frederick, 551 U.S. 393 (2007)

Hate Speech

Will hate speech be regulated?

Hate speech should **not** be regulated. Although we strongly condemn all forms of discriminatory and hate-filled speech, it is not the place of the schools¹⁴ to decide to limit the topic of the demonstration. If we allow school administrations to determine what is appropriate and what is not, valid forms of demonstration may be falsely limited.¹⁵

Although hate speech should not be limited, the community needs to recognize and react to hate-filled demonstrations. Although there is no legal definition of hate speech, the United Nations refers to "hate speech" as:

Any kind of communication in speech, writing or behavior, that attacks or uses pejorative or discriminatory language with reference to a person or a group on the basis of who they are, in other words, based on their religion, ethnicity, nationality, race, color, descent, gender or other identity factor.

Hate speech is any form of discrimination against a group, and is commonly motivated against a religion, ethnicity, race, gender, or sexual orientation. While some direct statements of hate speech do not immediately incite violence, they can result in an overall feeling of intolerance and anger that will eventually legitimize acts of hate.

If students participate in a demonstration that promotes hate speech, no disciplinary actions shall be taken by the school but should be a necessary reflection of the change needed in the community to ensure similar demonstrations do not continue to occur.

¹⁴ Snyder v. Phelps, 562 U.S. 443 (2011)

¹⁵ Hazelwood Sch. Dist. v. Kuhlmeier, 484 U.S. 260 (1988) (5-3 decision) (Brennan, W., dissenting)

Why This Concerns The State

The purpose of this proposal is to establish the guidelines and legal parameters for students who wish to engage in civil discourse through the means of peaceful demonstrations in the State of Maryland. Students must have a clearly outlined procedure that explains how they can proceed when they intend to exercise their First Amendment rights on school grounds. This proposal lays out such a framework in which all students in the State of Maryland can freely exercise their First Amendment rights.

Here in the State of Maryland, students have held impactful demonstrations through the means of peaceful protest in just the past few years. On 21 February 2018, Howard County students took to their respective schools' football fields to protest against gun violence and call for reform to gun policies after the mass shooting at Marjory Stoneman Douglas High School in Parkland, Florida. Student climate activists in Howard County have also led demonstrations via a partnership with the Sunrise Movement regarding the growing concerns about climate change. Montgomery County has led the way in progressive policy by proposing revisions to their existing attendance policy that would excuse student absences if they participate in a protest.

However, other counties in Maryland have not been as accommodating for students who wish to participate in peaceful demonstrations. For instance, Anne Arundel County has limited free speech by restricting demonstration and mass protest, as directly outlined in their school handbooks. Students who participate in a demonstration or mass protest can be subject to a three to a five-rate disciplinary consequence, resulting in anywhere from detention to long-term suspension.

It is unacceptable for the State of Maryland to allow local school jurisdictions to deny students their First Amendment rights to demonstrate peacefully without worry of facing repercussions. Beyond the fact that students' rights to free speech and assembly are unalienable, there is also unparalleled education benefit to students being politically and socially engaged in a school setting. The foundation of our education system is to forge the leaders and inspired citizens of tomorrow, and there are few experiences that aid that goal than self-motivated students advocating for the causes important to them. Involvement in these causes teaches untold lessons in government, philosophy, and history with an experiential dimension that is hard to find in a classroom. Further, the necessary skills of planning, negotiation with administration, advertising, and programming are valuable tools for college and career readiness. To enhance the educational value of our schools, it is paramount that we permit students to learn through their right to demonstrate.

Thus, it is to this end, we the students of the State of Maryland strongly advocate that the State of Maryland create protections that:

1. Recognize that institutions of secondary education should facilitate and recommit themselves to protecting the free and open exchange of ideas; and
2. Recognize that freedom of expression and freedom of speech are sacred ideals of the United States that must be vigorously safeguarded for all generations to provide an outlet

STUDENT DEMONSTRATIONS INITIATIVE

- for all to address their grievances in the most substantive manner; and
3. Encourage or compel local Boards of Education to promote policies that foster spirited debate, academic freedom, intellectual curiosity, and viewpoint diversity on the campuses of public secondary schools; and
 4. Encourage or compel the Attorney General of the State of Maryland to defend and protect the First Amendment across the public secondary schools.

REFERENCES

STUDENT DEMONSTRATIONS INITIATIVE

Sources

- The 74 Million. n.d. *Maryland Students Want Excused Absences for Protests — and a Year After They Were Dinged for Post-Parkland Marches, Their School Board Is Poised to Agree.*
<https://www.the74million.org/article/maryland-students-want-excused-absences-for-protests-and-a-year-after-they-were-dinged-for-post-parkland-marches-their-school-board-is-poised-to-agree/>.
- American Civil Liberties Union. n.d. *Can Schools Discipline Students For Protesting?*
<https://www.aclu.org/blog/free-speech/student-speech-and-privacy/can-schools-discipline-students-protesting>.
- American Civil Liberties Union. n.d. *List of Six Student Rights.*
<https://www.aclu.org/blog/juvenile-justice/student-rights-school-six-things-you-need-know>.
- American Civil Liberties Union. n.d. *Students Know Your Rights Presentation*
<https://www.aclu.org/other/students-know-your-rights-presentation>.
- American Civil Liberties Union. n.d. *Students' Rights.*
<https://www.aclu.org/know-your-rights/students-rights/>.
- American Civil Liberties Union. n.d. *Students' Rights: Speech, Walkouts, and other Protests.*
<https://www.aclu.org/issues/free-speech/student-speech-and-privacy/students-rights-speech-walkouts-and-other-protests>.
- American Civil Liberties Union of Maryland. n.d. *Students' Free Speech Rights.*
<https://www.aclu-md.org/en/know-your-rights/students-free-speech-rights>.
- American Civil Liberties Union of Rhode Island. n.d. *'Student Rights: The First Amendment' Pamphlet.*
<http://www.riaclu.org/know-your-rights/pamphlets/student-rights-the-first-amendment>.

MARYLAND STUDENT COALITION

Anne Arundel County Public School System. n.d. *Student Handbook: Page*

31. <https://www.aacps.org/studenthandbook>.

Baltimore County Public Schools. n.d. *Rule 6307: Patriotic Exercises.*

https://www.bcps.org/system/policies_rules/rules/6000Series/RULE6307.pdf.

Baltimore County Public Schools. n.d. *Student Handbook: Pages 5-6.*

<https://www.bcps.org/system/handbooks/Student-Handbook.pdf>.

Bethesda Magazine. n.d. *Despite Elrich's Request, MCPS Won't Excuse Students To Attend Climate Protests.*

<https://bethesdamagazine.com/bethesda-beat/schools/despite-elrichs-request-mcps-wont-excuse-students-to-attend-climate-protests/>.

Fordham University. n.d. Student Handbook, *Demonstration Policy/FAQS,*

https://www.fordham.edu/info/21684/university_regulations/3709/demonstration_policy.

https://www.fordham.edu/info/21684/university_regulations/6564/demonstrations_faq

Foundation for Individual Rights in Education. n.d. *Free Speech in High School.*

<https://www.thefire.org/get-involved/student-network/learn-more-about-your-rights/free-speech-in-high-school/>.

National School Boards Association. n.d. *Legal Coercion, Conscience, And The First*

Amendment: A Legal Guide for Public Schools on the Regulation of Student and Employee Speech First Amendment.

<https://www.nsba.org/-/media/NSBA/File/legal-coercion-conscience-and-the-first-amendment-guide.pdf>.

National School Boards Association. n.d. *Navigating Student Walkouts & Mass Protests.*

https://cdn-files.nsba.org/s3fs-public/reports/Student_Protest_Guidance_Report.pdf?uDSiFTRFtDrCDS1Om9rXvsD7CSUR27OA.

STUDENT DEMONSTRATIONS INITIATIVE

NBC Washington. n.d. *Dozens of Prince George's Co. Students Walk Out of Class in Protest, 1 Arrested.*

<https://www.nbcwashington.com/news/local/dozens-of-students-walk-out-of-prince-georges-county-schools/89193/>.

Seattle Public Schools. n.d. *Policy No. 3223: Freedom of Assembly.*

https://www.seattleschools.org/UserFiles/Servers/Server_543/File/District/Departments/School%20Board/Policies/Series%203000/3223.pdf.

Seattle Public Schools. n.d. *Student Rights.*

https://www.seattleschools.org/district/district_quick_facts/initiatives/student_rights.

TIME. n.d. *Here's What Happened When the Supreme Court Ruled on Whether Students Can Protest*

During School. <https://time.com/5171160/gun-control-student-protest-history/>.

United Nations. n.d. *Strategy and Plan of Action on Hate Speech.*

<https://www.un.org/en/genocideprevention/documents/UN%20Strategy%20and%20Plan%20of%20Action%20on%20Hate%20Speech%2018%20June%20SYNOPSIS.pdf>.

Washington Post. n.d. *Proposed Montgomery County Schools Policy Would Excuse Absences For Protests.*

https://www.washingtonpost.com/local/education/proposed-montgomery-county-schools-policy-would-excuse-absences-for-protests/2018/11/23/a709a1ac-ece8-11e8-baac-2a674e91502b_story.html.

Washington State Legislature. n.d. *WAC 392-401-020: Excused Absences.*

<https://apps.leg.wa.gov/wac/default.aspx?cite=392-401-020&pdf=true>.

Weissler, Hannah. n.d. *"Tinkering" with Student Rights: School Walkouts and the Implications of Discipline Practice and Policy on Students' Right to Protest.* Claremont Graduate University.

MARYLAND STUDENT COALITION

Special Thanks To

Howard County Public School System Central Office:

Ms. Cindy Drummond, *Howard County Association of Student Councils Advisor*;
Mr. James LeMon, *Executive Director of Community, Parent, and School Outreach*;
Dr. Cherise Hunter, *Policy Manager and Charter School Liaison*;
Dr. Kendra Johnson, *Community Superintendent (Area 3)*.

Maryland Youth Advisory Council (“MYAC”):

Mr. Ian Herd, *Fmr. Chair of MYAC (Fmr. Student Member of the Board (Charles County))*;
Ms. Christina Drushel Williams, *Advisor to the Maryland Youth Advisory Council*.

Maryland Department of Legislative Services:

Office of Policy Analysis;
Staff of Delegate Jen Terassa.

Student Education Advocates:

Olivia Le, *Anne Arundel County*;
Carmelli Leal, *Baltimore County*;
Rosalind Marfo, *Baltimore County*;
Ian Herd, *Charles County*;
Jarret Miller, *Garret County*;
Grace Herron, *Harford County*;
Helena Aytenfisu, *Montgomery County*;
Maeve Sanford-Kelly, *Montgomery County*;
Judy Nguyen, *St. Mary’s County*;
Aisling Nay, *Wicomico County*.

Howard County Association of Student Councils, State Legislative Affairs Committee:

Mr. Julian Amaya, *Former Member of the [State] Legislative Affairs Committee (HCASC)*;
Mr. Peter Banyas, *Former Member of the [State] Legislative Affairs Committee (HCASC)*;
Ms. Neha Dinesh, *Current Chair, Legislative Affairs Committee (HCASC)*;
Ms. Olivia Powell, *Former Member of the [State] Legislative Affairs Committee (HCASC)*.

Support for HB0753

Organizations:

Maryland Youth Advisory Council (“MYAC”);
Howard County Association of Student Councils (“HCASC”);
Montgomery County Regional Student Government Association (“MCR-SGA”);
Maryland Association of Student School Board Members;
Howard County Board of Education (w/ Amendments);
Prince George’s County Board of Education (w/ Amendments);
Montgomery County Board of Education (w/ Amendments);
Maryland State Education Association (w/ Amendments);
Maryland Coalition to Reform School Discipline (“CRSD”) (w/ Amendments).

Public Officials:

Kirsten Coombs, *Former Member of the Howard County Board of Education (2016-2020).*
Sabina Taj, *Former Member of the Howard County Board of Education (2018-2020).*
Hans Reimer, *Councilman, Montgomery County*
Lynne Harris, *Member of the Montgomery County Board of Education*
Elizabeth Walsh, *Chair, Howard County Council*
Christiana Rigby, *Councilwoman, Howard County*
Eric Luedtke, *Majority Leader of the House of Delegates*

Example Policy

The purpose of this proposal is to establish the parameters by which students have the right to engage in civil discourse through the means of peaceful demonstrations.

Policy Statement

The State of Maryland is committed to providing an educational system which enables students to constructively express their rights to speech and assembly. The State believes that defined means through which to foster student activism in the school setting is conducive to the development of students as informed and engaged members of society.

The State believes in effective student voice practices which are designed to elevate student activism and participation through civil discourse. To this end, the State's student demonstration proposal sets forth the encouragement of student voice practices to engage the student body population in a way that is fair, equitable, and consistent.

Purpose

The purpose of this proposal is to establish the parameters by which students have the right to engage in civil discourse through the means of peaceful demonstrations.

Definitions

Within the context of this proposal, the following definitions apply:

Student Demonstration - An organized assembly of students peacefully expressing a position with the aim of raising awareness or advocating for change from the status quo.

Peaceful Protest - A form of organized assembly in which the intended purpose is to bring attention to an issue unique to the body of individuals participating in the demonstration.

Civil Discourse - Engagement in conversation intended to enhance understanding of a situation.

Disruption - An action that directly interferes in the operations of the school.

Liability - The State of being responsible for something, especially by law.

Hate Speech - Any kind of communication in speech, writing or behavior, that attacks or uses pejorative or discriminatory language with reference to a person or a group based on who they are.

Spontaneous - A demonstration that did not provide previous notice to the school administration.

Student Activism - Work by students to cause political, environmental, economic, or social change.

Student Organization - A student run group on school grounds that is established, ran, and comprises current students at the school.

Ombudsman - An official appointed to investigate individuals' complaints against maladministration.

Third Party - An organization or entity unaffiliated with the public-school system.

STUDENT DEMONSTRATIONS INITIATIVE

Truancy - The intentional, unjustified or unauthorized absence from compulsory education by a students' own free will.

Standards

This proposal applies to all students while on school property, during a school-related activity, and/or otherwise subject to the authority of the public-school system. This includes, but is not limited to, school buses, bus stops, school-sponsored events, field trips, athletic functions, and any other activity where school administrators have jurisdiction over students.

The Maryland State Guidelines for Code of Discipline will establish the standards for student behavior and disciplinary consequences for violations of those standards.

No matter the protest, all members of the community are expected to conduct themselves with personal integrity and respect for the rights, differences, and dignity of others.

A student or student-led group of the school must be the designated organizer for the event.

No third-party group should enter school grounds for the protest

Third party provided resources are permitted, however, they must be reviewed and approved by the designated administrator or teacher before distributed at the protest.

The organizer(s) must meet with the school administration to coordinate the planned event and is encouraged to schedule this meeting well in advance. The planned demonstration may be scheduled no fewer than two school days after this meeting. The meeting will be to review the details of the proposed demonstration which includes but is not limited to proposed time, place, manner and planned size. If the organizer(s) plans the event on behalf of a recognized club or organization, an advisor to the club or organization shall attend this meeting as well.

Administration must provide for students the right to choose the means of protest.

Except in the case of a safety risk or other infringement of the school code of conduct policy, the administration shall approve a demonstration on any other grounds.

The timing and length of the planned demonstration shall be decided through negotiation between the student organizers and the administration, in the same way as all other details.

In the situation whereby the school administration opposes the student demonstration, the student representative(s) have the right to appeal this decision in accordance with local Ombudsman Policy.

The school administration is required to communicate with staff members about the demonstration(s) being organized no less than one day in advance.

Faculty are not allowed to punish students who wish to participate in demonstrations approved by the school administration.

Academic work makeup is up to the discretion of the local school system.

MARYLAND STUDENT COALITION

It is the student or student organization's responsibility to garner support, not that of the school, school staff, or the administration.

The school and/or administration as well as the public-school systems assumes no responsibility or endorsement of the demonstration.

In accordance with the Annotated Code of Maryland, Education Article, Section 26-101, a person cannot disturb the regular and orderly conduct of activities, administration, or classes.

If a planned demonstration or the actions of the demonstration are not in accordance with this proposal, any referenced policy, or the plan decided upon between the students and administration (and potentially the community superintendent and/or any other ombudsman), disciplinary actions may be sought out in pursuance with the Maryland Guidelines for a State Code of Discipline.

Should an emergency transpire that would risk the safety of students and staff during the planned demonstration, the public school system reserves the right to postpone the demonstration to a later date to be agreed upon in the same planning meeting method (see 4.)

If there is to be an unorganized demonstration held due to a quickly sparked matter, students may still exercise their right to assembly but with the risk of disciplinary action taking place.

Responsibilities

The Superintendent/Designee will ensure staff receives training and resources necessary to implement this proposal.

The Superintendent/Designee will notify all school administrators annually of any provisions that may occur with this proposal.

The Superintendent/Designee will ensure students, parents, school security personnel, and staff members are notified of any provisions that take place in this proposal.

Students will comply with all school rules and procedures and will exhibit the expected student behaviors delineated in the Maryland Guidelines for a State Code of Discipline.

STUDENT DEMONSTRATIONS INITIATIVE

Draft Resolution

A Resolution Concerning:

Public Secondary School Students' Rights to Peacefully Assemble and Demonstrate on School Grounds and During School Hours

FOR the purpose of recognizing the rights of the student body to exercise their First Amendment right to demonstrate through the means of peaceful assembly on school property, during school hours in the State of Maryland.

WHEREAS, the First Amendment of the Constitution of the United States provides protection of the people to exercise their inalienable right to freedom of speech, assembly, and redress; and

WHEREAS, in *Tinker v. Des Moines Independent Community School District*, 393 U.S. 503 (1969), the Supreme Court of the United States held that "First Amendment rights are available to teachers and students, subject to application in light of the special characteristics of the school environment." and that "a prohibition against expression of opinion, without any evidence that the rule is necessary to avoid substantial interference with school discipline or the rights of others, is not permissible under the First and Fourteenth Amendments."; and

WHEREAS, there have been several instances across the state of Maryland, where local school systems have limited students ability to demonstrate through inappropriate punishment and suppressive measures such as in-school and out-of-school detention and suspension; and

WHEREAS, few school systems in the state of Maryland currently have policies outlining the procedure of organizing such demonstrations, resulting in confusion by school administrators and student participators on liability, responsibility, and the definition of "disruption"; and

WHEREAS, a coalition of students from varying counties and school systems across the state of Maryland have called for immediate state-wide action; and

WHEREAS, with the clarity of the applicable legal precedent and the vital importance of protecting public schools in the state of Maryland as true marketplaces of ideas; be it

RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND, recognizes that

institutions of secondary education should facilitate and recommit themselves to protecting the free and open exchange of ideas; and be it further

RESOLVED, That the Maryland General Assembly recognizes that freedom of expression and freedom of speech are sacred ideals of the United States that must be vigorously safeguarded for all generations to provide an outlet for all to address their grievances in the most substantive manner; and be it further

RESOLVED, That the Maryland General Assembly encourages local Boards of Education to promote policies that foster spirited debate, academic freedom, intellectual curiosity, and viewpoint diversity on the campuses of public secondary schools through means of peaceful demonstrations; and be it further

MARYLAND STUDENT COALITION

RESOLVED, That the Maryland General Assembly encourages the Attorney General of the State of Maryland to defend and protect the First Amendment across the public secondary schools of Maryland.

**SUPPORTING
DOCUMENTS**

Major Points

We propose a uniform state bill that sets a baseline for regulations regarding students' right to demonstrate. While jurisdictions may extend or complement these regulations, this bill is intended to set comprehensive requirements that will ensure students' rights are protected.

The Bill Must:

- 1) Outline provisions for who is liable depending on factors such as prior notice and student behavior.
 - a) Students have an obligation to notify school officials in advance of a planned demonstration
 - i) In cases where students provide prior notice of planned demonstrations, the school or school system becomes liable for the safety of students within reason (controllable and foreseeable situations)
 - ii) Local schools and jurisdictions can impose specific time requirements for prior notification
 - iii) For demonstrations that occur without providing reasonable notice, the school or school system is not held liable for the occurrences at the demonstration.
 - (1) Instead, students are liable for their own safety
 - (2) However, schools may not prohibit spontaneous demonstrations so long as they have a clear political or social motive
 - iv) When notified of an upcoming demonstration, the school should take all reasonable precautions to ensure the safety of all participants without limiting the speech of participants
 - b) Who is liable for the topics discussed at demonstrations?
 - i) Students are liable for the topic of discussion. the school and school system would not be required to endorse the topic of discussion, but they would be permitted to do so.
- 2) Outline regulations for truancy and absences during student demonstrations
 - a) Students who participate in planned student demonstrations must not be marked absent for the school day or individual classes
 - b) Students who participate in spontaneous demonstrations must have opportunities to make up work they missed during the demonstrations
 - c) Students must be marked "present" for the school day to be allowed to participate in a student-led demonstration
- 3) Set boundaries for where demonstrations may take place
 - a) All student-led demonstrations must take place at the school attended by the organizers, and should only be attended by students at that school.
 - b) Demonstrations must be on-campus and in a safe and open area
- 4) Set parameters for demonstrations in that they must have a clear political or social motive
- 5) Prevent faculty from punishing students who wish to participate in demonstrations.

STUDENT DEMONSTRATIONS INITIATIVE

- 6) Allow for students to be the designated organizer of any planned demonstration.
- 7) Prohibit student demonstrations from being a source of disruption.
 - a) Students are refrained from blocking emergency exits and causing disruption in classrooms for non-participants.
 - b) If either of the above is violated, students will be individually held accountable at the discretion of the respected school administration.
 - c) The student organizers of the demonstration will not be held accountable unless they took direct part in the obstruction or disruption.
- 8) Reserve the right for the public school system to postpone demonstrations due to an emergency or inclement weather.
- 9) State that hate speech is not directly prohibited as a topic of student demonstrations
- 10) All students are expected to conduct themselves with personal integrity and respect for the rights, differences, and dignity of others.

Legislative Language

AN ACT concerning

Education – Student–Organized Peaceful Demonstrations – Student Discipline and Policy

FOR the purpose of prohibiting a public school from prohibiting a student from organizing or participating in a student–organized peaceful demonstration or imposing certain limits on a student’s right to free speech during a certain demonstration, subject to certain limitations; authorizing a public school to impose certain limitations on a student–organized peaceful demonstration under certain circumstances; prohibiting a public school from disciplining a student for engaging in a student–organized peaceful demonstration under certain circumstances; prohibiting a school from imposing a disciplinary action on a certain student that is greater than the consequence for an unlawfully absent student under certain circumstances; requiring each county board of education to develop a certain written policy; providing for the application of this Act; defining a certain term; and generally relating to student–organized peaceful demonstrations and student discipline.

BY adding to

Article – Education

Section 7–312

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

[HOUSE/SENATE] BILL [#]

Article – Education

7–312.

(a) (1) in this section, “student–organized peaceful demonstration” means a nonviolent demonstration intended to express the viewpoint of a student.

(2) “student–organized peaceful demonstration” does not include a demonstration that incites a student to:

(i) create create a clear and present danger to the health, safety, or welfare of the school community; or

(ii) commit an unlawful or dangerous act.

(b) this section applies to a student–organized peaceful demonstration that occurs:

STUDENT DEMONSTRATIONS INITIATIVE

- (1) on school property;
 - (2) at a school–sponsored activity or event; or
 - (3) on a school bus.
- (c) (1) subject to paragraph (2) of this subsection, a public school may not:
- (i) prohibit a student from organizing or participating in a student–organized peaceful demonstration; or
 - (ii) impose limits that substantially inhibit a student’s right to free speech while participating in a student–organized peaceful demonstration.
- (2) a school may impose reasonable limitations on the time and place of a student–organized peaceful demonstration in order to:
- (i) protect the health, safety, and welfare of students and school personnel; and
 - (ii) minimize disruption to the educational environment.
- (d) a public school may not discipline a student for organizing or participating in a student–organized peaceful demonstration if:
- (1) the school administration is notified of a student’s intent to engage in a student–organized peaceful demonstration at least 48 hours within a reasonable amount of time in advance of the demonstration; and
 - (2) the student complies with the written policy established under subsection (f) of this section.
- (e) if a student does not comply with the requirements of subsection (d) of this section, a school may not impose a disciplinary action on the student that is greater than the consequence for an unlawfully absent student.
- (f) (1) each county board shall develop a written policy regarding student–organized peaceful demonstrations.
- (2) the policy developed under paragraph (1) of this subsection:
- (i) shall include guidelines for the:
 - 1. time and place of a student–organized peaceful demonstration; and
 - 2. manner of expression by a student participating in a student–organized peaceful demonstration;
 - (ii) shall define what constitutes:
 - 1. reasonable requirements limiting the time and place of a student–organized peaceful demonstration; and
 - 2. reasonable guidelines for the time, place, and manner of expression by a student engaging in a student–organized peaceful demonstration; and

MARYLAND STUDENT COALITION

(iii) notwithstanding the provisions of subsections (c) and (d) of this section, may include limitations on language that has the intent to harass, threaten, or intimidate other people.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 31 1, 2021.

**END OF
DOCUMENT**

CONTACT:
marylandstudentcoalition@gmail.com

Students.pdf

Uploaded by: Jon DiPietro

Position: FAV

HB 495 TESTIMONY:
Student



MARYLAND STUDENT COALITION

2022 Legislative Session

About Our Organization:

The Maryland Student Coalition (MSC) is an advocacy group comprised of secondary and post secondary school students working together to create and advocate for effective and equitable education policy.

MSC Leadership:

Jonathon T. DiPietro
Director

Hunter P. Craig
Deputy Director

Christopher D. Lidard
Associate Director

Lauren A. Raskin
Associate Director

Vinay K. Khosla
Associate Director

MSC Senior Associates:

Olivia Le (Anne Arundel County)
Maja Durkovic (Baltimore County)
Kyle Abosch (Cecil County)
Harshia Bhagat (Howard County)
Neha Dinesh (Howard County)
Noah Hanssen (Howard County)
Julia Littlefield (Howard County)
Chikamara Obioha (Howard County)
Sidd Shah (Howard County)
Elani Bui (Montgomery County)SB116
Senior Associates

marylandstudents.org

About this Document:

This document is a compilation of testimony collected and presented on the previously introduced 2021 version of the same bill, House Bill 753. This package contains relevant testimonials in favor of the current iteration of the Student Demonstrations Initiative, House Bill 495.

Additional questions can be directed to marylandstudentcoalition@gmail.com or you can visit our website at marylandstudents.org.

Testimony Package:

‘C’

**Students
and
Community Members**

Maryland Student Coalition

PACKAGE 'C'

Contents:

Number	Name	Description
1	Abby Stafford	Student (Montgomery County)
2	Aisling Nay	Student - <i>Division 8 Liaison of the Maryland Association of Student Councils ("MASC")</i>
3	Alex Horn	Student - <i>Political Director of the Howard County Young Democrats</i>
4	Andrew Sojka	Student (Montgomery County)
5	Anthony Duan	Student - <i>Legislative Affairs Coordinator, Howard County Association of Student Councils ("HCASC")</i>
6	Cacey Williams	Student - <i>Student Organizations Committee, Howard County Association of Student Councils ("HCASC")</i>
7	Carmelli Leal	Student - <i>President of the Maryland Association of Student Councils ("MASC")</i>
8	Christian Thomas	Student
9	Ember Carrera	Student (Frederick County)
10	Henry Meiser	Student (Saint Mary's County)
11	Jamie Han	Student - <i>President of the Carol County Student Government Association ("CCSGA")</i>
12	Jesse Harris	Student - <i>Chief of Staff of the Maryland Association of Student Councils ("MASC")</i>
13	Judy Nguyen	Student - <i>President of the Saint Mary's Association of Student Councils ("SMASC")</i>
14	Julia Littlefield	Student - <i>Activist</i>

Maryland Student Coalition

15	Keeri Venkat	Student
16	Kevin Bokoumb	Student - <i>Student Member of the Washington County Board of Education</i>
17	Kyle Abosch	Student - <i>President of the Cecil County Council of Student Councils (“CCCSC”)</i>
18	Lauren Perl	Student (Montgomery County)
19	Maja Durkovich	Student (Baltimore County)
20	Megan Williams	Former HCPSS Student - <i>President of Howard County Young Democrats</i>
21	Noah Hanssen	Former HCPSS Student - <i>Secretary of Howard County Young Democrats</i>
22	Peter Banyas	Student - <i>Legislative Affairs Coordinator, Howard County Association of Student Councils (“HCASC”)</i>
23	Phoebe Chambers	Student (Montgomery County)
24	Riley Macon	Student - <i>Activist</i>
25	Rosalind Marfo	Student - <i>Maryland Youth Advisory Council (“MYAC”); Legislative Affairs Coordinator for the Baltimore County Student Councils. (“BCSC”)</i>
26	Sabrina Thaler	Student (Baltimore County)
27	Shreyas Ramulu	Student (Howard County)
28	Sophia Brandt	Student (Montgomery County)
29	Sophia Porter	Student - <i>Student Member of the Cecil County Board of Education</i>
30	Thalia Harris	Student
31	Thomas Foulkes	Student - <i>President of the Calvert Association of Student Councils (“CASC”)</i>
32	Thomas Williams	Former Student (Howard County)
33	Toluwanimi Dapo-Adeyemo	Student (Charles County)

Maryland Student Coalition

34	Trevor Norton	Former Student (Howard County)
35	Vinay Khosla	Student - <i>Legislative Affairs Coordinator of the Baltimore County Student Councils ("BCSC")</i>

*Please Note: Additional Organizations have supported this initiative, but did not submit written testimony in time to be filed with this package.

Please inquire for further information by contacting: jonathon.dipietro1@gmail.com

February 12, 2021

TO: Members of the Ways and Means Committee; Maryland House of Delegates

FROM: Abby Stafford, abbystafford2017@gmail.com, 240-252-9910
20406 Honeycrisp Lane, Apt F Germantown, MD 20876

RE: House Bill 753: Education - Student-Organized Peaceful
Demonstrations - Student Discipline and Policy

POSITION: **In Favor**

Chair Kaiser, Vice Chair Washington, and Members of the Committee, I am writing as a student from Montgomery County in favor of House Bill 753.

The right of students to demonstrate on school grounds without fear of consequence is the only way to fulfill our constitutional right to freedom of speech. The passing of this bill would amplify student voices and recognize the importance of peaceful demonstration. It serves as our civic responsibility to stand up for the causes that are worth fighting for.

Our constitutional right to demonstrate should not be taken away simply because we are students at a public school. Peaceful demonstrations, on the grounds of school property especially, have been a powerful and effective tool to ensure that our voices cannot be ignored. I attended a student-organized walkout advocating for gun control in middle school, and became aware that many students who cared about the cause were too scared about consequences to stand up for their own safety. This is exactly why we, as students, need to be allowed our right to peaceful demonstrations.

For the reasons stated above, I strongly urge the committee to issue a favorable report on House Bill 753.

February 12, 2021

TO: Members of the Ways and Means Committee; Maryland House of Delegates

FROM: Aisling Nay, aislingnay@gmail.com, (443)-859-5804
5530 Abbey Ln Salisbury, MD 21801

RE: House Bill 753: Education - Student-Organized Peaceful
Demonstrations - Student Discipline and Policy

POSITION: In Favor

Chair Kaiser, Vice Chair Washington, and Members of the Committee, I am writing as a Student from Wicomico County, in favor of House Bill 753.

The ratification of House Bill 753 allows for public school students to engage in peaceful, organized demonstrations, without repercussions. When students are not faced with the fear of being punished by administrative seniors, they are more apt to use their voice, and speak out in favor of the peaceful demonstration. When doing so, students become more confident, and secure with their words. Students must be given the right to assemble, not only to build relationships and leadership skills, but also to create an impactful presence. There is strength in numbers.

As a student leader from the rural, underdeveloped, and under-resourced Eastern Shore of Maryland, I am a first hand recipient of the lacking leadership in my region. Many is a time I have shared public comment not only to the Wicomico County Council, but as well to the Wicomico County Board of Education, stressing the importance of a Student representative to sit on the local Board of Education. Without my persistent testimony, a regional leadership council would not have been created within my county. My student voice was not prohibited, allowing me to develop stronger leadership skills, just as the ratification of House Bill 753 would too.

For the grounds I have stated my testimony on, I urge the committee to supply a favorable report on House Bill 753.

February 12, 2021

TO: Members of the Ways and Means Committee; Maryland House of Delegates

FROM: Alex Horn

RE: House Bill 753: Education - Student-Organized Peaceful Demonstrations - Student Discipline and Policy

POSITION: **In Favor**

Chair Kaiser, Vice Chair Washington, and Members of the Committee, I am writing as a student from Howard County, in favor of House Bill 753.

With the recent wave of youth, and especially student activism, student demonstrations and protests have proved paramount to any successful societal or political reform. There are thousands of people across history leading the way for social justice, from the Civil Rights movement of the '60s to the Anti-Vietnam War movement to movements for democracy and self-determination across the world, students have always been at the forefront of activism. More recently, students have led movements like March for Our Lives, Sunrise Movement, and Black Lives Matter, and these movements have seen tremendous success in part because of young people's involvement. HB0753 aims to allow students greater opportunity to use their voice for positive change and social action. The voice of students cannot be hindered, it should only be encouraged. Students should be allowed and encouraged to bring activism and advocacy to their school, as it serves as a great learning opportunity and has a conduit for a life in advocacy.

For the reasons stated above, I urge the committee to issue a favorable report on House Bill 753.

Thank you.

February 12th, 2021

TO: Members of the Ways and Means Committee; Maryland House of Delegates
FROM: Andrew Sojka, 631-745-5759, andrewsojka2021@gmail.com
19405 Dry Seneca Ct, Poolesville, MD, 20837
RE: House Bill 753

POSITION: In Favor

Chair Kaiser, Vice Chair Washington, and Members of the Committee, I am writing as a student from Montgomery County, in favor of House Bill 753.

Advocacy is the foundation of our democracy. We have seen this time and time again throughout American history, from the March on Washington and Freedom Rides; Occupy Wall Street, People's Climate March, and Black Lives Matter protests, young people have continuously championed causes they believe in. Within all these movements lies a common denominator- a link that lies between each and every one. Institutions of learning acted as epicenters for organization and change. From being where club meetings took place to where marches started and ended, schools have cultivated some of the most essential movements in American history. When they didn't have the ability to go to courthouses or organize in the streets, students needed schools to be a place where their voices and actions could be seen and heard. For this reason, students need to have the ability to exercise their voice in a school setting.

As a student advocates myself, I have spent many hours participating in civic engagement endeavours myself. As a youth representative of the Black and Brown Coalition for Educational Equity, I have worked closely with my local chapter of the NAACP and minorities scholars program to organize sit ins for the sake of achievement of educational equity. And as founder and director of Si Podemos, a coalition of students across the DMV regions which champion for comprehensive immigration reform, I have worked closely with organizations such as the ACLU and Casa De Maryland to advocate for the passage of immigrant justice bills in the Maryland General Assembly. Taking action for the things in which I believed in was not only a fulfilling and educational experience, but one that I will remember and draw upon for the rest of my life.

It is for these reasons I mentioned above I urge you to issue a favorable report on HB0735.

February 12, 2021

TO: Members of the Ways and Means Committee; Maryland House of Delegates

FROM: Anthony Duan, duan.anthony@gmail.com
12th Grade - Centennial High School

RE: House Bill 753: Education - Student-Organized Peaceful Demonstrations
Student Discipline and Policy

POSITION: **In Favor**

Chair Kaiser, Vice Chair Washington, and Members of the Committee, I am writing as a student from Howard County, in favor of House Bill 753.

Tinker v Des Moines made clear that the right to protest could never be stopped, no matter the age or location of the demonstrators, except on private property. The schools belong to all of us -- and they must be politically permissive within reason to truly be so, for else they would become the restrictive territory of one single faction -- and if we students are to truly enjoy our democratic rights, then we must be free to point them out where they can have the biggest impact -- school.

Education offers us freedom of association -- our friends are their, our audience and our support. Where else can we unite to fight for the causes that matter to us -- be they action on climate, on gun control, on BLM or the rights of Muslims in Asia? And they truly do matter: we are citizens too, with ideas and interests of our own. Let us speak. And let us speak in school. If we can demonstrate in the streets, why are the buildings off-limits if we are not forcing any of our peers to join in? Yet there has to be a standard here because we cannot otherwise guarantee that administrators are free of political bias -- what if they suggest that a position they disagree with is merely an illegitimate one? An objective, predetermined standard is enough to rule out instances of inappropriate behavior, as well as extremism. Why should we need anything more? This way, it cannot be held at the whim of anyone -- even an administrator who attempts to be neutral but does not have a guide to do so, for which this standard gives the guide. Yet ultimately, liberal or socialist, progressive or conservative, we must have the right to speak out. And yes, that includes at school -- the best way to spread our message, as free speech is intended to do, and the best way to join a movement (with peers). We may, unlike adults, be restricted in where we can go at what time, but hopefully protests in schools will, if permitted, compensate for this difficulty.

For the reasons stated above, I urge the committee to issue a favorable report on House Bill 753.

February 12, 2021

TO: Members of the Ways and Means Committee; Maryland House of Delegates

FROM: Cacey Williams, caceymontelwilliams@gmail.com, 240-608-8463
9205 Traders Crossing suite L laurel,MD 20723

RE: House Bill 753: Education - Student-Organized Peaceful
Demonstrations - Student Discipline and Policy

POSITION: In Favor

Chair Kaiser, Vice Chair Washington, and Members of the Committee, I am writing as a student from *Howard County*, in favor of House Bill 753.

As a candidate for the student member of the board of Howard County, it is of the utmost importance that I make all voices heard. This bill is very important to me because it allows universal rights for students to demonstrate on school grounds without fear of consequence. Elevates student voices and recognizes the importance of peaceful demonstration. Serves an important educational experience; civic responsibility.

For the reasons stated above, I urge the committee to issue a favorable report on House Bill 753.

February 12, 2020

TO: Members of the Ways and Means Committee; Maryland House of Delegates
FROM: Carmelli Leal, carmelli.leal@gmail.com, (443) 846-2409,
5220 Torrington Circle, Rosedale, MD 21237
RE: House Bill 753: Education - Student- Organized Peaceful Demonstrations
Student Discipline and Policy

POSITION: In Favor

Chair Kaiser, Vice Chair Washington, and Members of the Committee, I am writing as a student from Baltimore County, in favor of House Bill 753. I attend Eastern Technical High School as a 12th grader, and I am a voting constituent of Maryland's 8th legislative district.

Throughout history, it has been the voices of youth that are pushing for necessary change at the frontlines of global movements whether it be the climate crisis, civil rights and racial injustice, school safety, or even just the right to vote and have voices in our own education through our student members of boards of education. This bill is paramount to creating universal standards within Maryland that allow youth to partake in change-making in a way that is fair and safe for all parties involved.

Students have and will continue to demonstrate peacefully regardless of whether or not this bill passes. However, the passing of this bill allows for students to know that their legislators are on their side. This bill means that students can stand up for injustice when they see it and know that they won't be unjustly punished for their actions. Schools have historically been a hub for student activism and empowerment even longer than *Tinker v. Des Moines*. This right must be preserved.

More than empowerment, these peaceful demonstrations can educate students on what appropriate civic action can look like. In fact, here in the state of Maryland, we mandate civic education in our public schools. The Code of Maryland Regulations (COMAR) states the following, "Students shall inquire about the historical development of the fundamental concepts and processes of authority, power, and influence with particular emphasis on civic reasoning in order to become informed,

responsible citizens, engage in the political process, and contribute to society,” under *Sec. 13a.04.08.01. Requirements for Social Studies Instructional Programs for Grades Pre Kindergarten — 12* in clause D.

In my freshman year during my AP US Government and Politics class, I learned that demonstrations were integral to resonating with the public as a whole and driving political change. Allowing students to partake in these peaceful demonstrations enables them to take hold of their civic responsibility in the most impactful way possible and in the safest way possible in our school buildings.

Additionally, the youth turnout rate for ages 18-29 within the United States for the 2018 midterm elections was only 35.6%, and these youth votes only made up 13.8% of the electorate according to the United States Census Bureau. This is because the youth often feel so disconnected from the political process. They feel as if their voices don't matter. This bill will show students that their voices matter and propel them into embracing other forms of good citizenship as well.

Eastern Technical High School has had our fair share of peaceful student demonstrations. Thankfully, our administration has generally been supportive of our student advocacy regarding racial injustice, mental health, and school safety. Not every student is this fortunate, and not every adult understands the value of students feeling empowered to use their voices.

When students feel empowered, they can become an advocate for themselves in their personal lives and in their own education leading them to perform better in the classroom. When students feel empowered, they have better self-esteem and mental health. When students feel empowered, they are better prepared for the real world ahead of them, and they are one step closer to being the globally competitive young adults that we all know they can be. After all, isn't that what school is for?

Therefore, I call for the committee to issue a favorable report on House Bill 753 and empower student voices.

February 12, 2021

TO: Members of the Ways and Means Committee; Maryland House of Delegates

FROM: Christian Thomas, CThomas12225@gmail.com, 443-825-7609, 2806 Singer Woods Drive Abingdon MD 21009

RE: House Bill 753: Education - Student-Organized Peaceful Demonstrations - Student Discipline and Policy

POSITION: **In Favor**

Chair Kaiser, Vice Chair Washington, and Members of the Committee, I am writing as a student from Baltimore County, in favor of House Bill 753.

This bill is imperative for allowing universal rights for students to demonstrate on school grounds without fear of consequence, elevating student voices when they are often left unheard, and recognizing the importance of encouraging peaceful demonstration. It enables students to participate in an amazing educational experience, respond to their civic responsibility, and truly have an influence in making change.

Coming from a school district in which many school protests are organized in response to outrageous acts by students and staff, I have truly found the experiences both educational and fundamental in my understanding of society. If students are restrained from such acts, how are we to develop as assertive members in society? How are we to stand against the injustices of our world, as the many themes in our English classes and focuses in our social studies courses task us to do?

For the reasons stated above, I urge the committee to issue a favorable report on House Bill 753.

February 12, 2021

TO: Members of the Ways and Means Committee; Maryland House of Delegates

FROM: Ember Carrera, embercarrera@gmail.com, (240)457-8087
2722 Thurston RD, Frederick, MD 21704

RE: House Bill 753: Education - Student-Organized Peaceful
Demonstrations - Student Discipline and Policy

POSITION: In Favor

Chair Kaiser, Vice Chair Washington, and Members of the Committee, I am writing as a student from Frederick County, in favor of House Bill 753.

As students, it is important that our political efficacy is nurtured. Around the country our elections have low voter turnout. Do get the people in the government of the people we need to have opportunities to see change when we are still school aged. The bill allows universal rights for students to demonstrate on school grounds without fear of consequence. Additionally, it elevates student voices and recognizes the importance of peaceful demonstration. Finally, it serves an important educational experience; civic responsibility.

For the reasons stated above, I urge the committee to issue a favorable report on House Bill 753.

February 12, 2021

TO: Members of the Ways and Means Committee; Maryland House of Delegates

FROM: Henry Meiser, henry.meiser@gmail.com, (240)-925-0600,
14286 Solomons Island Road South Solomons, Maryland 20688-0651

RE: House Bill 753: Education - Student-Organized Peaceful Demonstrations -
Student Discipline and Policy

POSITION: In Favor

Chair Kaiser, Vice Chair Washington, and Members of the Committee, I am writing as a Student from Calvert County, submitting written testimony in favor of House Bill 753.

House Bill 753 allows the student voice to be heard. Currently, if a student, or group of students, decide upon peacefully protesting, they could be penalized for doing so. The First Amendment of the U.S. The Constitution states that “Congress shall make no law ... abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble. This fundamental right of United States citizens applies to all of its constituents, including students. If passed, House Bill 753 will allow students to peacefully congregate, without the fear of consequence. House Bill not only allows students to practice civic responsibility and share their voice, but it supports the First Amendment of the United States Constitution.

Student demonstrations are among the most important that occur in not only the U.S., but the world. The student voice is the voice of the future of the world, and House Bill 753 allows that voice to be heard, without condition. If this committee issues an unfavorable report on House Bill 753, you will be directly inhibiting a student’s ability to practice their skills of civic engagement, which is a required part of a Maryland student’s education.

For the reasons stated above, I urge the committee to issue a report in opposition of House Bill 753, and allow the student voice to be heard, without fear of consequence.

With highest respect,

Henry Meiser

February 12, 2021

TO: Members of the Ways and Means Committee; Maryland House of Delegates

FROM: Jaimie Han, jshlove4@icloud.com, 443-890-9496
6478 Cornwall Dr. Unit 24

RE: House Bill 753: Education - Student-Organized Peaceful Demonstrations
Student Discipline and Policy

POSITION: **In Favor**

Chair Kaiser, Vice Chair Washington, and Members of the Committee, I am writing as a student leader from Carroll County, in favor of House Bill 753. I'm an eleventh grader who serves as a president for the Carroll County Student Government Association. After nearly five years of involvement with student government and dedicating time to speak up for student voices, it is only principled that I advocate for this bill.

Schools are a place to educate and cultivate the character of students so that they may be successful in their futures and civic responsibilities as adults. Our country's values, built on the foundation of democracy and relying on the peoples' will, are represented throughout many aspects of society, and one of those should be the schools in which we raise the next generations. When adults are privileged with the right to vote, they have the opportunity to impact their community with what they believe is right; their voices get to be heard, accepted, and taken into account for the best decisions moving forward. The first amendment in the Bill of Rights that was specifically written to ensure the peoples' basic rights includes the right to protest. The Civil Rights Movement, the women's suffrage movement, and many other organizations striving for equality made great strides with the fundamental right to protest. If students' voices are restricted in the school environment to speak up for their truths, what kind of example are we setting for them when they become adults?

In middle school, I participated in a silent walkout where we advocated against gun violence. The teachers and principals were made aware of the students' intentions, and so they allowed a time for us to walk altogether and created a space where students could be safely led out and return to class without disrupting the teachers and students who wished to remain in the classroom. Our voices were elevated through a form of protest, and having the adults around us understand and communicate with us was a large part of the impact we organized. This is exactly what the bill seeks.

Our schools should not be encouraging the suppression of student voices when they seek to speak out against the injustices they face; we deserve an education environment that instills the idea

that students can make the change they fight for. For the reasons stated above, I urge the committee to issue a favorable report on House Bill 753.

February 12, 2021

TO: Members of the Ways and Means Committee; Maryland House of Delegate

FROM: Jesse Harris, Jr.; j.w.harris1103@gmail.com; 202-699-0144
15428 General Lafayette Blvd

RE: House Bill 753: Education - Student-Organized Peaceful
Demonstrations - Student Discipline and Policy

POSITION: **In Favor**

Chair Kaiser, Vice Chair Washington, and Members of the Committee, I am writing as a student from Prince George's County, in favor of House Bill 753. My name is Jesse Harris, Jr. and I'm a current high school senior, Chief of Staff of the Maryland Association of Student Councils, and member of the Maryland Youth Advisory Council. Thank you for spending the time to read my testimony today.

The student voice is society's most valuable catalyst for change. We, as students, have proven how powerful our voice can be in classrooms, communities, and via social media. From federal, state, to local advocacy efforts, we have shown that we are civically engaged and have an urge to be true citizens who engage in democracy and social change.

Despite this, there are no protections that guarantee students the right to peacefully demonstrate their first amendment right at school. This often inhibits students from engaging in peaceful demonstrations at school in fear of punishment. House Bill 753 might also encourage students to engage in peaceful demonstrations at school for the purpose of bettering their communities for themselves and their peers. The effects of this bill would carry students beyond highschool as they will recognize instances in which there is a need for change and have had prior experiences advocating for social justice.

As a student who recognizes a need for protections on student demonstrations at school, I urge the committee to issue a favorable report on House Bill 753.

Thank you and have a great day!

February 12, 2021

TO: Members of the Ways and Means Committee; Maryland House of Delegates**FROM:** Judy Nguyen, justjudyn@gmail.com, (240) 561-6804
43518 Abis St. Hollywood, MD 20636**RE:** House Bill 753: Education - Student-Organized Peaceful Demonstrations
- Student Discipline and Policy**POSITION: In Favor**

Hello Members of the Ways and Means Committee, I am writing to you today on behalf of myself and the students I represent. I am Judy Nguyen, a student at Leonardtown High School in St. Mary's County and the President of the St. Mary's Association of Student Councils.

Chair Kaiser, Vice Chair Washington, and Members of the Committee, I am writing as a student from St. Mary's County in favor of House Bill 753.

I wholeheartedly believe that the greatest asset to the United States Public Education System is the cultivation of students' critical thinking skills. The foundation of tomorrow's society is contingent on the passion and will of students today. Having the pleasure of writing to you today is evident of the great opportunities afforded to students, however, there is a necessity for more opportunities.

Implementing this bill not only protects students from being punished for organizing and participating in student demonstrations but it also encourages students to gather and to make their voices heard. Having this protection in place subconsciously creates an environment where student voices are valued and encouraged. The knowledge that students have created such an impact to initiate such a bill should be evident towards the power students have.

As a future member of society and the product of the Maryland Education system, I know what it feels like to be ignored and I also know what it feels like to be heard. The simple truth is that no one likes to be ignored especially if their rights are guaranteed and outlined in the Constitution. The First Amendment is a truth of the United States and should be promoted by the system that is such a huge part of many students' lives.

For the reasons stated above, I urge the committee to issue a favorable report on House Bill 753.

February 12, 2021

TO: Members of the Ways and Means Committee; Maryland House of Delegates

FROM: Julia Littlefield, juliACL207@gmail.com, (301)367-9249
10054 Colonial Dr. Ellicott City MD

RE: House Bill 753: Education - Student-Organized Peaceful Demonstrations
Student Discipline and Policy

POSITION: In Favor

Chair Kaiser, Vice Chair Washington, and Members of the Committee, I am writing as a student from Howard County, in favor of House Bill 753.

Our system of government relies on civic engagement, free discourse, and voter participation. Every student in 10th grade takes US Government and Politics to understand our government and the role we play in making change. One of the fifteen Supreme Court cases emphasized in the curriculum is *Tinker v Des Moines*, the infamous decision that protected students' first amendment rights in school. We learn the value of student voices and the impact peaceful protest has on leaders. It only makes sense that we are encouraged and protected when we engage in the same demonstrations for change.

As students we lack the ability to vote and public demonstration is one of the best ways to gain the attention of local and statewide leadership. My first time leading a demonstration was in response to the school shooting in Parkland, Florida that killed 17 individuals. School no longer felt safe for me and many of my peers. Across the country on March 14, 2018 students walked out to demand gun control including my school, Burleigh Manor Middle School. The peaceful demonstration included a moment of silence for the Parkland victims and a national call to action to protect our classrooms. Young voices across the country were able to unite for a common cause and the demonstration resulted in action from policymakers. A month later, I organized another walkout to commemorate the victims of the school shooting at Columbine High School on April 20, 1999 and further demonstrate the need for gun control. Gun control is not the only issue that impacts students. In high school I organized another school walkout with my club Young Democrats to protest lack of legislation addressing climate change. It was another successful opportunity and that empowered me and my student body.

The opportunity to organize and participate in student demonstrations is one of the most impactful and accessible ways to fight for change. Not every student can participate in outside of school legislation rallies or lobbying groups, but school provides a platform for change. Additionally, some of my classmates are not allowed to attend marches and protest events

because of ideological differences from their parents. Making school a place where students can freely, peacefully organize without the threat of consequences provides students opportunities to express themselves with their peers. Major political and world issues directly affect students, thus our voice deserves to be in the conversation. Giving students the opportunity to peacefully protest without threat of retaliation demonstrates that our voices and our opinions are valued and deserve to be heard.

For the reasons stated above, I urge the committee to issue a favorable report on House Bill 753.

February 12, 2021

TO: Members of the Ways and Means Committee; Maryland House of Delegates

FROM: Keerti Venkat, keertisv.vt@gmail.com
12th Grade - Howard High School

RE: House Bill 753: Education - Student-Organized Peaceful Demonstrations
Student Discipline and Policy

POSITION: **In Favor**

Chair Kaiser, Vice Chair Washington, and Members of the Committee, I am writing as a student from Howard County, in favor of House Bill 753.

Students should have the right to peacefully protest, as we have freedom of speech as Americans. Students are the people who will grow to be the next leaders of this country, and it is vital that we learn to peacefully protest. Also, change comes from protest. As long as a protest is peaceful, students should reserve the right to peacefully protest for a cause.

For the reasons stated above, I urge the committee to issue a favorable report on House Bill 753.

TO: Members of the Ways and Means Committee; Maryland House of Delegates

FROM: Kevin A. Bokoum, kevinbokoum@gmail.com, (301) 393-7386
201 Brynwood St, Hagerstown, MD 21740

RE: House Bill 753: Education - Student-Organized Peaceful Demonstrations -
Student Discipline and Policy

POSITION: In Favor

Dear, Honorable Members of the Ways and Means Committee:

I, Kevin A. Bokoum, Student Member of the Washington County Board of Education, stand in favor of HB0753. My commitment to student activism and ensuring the student voice is heard is the reason I take this stance, even though many schools provide opportunities for students to engage in peaceful protest, that right is not protected, guaranteed, or even offered in many school systems: HB0753 seeks to protect students in their efforts to advocate for what they believe in.

Within schools, we hear of great leaders throughout history who exercised their god given, First Amendment right to freedom of speech. From highly known names like Dr. Martin Luther King Jr. and W.E.B Du Bois to lesser known names like Ella Baker and Pauli Murray, these influential figures exercised their right to free speech to evoke long lasting societal change.

In the summer, we saw so many Marylanders and students participating in peaceful protests and demonstrations throughout the State and Country. We saw students, parents, and educators all collectively participating in demonstrations to make sure that black lives do in fact matter.

During the summer, I attended a peaceful demonstration and I was able to express my first amendment right to speak and advocate for what I believed in. During this protest, I felt like I was a part of a movement - like my actions actually meant something. Students protesting is not a newfound idea - within Generation Z, students have refused to be silenced and have engaged in a multitude of protests, when they felt unheard. Throughout history, protests have proved to be one of the most effective tools in starting the domino effect of meaningful societal change. For example, the Montgomery bus boycott which took place from December 1955 to December 1956; this one protest alone was able to abolish the segregation within our buses and allow the country to progress towards a more altruistic, fair, and equal society.

People all have their own opinions and the undeniable right to express these opinions. If people weren't allowed to openly express themselves, then I probably wouldn't even be here right now, or even if I was, there would be many restrictions against me just because of the amount of melanin in my skin, my dark eyes and the porosity of my hair. A world where people are denied

to be true to themselves, regardless of their opinions, is not a world I want to be a part of. For this reason, I stand in full support of HB0753 - if passed, this bill will allow students to have their right to peacefully protest on school grounds protected through legislation, ultimately securing their right to exercise their constitutional rights as the framers intended.

For the reasons stated above, I urge the Ways and Means Committee to issue a favorable report on House Bill 0753.

February 12, 2021

TO: Members of the Ways and Means Committee; Maryland House of Delegates

FROM: Kyle Abosch, kyle.abosch@gmail.com, (443) 593-9171
300 Pettinaro Dr. Apt E6
Elkton, MD 21921

RE: House Bill 753: Education - Student-Organized Peaceful
Demonstrations - Student Discipline and Policy

POSITION: In Favor

Chair Kaiser, Vice Chair Washington, and Members of the Committee, I am writing as a student from Cecil County, in favor of House Bill 753.

The students' ability to peacefully demonstrate must be recognized since they have the ability to be just as, if not more impactful than their adult counterparts. Written into the Constitution as the First Amendment, civilians have been granted the right to peacefully assemble without the disruption of Congress. I believe this right must not be abridged by schools that may impose consequences on their students. This bill would be able to guarantee students their protection from a frightful school system that may seek to punish them for their lawful actions; thus allowing students to be recognized and further learn from their educational system in a separate manner.

I myself have many experiences when it comes to student demonstrations, on and off of the school campus. Whether it be the advocacy of Black Lives Matter, March for Our Lives, and other popular demonstrations, I have always taken an interest in the protection of lives that should not be lost. Although my advocacy has allowed me to connect more with students, teachers, and other staff at my school and across the county who share the same beliefs as myself, it may allow the school system to seek out and sever those connections to prevent further demonstrations; since students do not possess power, they must follow their school system or face further consequences. Therefore, there is a theoretical monopoly on student demonstrations that are held by the school system.

I am in favor of House Bill 753 because of my personal contributions to student demonstrations where I have invested a lot of time procuring the rights of students and the people they are connected to. With the passing of this bill, students will no longer fret about the hypothetical consequences that may be imposed by their school or county. For the reasons stated above, I urge the committee to issue a favorable report on House Bill 753.

February 12, 2021

TO: Members of the Ways and Means Committee; Maryland House of Delegates**FROM:** Lauren Perl, laurenperl46@gmail.com, 240-444-0180
16016 Vine Court, Olney MD 20832**RE:** House Bill 753: Education - Student-Organized Peaceful
Demonstrations - Student Discipline and Policy**POSITION: In Favor**

Chair Kaiser, Vice Chair Washington, and Members of the Committee, I am writing as a high school student from Montgomery County, in favor of House Bill 753.

I full heartedly support HB 753, because I believe students should have a say in the policies that impact their daily lives. Too often, decisions that affect students, such as arming school resource officers and offering an abstinence preaching comprehensive sexual education curriculum, are made without student input. This needs to change. HB 753 allows universal rights for students to demonstrate on school grounds without fear of consequence, which will enable students to amplify their concerns to decision makers. Such protests serve as an important educational experience to students, who are learning how to be peacefully, civically engaged.

I am the National Policy Director for Generation Ratify and I am also the Field Organization Director for Montgomery County Students For Change. In these roles, I have mobilized thousands of students to protest in support of gun violence prevention efforts and the Equal Rights Amendment, and protest against the confirmation of Justice Brett Kavanaugh and Justice Amy Coney Barrett to the Supreme Court. Attending such protests empower students and enable students to learn about their legislative and judicial systems. Similarly, it allows students to feel like they are heard in a peaceful, constructive manner. When I was 15, I skipped school for the day to protest at the Supreme Court for reproductive freedom. I remember telling my AP Government teacher in advance why I would be absent, to which he responded that I am a unique student, because I take my commitment to learning about policy and law outside of the classroom, to the streets and the halls of Congress. For the past three years, this teacher has had me speak to his class about my political endeavors, because he understands that peaceful protests are educational opportunities for students, where they become leaders and advocates, combatting issues that plague their communities. I maintain that my experiences with protests have turned me into an eloquent public speaker and lobbyist, and have furthered my career ambitions in policy.

For the reasons stated above, I urge the committee to issue a favorable report on House Bill 753.

February 12, 2021

TO: Members of the Ways and Means Committee; Maryland House of Delegates

FROM: Maja Durkovic, maja729@hotmail.com, 4439330729
6628 Blackhead Road, 21220

RE: House Bill 753: Education - Student-Organized Peaceful
Demonstrations - Student Discipline and Policy

POSITION: In Favor

Chair Kaiser, Vice Chair Washington, and Members of the Committee, I am writing as a student from Baltimore County, in favor of House Bill 753.

HB0753 allows universal rights for students to demonstrate on school grounds without fear of consequence. It elevates student voices and recognizes the importance of peaceful demonstration. Student demonstrations serve as important educational experiences in civic responsibility. Students go through their entire school careers, 13 years, learning about the importance of civic engagement and responsibility. We are taught about the importance of freedom of assembly and the power of the people. This bill allows students to use their voice to assemble peacefully in school, something that must be guaranteed to all students across Maryland. Certain counties in Maryland, including Montgomery, already have protections in place for student demonstrations. This must be secured for all Maryland students. I have been fortunate enough to participate in many different groups of student advocates. We have assembled peaceful protests with support from our county, along with many that were completely student-run. This summer, a wonderful student demonstration in the name of racial justice took place. We were happy to have protections from county officials, but this needs to be carried into school buildings. Students are not exempt from the protections of freedom of speech.

For the reasons stated above, I urge the committee to issue a favorable report on House Bill 753.

February 12, 2021

TO: Members of the Ways and Means Committee; Maryland House of Delegates**FROM:** Megan Williams, megantaylorwilliams@gmail.com, 410-245-1904,
8763 Carriage Hills Drive, Columbia 21046**RE:** House Bill 753: Education - Student-Organized Peaceful Demonstrations
- Student Discipline and Policy**POSITION: In Favor**

Chair Kaiser, Vice Chair Washington, and Members of the Committee, I am writing as a graduate of the Howard County Public School System and the University of Maryland, College Park, and as a resident from Howard County in favor of House Bill 753.

This bill is of great significance to myself, my siblings, and students I've personally cared for in Howard County. We must extend universal rights for students to demonstrate on school grounds without fear of consequence. Young voices are systematically oppressed and ignored, teaching students that their opinions don't matter until the magic age of 18. We certainly know this is not true. Younger generations should have a say in their future and their present existence. We must implement this legislation because it will allow for student voices to be elevated, while demonstrating the importance of peaceful action. Not only will it give voice to those frequently ignored, but HB0735 also serves to teach students civic responsibility.

I did not know my power as a student to help and fight for others until I was in college. As a high schooler at Hammond in Columbia, I saw my peers chastised and punished for peacefully protesting with duck tape on their lips. It was important to those students that they show their support for their cause without harming or disrupting school activities, but they were still punished by administration. I didn't even get to learn what they were protesting about because it was shut down so quickly.

Just as in daily life, in school students should be allowed to utilize their first amendment right to peaceful demonstration to teach others about something they care about, inspire change, and hopefully from those experiences they can learn about how to make this world a better place, without fear of repercussions or penalty. The student demonstrators today are the future changemakers that will help make this world a better place for all. I urge you to issue a favorable report on HB0735 and stand for students' rights across the state of Maryland.

February 12, 2021

TO: Members of the Ways and Means Committee; Maryland House of Delegates

FROM: Noah Hanssen; noahkai.hanssen@howardcc.edu; 443-761-9606
9113 Dunloggin Rd

RE: House Bill 753: Education - Student-Organized Peaceful Demonstrations -
Student Discipline and Policy

POSITION: In Favor

Chair Kaiser, Vice Chair Washington, and Members of the Committee, I am writing as a student from Howard County, in favor of House Bill 753.

I am in favor of this bill as a graduate of the Howard County Public School System because I strongly believe in giving our students the tools to demonstrate effectively and safely. Allowing universal rights for students to demonstrate on school grounds without fear of consequence, which this bill dictates, will have the positive effect of elevating student voices, teaching them the importance of peaceful demonstration, and serving the important function of educating students on their civic responsibility in a Democracy. The right to protest and demonstrate is a cornerstone of any democratic society, and giving students the tools to both make use of and practice this right will make for stronger, more experienced advocates in the future.

As a student, I had not participated in the opportunities to protest that I was given, however, I had many friends and classmates who did and it is very clear to me now that these were extremely beneficial experiences for them, and I regret not taking advantage of them now. Some of the most driven, intelligent and motivated students I have known were often engaged in activism and advocacy that included organizing protests and demonstrations, these are skills that I believe will assist them greatly in the future. This legislation will ensure that students can more freely engage in this important process without fear of consequence. This will also better regulate these demonstrations so that we can also protect these important student voices.

For the reasons stated above, I urge the committee to issue a favorable report on House Bill 753.

February 12, 2021

TO: Members of the Ways and Means Committee; Maryland House of Delegates

FROM: Peter Banyas, *Vice-Chair, Legislative Affairs Committee,*
Howard County Association of Student Councils

RE: House Bill 753: Education - Student-Organized Peaceful
Demonstrations - Student Discipline and Policy

POSITION: **In Favor**

The United States is governed by a myriad of codes and laws, all of which act to uphold and implement our fundamental Constitutional principles. The question before you today is whether or not to provide a Maryland common law foundation to truly apply the 1st Amendment.

Chair Kaiser, Vice-Chair Washington, and Members of the Committee, I write to you today as a Student from Howard County, and I strongly urge you to support House Bill 753.

Student demonstrations have long been a driving force for cultivating the leaders of tomorrow and promoting positive change. It's been an invaluable experience to demonstrate in both middle and high school because it has allowed me and hundreds of other students to stand up, share our views, and be civically engaged in preparation to be the voters of tomorrow. The public school system exists to provide every American with an education, with the goal of preparing them for life in this country. Thus, civic education and experience is a critical component to empowering students to participate in government and politics. It's a deep irony to learn about student protests in our history and government textbooks while we are not given a standardized means to do so, leaving our right to protest up to individual school officials. The ability to deny Americans their rights ought to never be in the hands of a single principal. By supporting HB 753, you can give students the peace of mind and unfettered opportunity to start to experience the rights and privileges of full fledged citizens.

If you are concerned about kids skipping out on school without fear of punishment, don't be. This Bill ensures a process of 48-hour advance notice and authorizes counties to determine guidelines for the time, place, and manner of expression to ensure that all demonstrations are done safely and in abidance by school rules.

The issue at stake here is not of lawless students versus a structured school environment. It is a choice between structured civic engagement and uncodified opportunity inequality. By not supporting this bill, you choose to allow some administrators to stop or punish their students while others are encouraged--therefore creating a stark contrast in civic engagement that will

already put those students on track for a life of either political participation or disaffectedness.

It is in our state and country's best interest to foster political participation from a young age. This bill simply lays the groundwork to make our school systems legally prepared to accommodate those fundamental rights to speech and to assembly.

Let us look towards the future with hope, and empower our youth to make that future a reality. Let us approve HB753.

Thank you.

February 12, 2021

TO: Members of the Ways and Means Committee, Maryland House of Delegates

FROM: Phoebe Chambers, phoebe.chambers@icloud.com, 240-801-0836

11409 Ridge Mist Terrace, Potomac, Maryland 20854

RE: House Bill 753: Education- Student-Organized Peaceful Demonstrations -
Student Discipline and Policy

POSITION: In Favor

Like all other Maryland high school students, I took a course in local, state, and national United States government. One of the first lessons we cover is on the Bill of Rights. The first amendment clearly states that “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances,”. The “people” mentioned in the Constitution of the United States of America includes students. This has been demonstrated in several Supreme Court cases, including *Tinker v. Des Moines Independent Community School District*, which protects free speech in public schools.

Chair Kaiser, Vice Chair Washington, and Members of the Committee, I am writing as a student from Montgomery County, in favor of House Bill 753.

Our country’s political climate does not begin to affect the average citizen once they graduate high school, but rather as soon as they are born. Students have to regularly practice lockdown drills in case of a school shooting, learn about a world they will inherit that is increasingly suffering from the impacts of climate change, and watch their parents struggle with paying for healthcare. We are always told that we should be able to apply what we have learned inside the classroom to the real world, so why should that not apply to our political beliefs and free speech rights as Americans?

Allows universal rights for students to demonstrate on school grounds without fear of consequence. Elevates student voices and recognizes the importance of peaceful demonstration. Serves an important educational experience; civic responsibility.

I myself have attended student-organized walkouts for gun control in the wake of the Parkland shooting. That experience taught me more than any given day in high school. I felt like I was making a difference and allowing my voice to be heard with other students in my Maryland community. Students are people too, and we deserve the same rights as grown adults because the issues we are protesting affect us.

For the reasons stated above, I urge the committee to issue a favorable report on House Bill 753.

February 12, 2021

TO: Members of the Ways and Means Committee; Maryland House of Delegates

FROM: Riley Macon, rsmacon03@gmail.com
12th Grade - Reservoir High School

RE: House Bill 753: Education - Student-Organized Peaceful Demonstrations
Student Discipline and Policy

POSITION: **In Favor**

Chair Kaiser, Vice Chair Washington, and Members of the Committee, I am writing as a student from Howard County, in favor of House Bill 753.

Students have a unique perspective that allows them to remain in tune with societal changes across generations. These societal changes however, only come about by magnifying voices at the ground level. Students are those voices. They should have every right to advocate for and protest injustice, prejudice, and discrimination.

Any administrative dispute over these rights is an overt act of bias and discrimination towards student voices. How can we evolve towards a more just society if we pick and choose who gets to speak out?

We can't. As equal citizens under the law, our voices should be heard, whether unpopular or not.

For the reasons stated above, I urge the committee to issue a favorable report on House Bill 753.

February 12, 2021

TO: Members of the Ways and Means Committee; Maryland House of Delegates

FROM: Rosalind Marfo, rosalindmarfo29@gmail.com, 443-720-9378
44 Hanover Rd, Reisterstown, MD 21136

RE: House Bill 753: Education - Student-Organized Peaceful
Demonstrations - Student Discipline and Policy

POSITION: In Favor

Chair Kaiser, Vice Chair Washington, and Members of the Committee, I am writing as a Student from Baltimore County, in favor of House Bill 753.

The older generation is constantly saying that mine is the generation that will save us all. They say that we are the future. The future leaders, innovators, and change-makers. But, how will we be these things if, as youth, we are not freely allowed to flex these budding characteristics? When students feel that our voices are being used and heard, it is only then that we truly believe in our power. HB753 allows universal rights for students to demonstrate on school grounds without fear of consequence. It elevates student voices and recognizes the importance of peaceful demonstration in the creation of civically engaged Americans.

As a testament to this country's growth, the crowds that we saw during the peaceful protests of 2020 were a beautiful display of diversity in terms of gender, race, and, most notably, age. But personally, what was even more powerful than these televised phenomena were the quiet ones. The small town protests like the one held at Franklin High School, where POC and white citizens alike gathered to speak out against police brutality and racial injustices. It was so unbelievably heartening to see that the people that I had grown up with, the individuals that I had seen develop from children to young adults, were standing with me to call out the authorities on their lawless behavior. It is an amazing thing to know that you are not alone. It is a wonderful thing to know that people care enough to not only make grand and pacifying speeches, but also to simply *do*. Right now, Chair Kaiser, Vice Chair Washington, and Members of the Committee, you have the chance to do. You have the chance to show that you genuinely care for the young ones that you

represent, that you really do believe that we are the future. Please do not pass this opportunity up. For the reasons stated above, I urge the committee to issue a favorable report on House Bill 753.

February 12, 2021

TO: Members of the Ways and Means Committee; Maryland House of Delegates

FROM: Sabrina Thaler, sabirose64@gmail.com, 443-379-2837
115 Carolstowne Rd Reisterstown, MD 21136-6501

RE: House Bill 753: Education - Student-Organized Peaceful Demonstrations
Student Discipline and Policy

POSITION: In Favor

Chair Kaiser, Vice Chair Washington, and Members of the Committee, I am writing as a student from Baltimore County, in favor of House Bill 753.

It's an American value, a cornerstone of national legal progress, and a basis for legislative change in this country. It's what has moved gun action to the forefront of the Democratic agenda, what catalyzed the celebration of Earth Day on college campuses, what granted students a hand at the wheel of the 1961 Freedom Rides. Uninhibited student voice – what House Bill 753 seeks to enshrine in Maryland law – is one of the most willful, tangible threads in the American journey. Its importance goes beyond our basic democratic right as citizens to assemble. The ability of young people to use their campuses as platforms for activism is responsible for the climate of empathetic lawmaking present within your chamber today.

As it stands, administrators in Maryland are left with virtually free will to dismiss student protests, punish peaceful activism on their campuses, and in turn, move academic power structures into a dangerous cycle of regression. To treat student will as something threatening, and, as such, expendable, is one of the worst disservices that can be afforded to a constituency. The passage of House Bill 753 would demonstrate to the Maryland student populace that our strength and movement is valued more than the maintenance of “calm” in our school environments – which is, in reality, a thin guise for complacency and apathy. With every passing second, students in Maryland fear for their futures for a striking myriad of reasons. To prevent us from advocating for ourselves, for our planet, for our homes and jobs and lives, is vile hypocrisy. Students meet these countering forces every day in their schools. House Bill 753 is a chance to finally expose and dismiss the danger posed by unwarranted restriction on student voice.

For the reasons stated above, I urge the committee to issue a favorable report on House Bill 753.

February 12, 2021

TO: Members of the Ways and Means Committee; Maryland House of Delegates

FROM: Shreyas Ramulu, STR757@gmail.com
12th Grade - River Hill High School

RE: House Bill 753: Education - Student-Organized Peaceful Demonstrations
Student Discipline and Policy

POSITION: **In Favor**

Chair Kaiser, Vice Chair Washington, and Members of the Committee, I am writing as a student from Howard County, in favor of House Bill 753.

Students should have the opportunity and ability to advocate for what they believe in. Additionally with this right, students can become more educated on and involved in political issues they face.

For the reasons stated above, I urge the committee to issue a favorable report on House Bill 753.

February 12, 2021

TO: Members of the Ways and Means Committee; Maryland House of Delegates

FROM: Sophia Brandt, sophia@fuzzymagic.com, (240) 338-4726
19521 Lewis Orchard Lane, Poolesville MD 20837

RE: House Bill 753: Education - Student-Organized Peaceful Demonstrations
Student Discipline and Policy

POSITION: **In Favor**

Chair Kaiser, Vice Chair Washington, and Members of the Committee, I am writing as a student from Montgomery County, in favor of House Bill 753.

In short, not only will this Bill be essential to the uplifting of student voices and promotion of student advocacy, but it will also offer opportunities for students to engage themselves in civic responsibility. Although a US Government course is a graduation requirement for all Maryland High Schoolers, a class in civic duty is nowhere near as impactful as the ability to participate in the gears of the democratic process. Allowing students to engage in peaceful demonstrations without fear of consequences is an incredibly valuable experience; it imbues a sense of power and responsibility among the people who will one day be leading this country. Taking a visible stand about an issue will always be more impactful than memorizing the Bill of Rights. So, isn't it more prudent to encourage students to speak up? Even though we are minors, our voices have tremendous potential, especially if we are allowed to fully exercise our rights as American Citizens. We need to understand the gravity of our station as the next generation of leaders, and one of the best ways to do that is through peaceful protest.

On September 20th, 2019, thousands of protestors from across DC, Maryland, and Virginia gathered in the nation's capital to participate in a global climate strike, one of many that were taking place worldwide. As an environmental advocate and member of the Global Ecology Program at Poolesville High School, I was thrilled to have the opportunity to be part of a larger movement and demand immediate action to address our climate crisis. I began making a plan to get myself to DC to join the protest: talking to friends and arranging transportation. Then, MCPS announced that any participation in a climate strike outside school would not count as an excused absence, and my planning came to an abrupt halt. Unexcused absences, no matter the reasoning, can have pretty severe consequences, including counselor intervention, or an inability to access make-up work that may be crucial to success in a course. In the end, despite my planning, I had no mode of safe transportation and had to stay home. I could not attend to add my voice to the thousands in DC, and I deeply regret it.

For the reasons stated above, I urge the committee to issue a favorable report on House Bill 753.

February 12, 2021

TO: Members of the Ways and Means Committee; Maryland House of Delegates

FROM: *Sophia Porter, sophiadance2131@gmail.com*
(302)983-652 48 Austin's Way Elkton, MD 21921

RE: House Bill 753: Education - Student-Organized Peaceful Demonstrations
- Student Discipline and Policy

POSITION: In Favor

Chair Kaiser, Vice Chair Washington, and Members of the Committee, I am writing as a Student from Cecil County, in favor of House Bill 753.

Allows universal rights for students to demonstrate on school grounds without fear of consequence. Elevates student voices and recognizes the importance of peaceful demonstration. Serves an important educational experience; civic responsibility. As a generation of students who are trying to become more knowledgeable in what is going on in society, and students who want to pursue social justice in the future, this Bill will be beneficial for us to peacefully lead others. Another point, our generation uses social media to have our voices and opinions be heard each day. And allowing students to have another, organized, outlet that will visually show them in real time, the effect they have on others.

A few years ago, students tried to hold a "Walk Out". However, instead of standing up for what we believed in, we were too afraid of getting suspended. Therefore, nothing happened. We are aware that there are some students who would take advantage of this opportunity, but we are also willing to do whatever it takes to be able to have our voices heard. As the Student Member of the Board of Education, I will personally work hard to inform the students of Cecil County Public Schools how to respectfully use this new power, and how not to abuse it because with the changes being made to today's society, I believe the students of Maryland should be able to speak up and be listened to without being reprimanded.

For the reasons stated above, I urge the committee to issue a favorable report on House Bill 753.

February 12, 2021

TO: Members of the Ways and Means Committee; Maryland House of Delegates

FROM: Thalia Harris

RE: House Bill 753: Education - Student-Organized Peaceful Demonstrations
Student Discipline and Policy

POSITION: **In Favor**

Chair Kaiser, Vice Chair Washington, and Members of the Committee, I am writing as a student from Baltimore County, in favor of House Bill 753.

This bill is extremely important to pass as it allows students to participate in events that hold meaning to them without fear of repercussions from their school, with limitations. Students are the youth of this state, and decisions now will continue to affect them for years to come. As a student myself, this bill would allow me to show support for movements that work to benefit me.

February 12, 2021

TO: Members of the Ways and Means Committee; Maryland House of Delegates

FROM: Thomas Foulkes, Thomas@Foulkes.net, 410-474-0131
4770 Howard Place, Chesapeake Beach MD, 20732

RE: House Bill 753: Education - Student-Organized Peaceful Demonstrations
Student Discipline and Policy

POSITION: In Favor

Chair Kaiser, Vice Chair Washington, and Members of the Committee, I am writing as a student from Calvert County, in favor of House Bill 753.

House Bill 753 allows universal rights for students to demonstrate on school grounds without fear of consequence. This serves to elevate student voices and recognizes the importance of peaceful demonstration. Additionally peaceful demonstrations serve as an important educational experience in civic responsibility and how important it is to be educated on the issues that are important to you.

After the Parkland shooting in 2018 students at my middle school were going to do a walk out, we were told that we were not allowed to leave the school building and that it must be in the cafeteria and further the "walkout" then became a joke and no one who actually cared about the impacts of the walkout (advocating for school safety and common sense gun laws) actually did it as we would have had to miss class to do it. Legal protection for this type of demonstration would have helped the walkout have actual meaning and maybe then convince local legislatures to begin making schools more safe.

For the reasons stated above, I urge the committee to issue a favorable report on House Bill 753.

February 12, 2021

TO: Members of the Ways and Means Committee; Maryland House of Delegates**FROM:** Thomas Williams, twilliams8849@gmail.com, 410-206-5506
8763 Carriage Hills Drive, Columbia 21046**RE:** House Bill 753: Education - Student-Organized Peaceful Demonstrations
- Student Discipline and Policy**POSITION: In Favor**

Chair Kaiser, Vice Chair Washington, and Members of the Committee, I am writing as a graduate of the Howard County Public School System, a student at Howard Community College, and as a resident from Howard County in favor of House Bill 753.

You need to support this bill. Students should not be penalized for speaking up peacefully for things they care about. When you're young, people frequently discount your opinions and voice. Peaceful demonstration is a way for students to raise their voices and bring attention to an issue maybe other students don't know a lot about. If students engage in protest, they should not be punished, especially if they are punished to the same degree as someone who has clearly acted with malice or ill intent. Student demonstration should not be an offense if it is peaceful.

I personally did not protest until I went with my sister to a few marches in DC. By then, I had already graduated from High School. What I do know now is that it makes a difference. I have learned more from peaceful protest, and been inspired to take action on other issues because of it. Students across Maryland should be encouraged to learn in this way if they wish, not punished.

In conclusion, I believe student peaceful demonstration can serve an important role in schools, and no punishment should be administered for students who choose to engage. I urge you to issue a favorable resort on HB0735 and stand for students' rights across the state of Maryland.

February 12, 2021

TO: Members of the Ways and Means Committee; Maryland House of Delegates
FROM: Toluwanimi Dapo-Adeyemo, toludapoadeyemo@gmail.com, 240-993-9517,
8729 Pheasant Creek Place, Indian Head, MD, 20640
RE: House Bill 753: Student Discipline and Policy

POSITION: In Favor

Chair Kaiser, Vice Chair Washington, and Members of the Committee, my name is Toluwanimi Dapo-Adeyemo, I am currently one of the State Legislative Affairs Coordinators of the Maryland Association of Student Councils, and also the Chief of Staff of the Charles County Association of Student Councils. I am writing as a concerned student leader from Charles County, in favor of House Bill 753.

Our power as the younger generation comes from our determination to make change. As students, we have a unique perspective on issues that adults may not be aware of, because of how times have changed and how our circumstances have evolved. The opinions of youth are invaluable to the progress of our society as a whole, and it is simply counterintuitive to not secure the freedom of these students to speak out for what they believe is right. This bill would allow universal rights for students to demonstrate on school grounds without fear of consequence. Elevating student voices and recognizing the importance of peaceful demonstration, it serves an important educational experience. I believe that this will be a most beneficial step towards real change enacted by Maryland youth. For the reasons stated above, I urge the committee to issue a favorable report on House Bill 753.

February 12, 2020

TO: Members of the Ways and Means Committee; Maryland House of Delegates**FROM:** Trevor Norton, 240-427-7535 crytontrev@gmail.com
8545 Murphy Road Laurel, MD 20723**RE:** House Bill 753: Education - Student-Organized Peaceful Demonstrations
- Student Discipline and Policy**POSITION: In Favor**

The right for free speech is a topic that no citizen envisioned themselves writing in modern society, as it is not a privilege, rather a basic human right. In the United States, we have had various cases, such as *Tinker v. Des Moines*, where students across the nation took action to speak their voice, their mind, and unified for a common goal, showing that the voice of a student is just as powerful as their adult counterparts and should be treated as such. It seems almost hypocritical for the United States and other democratic nations to condemn totalitarian regimes like China and North Korea for censoring the public and the youth, but are we not doing the same? As a recent graduate from the Howard County Public School System, Reservoir High School, I was able to experience first-hand the censorship students face, unable to speak freely on issues that may impact them for the rest of their lives, issues that may even impact them as students.

Though, I am only 18 years old, only a child in comparison to some government officials in the legislature and other positions, I am still a citizen, with the ability to vote, advocate, and have a positive impact on the community. With the ability to speak freely in school, a lack of censorship will help students become more outspoken on issues, becoming advocates in their schools. Within the last two years, I remember joining millions of other students across America in at least two in-school protests, protesting climate change and the need for gun reform. Though these are two very contested issues, among the majority of Americans teens and youth, these issues become far less divided, becoming more unified than our adult counterparts. The

February 12, 2020

patronizing way adults look to the American youth within this generation is appalling and must come to an end. With powerful advocates like Greta Thunberg, it should no longer be a question as to *if* students should have a voice in school, but rather *why* they currently do not.

Though, I realize that I am only a student attending my local community college, and I am only 18, I do have power. I have the power to vote, the power to advocate on vital issues, and the power to create change, and that will not be stripped by any government. I look now to the Ways and Means committee of Maryland to help students make a change, help make their voice heard, help all of us shape a better future, because as society becomes more and more polarized, unification among America's youth is vital, and would help create a more democratic nation, one that *all* students, adults, and Americans would be proud to live in.

I thank you for taking the time to read my testimony, and I do hope this has made your decision on the issue easier. As always, I will continue to advocate for students' rights, students' voices, and the power of a voice, as this is not a privilege, but a right.

February 12, 2021

TO: Members of the Ways and Means Committee; Maryland House of Delegates

FROM: Vinay Khosla vinaykhosla13@gmail.com, (512) 787-2715
10875 Sandringham Road, Cockeysville MD, 21030 (42B)

RE: House Bill 753: Education - Student-Organized Peaceful Demonstrations -
Student Discipline and Policy

POSITION: In Favor

Chair Kaiser, Vice Chair Washington, and Members of the Committee, I am writing as a student from Baltimore County, in favor of House Bill 753.

HB753 allows for the extension of the right for students to demonstrate on school grounds without fear of consequence to all students in each of Maryland's 23 counties. Right now there exist massive inconsistencies in the ability and right to demonstrate of students across the state which in turn has created an unfair and inequitable distribution of the student voice. It must be realized that education extends far beyond the classroom and that each school district across the State of Maryland seeks to not only produce educated citizens but also civically engaged ones. Consequently, the right to protest without fear of punishment, in any form, is one necessary for students to be the civically engaged leaders of tomorrow. Any undue restriction on such a right on school grounds, which most students are not permitted to leave for over 30 hours of the week, is a severe hindrance to a student's dual functioning as a citizen. It should never be a choice between being a student and an engaged citizen. It should never be a choice between quality/continuity of education and standing up for just causes. However, the state of current statutes does exactly this, cornering students into an unimaginable choice.

I myself am lucky enough to attend school in Baltimore County and thus do not face penalization or consequence should I choose to protest on school grounds. In fact, in freshman year (2018) a number of students at Dulaney High School, where I attend, organized a rally in support of the then burgeoning March for Our Lives movement. The rally coincided with a portion of the school day and students were excused from class on a voluntary basis to participate in the rally. Only such a policy allowed for me to attend the event and advocate for stricter gun control laws and increased school security. The event was highly empowering and allowed for students of all backgrounds to feel as if their voice were being heard and affecting tangible change. The empowerment of students should be every district's goal, as should policies which allow for such empowerment to be feasibly affected.

For the reasons stated above and more, I urge the committee to issue a favorable report on House Bill 753.

SB519_MSEA_Lamb_FAV.pdf

Uploaded by: Lauren Lamb

Position: FAV

**Testimony in Support of Senate Bill 519
Education - Student-Organized Peaceful Demonstrations - Student
Discipline and Policy**

**Education, Health, and Environmental Affairs
Wednesday, February 16th, 2022
1:00 p.m.**

**Lauren Lamb
Government Relations**

The Maryland State Education Association supports Senate Bill 519, legislation that would prohibit a public school from prohibiting a student from engaging in a student-organized peaceful demonstration or imposing certain limits on a student's right to free speech. Additionally, it would prohibit a public school from disciplining a student for engaging in a student-organized peaceful demonstration under certain circumstances and allows a public school to impose certain limitations on said demonstrations.

MSEA represents 76,000 educators and school employees who work in Maryland's public schools, teaching and preparing our almost 900,000 students for the 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).

According to survey data from the PRRI/The Atlantic Civic Engagement Survey detailed in a 2018 report from PRRI, children who engage in civic and political activities when they are young are more likely to engage in civic activities later in life. Their survey found that,

Americans who say they went to a rally or demonstration with their parents are almost three times as likely as those who did not to score highly on the Civic and Political Engagement Scale, meaning participating in at least four different activities within the last 12 months (50% vs. 18%). Attending a community meeting, such as a school board or city council meeting, as a child



is also strongly associated with higher rates of civic engagement later in life. Americans who had that experience are about twice as likely as those who did not to report a high level of engagement in the last year (36% vs. 17%).¹

This same survey found that Americans who were influenced to become active by their teachers were more than twice as likely to be civically engaged and involved than those who said they were not influenced by their teachers (46 percent to 19 percent respectively).²

Educators take very seriously our responsibility to prepare all our students for college, career, and citizenship. We are alarmed when we see that only 24 percent of our students scored at or above proficient in civics on the 2018 NAEP civics achievement assessment.³ An even greater cause for alarm: this score has not significantly changed when compared to score from both the 2014 and 1998 NAEP assessment.

Our democracy doesn't work if our body politic is uninformed and unengaged. The data is clear. We must teach our young people the importance of civic involvement and encourage them to actively engage at an early age. We must also teach them safe and effective ways in which to exercise their First Amendment rights to peaceably assemble and redress their grievances. School should serve as a laboratory where our students can learn their rights as citizens and practice these rights—at appropriate times and with fair guidelines.

Our students deserve agency and a voice in their educations and in their lives.

Therefore, we urge the committee to issue a favorable report on Senate Bill 519.

¹ American Democracy In Crisis: Civic Engagement, Young Adult Activism, and the 2018 Midterm Elections. <https://www.prr.org/wp-content/uploads/2018/10/Civic-Engagement-NovB.pdf> (Accessed on February 8, 2022)

² Ibid.

³ <https://www.nationsreportcard.gov/highlights/civics/2018/> (Accessed on February 8, 2022)

Sen Washington Written Testimony SB519.pdf

Uploaded by: Mary Washington

Position: FAV

MARY L. WASHINGTON, PH.D
Legislative District 43
Baltimore City

Education, Health, and
Environmental Affairs Committee

Chair
Joint Committee on Ending
Homelessness

Chair
Joint Committee on Children,
Youth, and Families



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Annapolis Office
James Senate Office Building
11 Bladen Street, Room 102
Annapolis, Maryland 21401
410-841-3145 · 301-858-3145
800-492-7122 Ext. 3145
Mary.Washington@senate.state.md.us

SB 519 – Education - Student-Organized Peaceful Demonstrations –
Student Discipline and Policy

February 16, 2022

Chair Pinsky, Vice Chair Kagan, and Members of the EHE,

SB 519 protects the rights of students to demonstrate on school grounds without fear of criminal consequence. It is vital to Democracy in our State to recognize the importance of peaceful demonstration, and its role in providing an important educational experience in civic responsibility.

SB 519 restricts a public school from prohibiting a student from organizing a peaceful protest or participating in a student-organized peaceful demonstration.

The bill also imposes certain limits on a student's activities while participating in a student-organized, peaceful demonstration, or disciplining of a student for organizing or participating in a student-organized peaceful demonstration under certain circumstances.

SB 519 requires that each county board of education develop a written policy regarding student-organized peaceful demonstrations.

Maryland schools should not prohibit student-organized peaceful demonstrations but could impose reasonable limitations on the time and place in order to protect the health, safety, and welfare of students and school personnel, and minimize disruption to the educational environment.

The priorities of this bill are to recognize and protect the legacy of increasing student activism and the important role student demonstrations have in allowing the next generation of leaders to express their views on societal issues and injustices.

I respectfully request a favorable report on SB 519.

In Partnership,

A handwritten signature in blue ink, appearing to read "Mary Washington".

Senator Mary Washington
Maryland 43rd District

SB 519 - Education - Student-Organized Peaceful De

Uploaded by: Michelle Siri

Position: FAV

BILL NO: Senate Bill 519
TITLE: Education - Student-Organized Peaceful Demonstrations –
Student Discipline and Policy
COMMITTEE: Education, Health, and Environmental Affairs
HEARING DATE: February 17, 2022
POSITION: **SUPPORT**

Senate Bill 519 clarifies the rights of students to demonstrate and express themselves within the public school system, without fear of bias-based retaliation or repercussion, while establishing guidance for schools, such as requiring schools to establish a demonstration policy for students, conditions students must adhere to in terms of notification and school disruption, protections against excessive or unnecessary punishment of students, and limitations on language that has the intent to harass, threaten or intimidate others. Because young women are often discouraged from, and even punished for, engaging in peaceful demonstrations and protests, the Women's Law Center of Maryland (WLC) believes it is important to support those students and their right to do.

Historically, gender-based censorship has been a pervasive issue, with the voices of women monitored, limited, and even criminalized, often under the guise of protecting public morals. In educational settings, this has led to disproportionate disciplinary action when it comes to acts of protest. In particular, girls of color are more likely to be disciplined for minor subjective offenses that are susceptible to biases, such as being “defiant,” “loud,” “disobedient,” or “disrespectful.”¹ Furthermore, schools across the country have punished or threatened to punish students for allegedly “disruptive” speech promoting the Black Lives Matter movement or expressing pro-LGBTQ messages for engaging in purportedly “sexual” and “disruptive” speech, while failing to act upon cases of sexual harassment or bullying against young women².

Recently, the WLC participated in an amicus brief before the United States Supreme Court in *Mahanoy Area School District v. B.L.*, 141 S. Ct. 2038 (2021), a case addressing the reach of schools to discipline students exercising in free speech³. The brief focused on the dichotomy of high levels of sexual harassment of young women in schools compared to disproportionate discipline of historically marginalized students. For the above reasons, the WLC urges a favorable report on Senate Bill 519.

The Women's Law Center of Maryland is a private, non-profit, legal services organization that serves as a leading voice for justice and fairness for women. It advocates for the rights of women through legal assistance to individuals and strategic initiatives to achieve systemic change, working to ensure physical safety, economic security, and bodily autonomy for women in Maryland.

¹ See Nat'l Women's L. Ctr. 9; Don Dailey, School Discipline and Race in Alabama, Pub. Affs. Rsch. Council of Ala. (July 1, 2020).

² See Catherine Hill & Holly Kearn, Am. Ass'n of Univ. Women, Crossing the Line: Sexual Harassment at School 2 (2011), <https://tinyurl.com/sx69zhwt>.

³ <https://nwlc.org/wp-content/uploads/2021/03/20-255-NWLC-et-al.-Amicus-Brief-1.pdf>

Senate Bill 519_FWA.docx.pdf

Uploaded by: Shamoyia Gardiner

Position: FWA

TESTIMONY IN SUPPORT

with Amendments

Testimony to the Senate Education, Health, and Environmental Affairs Committee

In support of

Senate Bill 519: Education - Student-Organized Peaceful Demonstrations - Student Discipline and Policy

February 16, 2022

Strong Schools Maryland urges an amended favorable vote on Senate Bill 519: Education - Student-Organized Peaceful Demonstrations - Student Discipline and Policy.

The Blueprint for Maryland's Future envisions a world-class system of public schools for our state's students. In this system, the voices of students must be especially valued. The Blueprint cannot possibly address all the issues that will ever exist in the realm of public education, but its vision of world-class schools can be achieved with the support of other accompanying policies that rise to meet the moment.

Senate Bill 519 is a good example of accompanying policy and would:

- Protect the free speech and peaceful assembly rights of students specifically to participate in and create their own peaceful demonstrations on school grounds;
- Prohibits public schools from imposing limits that inhibit students' right to free speech during such demonstrations; and
- Prohibit public schools from disciplining students who participate in and/or organize such peaceful demonstrations

We recommend the following amendment to further the intent of the bill:

- [page 2, beginning on line 25] Rather than requiring individual students to notify administration of their intent to engage in a protest, which may pose issues for students who do not have strong relationships with their administration, require that administration be notified of the demonstrations event, period; and
- In addition to prohibiting schools from disciplining students who participate in/organizing peaceful demonstrations, an amendment to prohibit any staff member from retaliating against students for their participation/organizing of such events would serve as a protective factor for students who experience resulting discrimination that is not "discipline".

In Maryland and around the country, adults have taken full advantage of their first amendment right to free speech, even if it has meant turning school buildings and government buildings into battlegrounds. To deny Maryland's students their right to peacefully assert their own rights, we are disenfranchising a generation at a pivotal moment in history and operating in conflict with the intent of the Blueprint—to create a generation of Marylanders who can contend with the world. We urge an amended favorable report on Senate Bill 519.

If you have questions or requests for additional information, you can email:

Shamoyia Gardiner

Executive Director

shamoyia@strongschoolsmaryland.org

SB0519 Howard Co BOE Testimony 021622 for EHEA - S

Uploaded by: Staff Howard County

Position: FWA



**Board of Education of Howard County
Testimony Submitted to the Maryland Senate,
Education, Health, and Environmental Affairs Committee
February 16, 2022**

**Board of Education
of Howard County**

Vicky Cutroneo, *Chair*

Antonia Watts, *Vice Chair*

Christina Delmont-Small

Yun Lu, Ph.D.

Jennifer Swickard Mallo

Jolene Mosley

Chao Wu, Ph.D.

Peter J. Banyas
Student Member

Michael J. Martirano, Ed.D.
*Superintendent
Secretary/Treasurer*

SB0519: FAVORABLE W/AMENDMENTS

Education - Student-Organized Peaceful Demonstrations - Student Discipline and Policy

The Board of Education of Howard County (the Board) supports **SB0519 Education - Student-Organized Peaceful Demonstrations - Student Discipline and Policy** to allow for peaceful student demonstrations in a manner that lifts up student voice and promotes civics engagement in schools.

Under HB0519, schools could not prohibit student-organized peaceful demonstrations but could impose reasonable limitations on the time and place in order to protect the health, safety, and welfare of students and school personnel, and minimize disruption to the educational environment. Local school systems would be required to adopt a policy for student demonstrations that includes guidelines for demonstrations such as manner of expression, what constitutes reasonable requirements for the time and place, and limitations on language that has the intent to harass, threaten or intimidate.

The Howard County Public School System (HCPSS) Policy 9020 Students' Rights and Responsibilities is currently under the policy review process, with the Charter issued by the Board on November 20, 2020, including a charge to include best practices in the area of student assembly. As a matter of local interest, this particular bill stemmed from a request last session by former Howard County students who are part of an effort by the Maryland Student Coalition (MSC):

<https://mdstudentcoalition.wixsite.com/marylandstudents/copy-of-our-work>.

While a mandate on local policy, HCPSS staff supports the goals of this bill to recognize increasing student activism and the important role student demonstrations have in allowing the next generation of leaders to express their views on societal issues and injustices. Staff would recommend the following amendments in order to allow local school systems the most flexibility when setting appropriate parameters:

- On page 2 strike "ON A SCHOOL BUS" in line 9 – this would eliminate concerns of the safety of demonstrations on a school bus. With only one driver in most cases, there is no staff/administrator to oversee logistics and any kind of student activity could be distracting for the driver.
- One page 2 in lines 26 through 27, strike AT through DEMONSTRATION and substitute "WITHIN THE TIMEFRAME IDENTIFIED BY THE SCHOOL SYSTEM UNDER THE POLICY TO BE DEVELOPED UNDER

SUBSECTION (F)” – at the very least the current language in the bill for notification within “48 hours” causes concern given this could mean notification is permissible on a non-school day when 48 hours falls over the weekend or a holiday. Leaving the timeframe to the school system to implement would provide the most flexibility to determine the best fit for local students, schools, and administrators. (This was addressed in the version passed by the House in 2021 but remains in SB0519).

- On page 3 after line 5, add “NOTHING IN THIS SECTION PROHIBITS A SCHOOL SYSTEM FROM IMPOSING DISCIPLINARY MEASURES FOR VIOLATIONS OF LOCAL POLICY OR STUDENT CODE OF CONDUCT FOR ACTIONS OTHER THAN PARTICIPATION IN A STUDENT-ORGANIZED PEACEFUL DEMONSTRATION AS OUTLINED IN SUBSECTION (E)” – while the House sponsor indicated under the prior bill introduction that such measures are still available to schools, an addition here would clarify subsection D and E do not limit all such authority if a student claims their actions were in connection with the demonstration.

For these reasons, we urge a FAVORABLE report of SB0519 from this Committee with the inclusion of the suggested amendments. The Board also commend the efforts of the youth leaders in our county who turned their passion for student rights into this legislative movement.

SB 519- Student Org. Peaceful Demonst. MFRW OPPOSE

Uploaded by: Ella Ennis

Position: UNF



Ella Ennis, Legislative Chairman
Maryland Federation of Republican Women
PO Box 6040, Annapolis MD 21401
Email: eee437@comcast.net

Senator Paul G. Pinsky, Chairman
and Members of the Education, Health, and Environmental Affairs Committee
Maryland Senate
Annapolis, Maryland

RE: **SB 0519** – Student Organized Peaceful Demonstrations – **OPPOSED**

Dear Senator Pinsky and Committee Members,

The Maryland Federation of Republican Women opposes SB 0519, which would authorize student-organized peaceful demonstrations during school hours on school property or on school buses.

Allowing these activities during school hours would result in all students losing valuable classroom time. Allowing students to conduct demonstrations on school buses is irresponsible and dangerous for both students and the bus driver.

The Vision Statement of the Maryland State Board of Education states best what our schools should be concentrating on:

Ensure all students have access to a world class educational system that prepares them to graduate ready for post-secondary learning, rewarding work, and success in society and life.

Parents send their children to school for that purpose, not to organize and participate in political demonstrations on school time. Nothing is stopping students from political advocacy or participating in demonstrations outside of school hours. That's what happens in real life – advocacy on your own time.

Data confirms that too many students are performing below grade-level in reading, mathematics, and science. The last thing students need is to be distracted from their academic studies to organize and participate in demonstrations or have classroom time supplanted by political demonstrations.

Already overburdened teachers and administrators will have to take time from their academic planning to review, approve and supervise demonstrations. How does one decide what is acceptable and what is not? How do you ensure fairness? Who will be the arbiter of political views?

Please give SB 519 an **UNFAVORABLE** report.

Sincerely,
Ella Ennis
Legislative Chairman

SB 519_SP_UNF.pdf

Uploaded by: Sarah Reichert-Price

Position: UNF

Senator Paul G. Pinsky
And Members of The Education, Health and Environmental Affairs Committee
Maryland Senate
Annapolis, Maryland

RE: SB 519- Education- Student-Organized Peaceful Demonstrations- **OPPOSE**

Dear Chair Pinsky and Members of The Committee,

Students, of all grade levels, especially since the existence of COVID-19, are struggling to maintain passing grades due to health regulations surrounding COVID and teachers are struggling to get them to benchmark. Allowing student-organized demonstrations, no matter how peaceful, during school operational hours creates another distraction from their academic instruction that they cannot afford. Although all voices should be heard, not all areas of disagreement or conflict requires a peaceful demonstration. This bill encourages rebellious activity without discretion.

In addition, most people's brain does not fully mature until age 25. Therefore, students, even in high school, are not capable of thoroughly thinking through the cognitive process to a reasonable end. Leaving this type of action to the discretion, organization, and performance thereof, to the students is a recipe for disaster.

Please vote an UNFAVORABLE report for SB 519- Education- Student-Organized Peaceful Demonstrations.

Thank you for your time,
Sarah Price
221 Miller Street
Westernport, MD