

SB0583-293923-01.pdf

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Position: FWA



SB0583/293923/1

AMENDMENTS
PREPARED
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DEPT. OF LEGISLATIVE
SERVICES

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BY: Senator Bailey
(To be offered in the Education, Health, and Environmental
Affairs Committee)

AMENDMENTS TO SENATE BILL 583

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike the comma and substitute “and”; and in line 5, strike
“, and a certain county board of education”.

AMENDMENT NO. 2

On page 1, after line 16, insert:

**“(A) IN THIS SECTION, “CLASSROOM DISRUPTION” MEANS INTENTIONAL
BEHAVIOR THAT DISTRACTS FROM THE LEARNING ENVIRONMENT OR DIRECTLY
AFFECTS THE SAFETY OF OTHERS.”;**

in line 17, strike “(A)” and substitute “(B)”; and in line 22, strike “AND COUNTY
BOARD”.

On page 2, in lines 1 and 5, strike “(B)” and “(C)”, respectively, and substitute
“(C)” and “(D)”, respectively; in line 1, strike “45” and substitute “90”; in lines 1 and 4,
in each instance, strike “(A)” and substitute “(B)”; in line 2, strike “AND COUNTY
BOARD JOINTLY”; and in line 5, strike “JUNE” and substitute “AUGUST”.

SenatorBailey_FWA_SB583.pdf

Uploaded by: Jack Bailey

Position: FWA

JACK BAILEY
Legislative District 29
Calvert and St. Mary's Counties

Judicial Proceedings Committee



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March 8, 2022

Senate Bill 583 – Maryland Center for School Safety – Public Schools – Reporting of Classroom Disruptions

Dear Chairman Pinsky and Members of the Committee,

I am writing to introduce Senate Bill 583 – Maryland Center for School Safety – Public Schools – Reporting of Classroom Disruptions. This bill would require the Maryland Center for School Safety (MCSS) to establish a website for anonymous reporting of classroom disruptions and to refer disruption reports received through this website to the appropriate county's superintendent. The bill would also require the school system to submit a response to this report to MCSS.

This Committee and the Senate have already spent a significant amount of time discussing the importance of classroom discipline and ensuring all students in our State are given the opportunity to have a safe learning environment. Senate Bill 583 is one tool to provide additional oversight for classroom discipline and give Maryland parents confidence that local school systems are promoting an environment that is free of disruption where students are able to safely learn.

Senate Bill 583 would establish a level of oversight that does not currently exist. Incidents that have arisen over the last several years, particularly at the Maryland School for the Deaf as well as with the use of restraint and seclusion in Calvert and Frederick Counties show why there is a need for greater oversight over school discipline. We have seen in these cases how one parent sharing their story with the public often leads to numerous others coming forward. This bill provides for more a proactive reporting mechanism and a detailed response to address to these issues.

Failing to respond to disruptive behavior through appropriate discipline causes a situation in which other students are unable to learn because of one disruptive student. What is far more troubling is that the disruptive student may not have their behavioral needs addressed and will continue to not learn and inhibit the ability of others to receive an education if the behavior is not responded to appropriately. This bill will ensure that Superintendents are aware of behavioral issues in the classroom, and running this initiative through a State entity will ensure proper oversight to have these reports addressed while still leaving the decision making on school discipline to local school systems.

I am also submitting an amendment in response to concerns that I have heard from school systems about this legislation. The amendment defines a disruption as engaging in intentional behavior that distracts from the learning environment or directly affects the safety of others. The amendment also gives local superintendents 90 days, instead of 45 days, to respond to the reported disruption, removes the local Board of Education from the process, and alters the date for the report required under the bill to August 1 to ensure that the report encompasses the entire school year.

I respectfully request a favorable report with amendments on Senate Bill 583. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Bailey".

Senator Jack Bailey

Senate Bill 583_Oppose.pdf

Uploaded by: Caroline Jiang

Position: UNF

TESTIMONY AGAINST

Testimony to the Education, Health, and Environmental Affairs Committee

In opposition to

Senate Bill 583: Maryland Center for School Safety– Public Schools– Reporting of Classroom Disruptions

March 8, 2022

Strong Schools Maryland urges an unfavorable vote on Senate Bill 583: Maryland Center for School Safety– Public Schools– Reporting of Classroom Disruptions.

The Blueprint for Maryland’s Future envisions a world-class system of public schools for our state’s students. Critical to that world-class system is safe learning environments that allow teachers to teach and students to learn. The Blueprint acknowledges the importance of restorative practices as a means to create these safe environments that build a sense of belonging, safety, and social responsibility for everyone in the school community. However, not only does Senate Bill 583 not further the Blueprint’s vision, it creates unnecessary opportunities for a litany of issues to occur that are elaborated below.

Senate Bill 583:

- Does not add any additional safety concerns that are not already in place within schools, such as code of conduct policies and escalating disciplinary tactics;
- Requires already busy local superintendents and county boards—who are presently handling COVID-19 guidelines for schools in their county—to sort through and respond to anonymous tips within 45 days;
- Fails to detail how county superintendents and county boards are meant to investigate anonymous tips and lacks consideration for how the school day and students’ learning could be hindered if these reports are made by non-educators;
- Presents underlying equity issues, such as giving an opportunity for others to create unfounded claims against racially/ethnically diverse teachers, in a way that can be used to negatively impact inclusion and full participation of all people within the school; and
- Fails to consider that classroom disruptions could be a sign of many other things, some of which should be handled by mental health professionals rather than someone who is not familiar with the specific community or school.

Current Maryland disciplinary practices revolve around punitive or exclusionary discipline involving things such as suspensions and expulsions. However, not only does exclusionary discipline fail to accomplish any of the things that it was intended for, it actually increases behavioral issues and contributes towards negative educational outcomes for students including lower academic achievement, greater risk of dropping out, and lower graduation rates.¹ Punitive discipline also has a discriminatory impact on students of color and students with disabilities. In 2018, 60% of out-of-school suspensions in Maryland were Black students, despite the fact that Black students only made up 35% of student enrollment.² Recently, restorative practices have been introduced and implemented as a successful

¹ Maryland Commission on the School-to-Prison Pipeline and Restorative Practices, 2018, <https://msa.maryland.gov/megafile/msa/speccol/sc5300/sc5339/000113/023600/023694/20190078e.pdf>

² Gail L. Sunderman et al., High Suspending Schools in Maryland: Where are They Located and Who Attends Them?, 2018, https://education.umd.edu/sites/education.umd.edu/files/MEP_Out-of-School%20Suspensions2_Oct%202018_0.pdf

alternative, as evidenced by findings from implementation of restorative practices in other states. Maryland also has several districts implementing restorative practices within their schools with promising results. In Montgomery, pilot schools that implemented a restorative justice program reported a 70% decline in office referrals for misconduct.³ After Baltimore City Schools implemented restorative practices in their pilot schools, suspensions fell by 44% in one school year.⁴

There is a growing body of research that supports the promising and powerful impact of restorative practices in Maryland schools. However, successful restorative practice programs require funding in order to train and coach educators in building positive school culture and strong relationships with students at the outset. Rather than paying for a system that has shown to not be beneficial, the \$65,781 in general state expenditures calculated in the fiscal and policy note could be better used to support implementation of restorative practice programs, training and coaching for educators, and program evaluation in schools.

Environments that are safe and conducive for teaching and learning are imperative for the world-class education system that the Blueprint envisions for Maryland. While the Blueprint seeks to move forward with restorative practices, the passing of SB583 would only serve to hinder this progress by continuing the pattern of punitive discipline. The General Assembly must abandon the tradition of treating students like they do not belong in the classroom and lead Maryland forward into a world-class education system that is for all students. We therefore respectfully urge an unfavorable report on Senate Bill 583.

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

Shamoyia Gardiner
Executive Director
shamoyia@strongschoolsmaryland.org

³ Maryland Commission on the School-to-Prison Pipeline and Restorative Practices, 2018, <https://msa.maryland.gov/megafile/msa/speccol/sc5300/sc5339/000113/023600/023694/20190078e.pdf>

⁴ Deborah T. Eisenberg et al., Restorative Practices in Baltimore City Schools: Research Updates and Implementation Guide, 2020

https://digitalcommons.law.umaryland.edu/cgi/viewcontent.cgi?article=1004&context=cdrum_fac_pubs

SB583 Classroom Disruptions 3.8.22.pdf

Uploaded by: Jeanette Ortiz

Position: UNF



**SB583 MARYLAND CENTER FOR SCHOOL SAFETY – PUBLIC SCHOOLS – REPORTING OF
CLASSROOM DISRUPTIONS**

March 8, 2022

EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE

OPPOSE

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

Anne Arundel County Public Schools (AACPS) opposes **SB583 Maryland Center for School Safety – Public Schools – Reporting of Classroom Disruptions**. This bill requires the Maryland Center for School Safety to establish a website for anonymous reports of public school classroom disruptions. It also requires the Center to establish an office that reviews and refers classroom disruption reports to the appropriate county superintendent of schools and the county board of education. It also requires a county superintendent and the county board jointly to respond within 45 days after receiving the report.

Safety in public schools is increasingly important to local boards of education as school-related security incidents and threats in Maryland and throughout the nation have increased over the years. As a result, it is essential for educational leaders to be included in the continued development of a comprehensive security plan. While well-intentioned, AACPS has concerns with the proposed legislation. As drafted, the bill does not provide a definition of “classroom disruption” which makes it excessively broad and subject to overly inconsistent interpretation. It is important to note that the

Maryland Center for School Safety already provides an anonymous reporting hotline which serves the same essential purpose of this legislation as it provides the public a means of notification for matters affecting school safety.

The bill also fails to clarify what, if any, actionable information can be developed from a flawed, unreliable, self-selected data set created from individuals who choose to designate anything as a classroom disruption. For example, parents/guardians who may make reports regarding classroom disruptions will largely rely on secondhand information from students that may or may not include context or factual information. We believe that this bill is unnecessary as Maryland currently has the systems in place to allow the public to report school safety concerns.

Accordingly, AACPS respectfully requests an **UNFAVORABLE** committee report on SB583.

SB 583.MCSS Reporting Class Disruptions.pdf

Uploaded by: John Woolums

Position: UNF

BILL: Senate Bill 583
TITLE: Maryland Center for School Safety - Public Schools - Reporting of Classroom Disruptions
DATE: March 8, 2022
POSITION: OPPOSE
COMMITTEE: Education, Health, and Environmental Affairs
CONTACT: John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE) opposes Senate Bill 583 which would require the reporting of classroom disruptions to the Maryland Center for School Safety (MCSS). MABE appreciates the merits of gathering data pertaining to student behavior to identify possible programmatic changes, such as professional development and increased staffing and other resources, but does not believe that MCSS is the appropriate recipient of such information. Rather, the Maryland State Department of Education (MSDE) is the primary authority and resource regarding student services, including state regulations on student discipline, state guidance on codes of discipline and behavioral responses to disruptive behaviors.

Maryland school systems are committed to all students becoming college and career ready and ensuring that the appropriate use of school discipline furthers that goal. In 2019, legislation passed to require all local school boards to revise their student discipline regulations to provide for restorative practices and state that the primary purpose of any disciplinary measure is rehabilitative, restorative, and educational.

MABE agrees that restorative approaches should play an integral role in the administration of Maryland's public schools. Such proactive practices, implemented with fidelity following appropriate professional development and training of all staff, can make significant improvements in school climate and the learning conditions for all students to learn.

The law now defines "restorative approaches" as a relationship-focused model that:

- (1) *Is preventive and proactive;*
- (2) *Emphasizes building strong relationships and setting clear behavioral expectations that contribute to the well-being of the school community;*
- (3) *In response to behavior that violates the clear behavioral expectations that contribute to the well-being of the school community, focuses on accountability for any harm done by the problem behavior; and*
- (4) *Addresses ways to repair the relationships affected by the problem behavior with the voluntary participation of an individual who was harmed.*

In 2017, legislation passed to prohibit a child enrolled in a public prekindergarten program through second grade from being suspended or expelled from school, subject to limited exceptions.

A student may be suspended for up to five school days if the school administration, in consultation with a school psychologist or other mental health professional, determines that there is an imminent threat of serious harm to other students or staff that cannot be reduced or eliminated through interventions and supports.

Significant reform in student discipline laws and regulations have not, to date, been accompanied by additional funding to implement these reforms. These major shifts in public policy began in 2014, when the State Board of Education adopted new regulations to dramatically reform the ways in which teachers, principals, and superintendents may suspend or expel students, and define the educational and behavioral supports to be provided to students in disciplinary situations. MABE adopted the position of supporting the State Board's initiative to require local boards of education to reform their student discipline policies to:

- prohibit "zero tolerance" policies;
- reflect a philosophy that fosters positive behavior;
- provide continuous education services to all suspended and expelled students; and
- hold school systems accountable for reducing and eliminating disproportionate impacts of student discipline policies on minority students.

The State Board ultimately adopted major reforms to longstanding student discipline regulations and mandated that, by the beginning of school year 2014-2015, each local board review and revise its student discipline policies as follows:

"Each local board of education has both the responsibility and authority to adopt policies designed to create safe schools. In the context of school discipline, by the beginning of school year 2014-2015, each local board shall review and revise its student discipline policies and regulations with the goal of maintaining an environment of order, safety, and discipline necessary for effective learning. The policies and regulations at minimum shall:

Reflect a discipline philosophy based on the goals of fostering, teaching, and acknowledging positive behavior; (2) Be designed to keep students connected to school so that they may graduate college and career ready; (3) Describe the conduct that may lead to in-school and out-of-school suspension or expulsion; (4) Allow for discretion in imposing discipline; (5) Address the ways the educational and counseling needs of suspended students will be met; and (6) Explain why and how long-term suspensions or expulsions are last-resort options."

More specifically, these regulations introduced new terms and conditions for disciplining students, including definitions of short-term, long-term and extended suspensions, and expulsion. MABE believes that current State statutes and regulations, in conjunction with local board policies, effectively govern responses to student conduct.

For these reasons, MABE requests an unfavorable report on Senate Bill 583.

SB 583 - MDDC OPPOSE - Maryland Center for School

Uploaded by: Rachel London

Position: UNF



**Maryland Developmental
Disabilities Council**

CREATING CHANGE • IMPROVING LIVES

Senate Education, Health, and Environmental Affairs Committee

SB 583: Maryland Center for School Safety – Public Schools – Reporting of Classroom Disruptions

March 8, 2022

Position: Oppose

The Maryland Developmental Disabilities Council (DD Council) envisions a state where people with and without disabilities live, learn, work, and play together. This includes children with disabilities learning alongside their peers without disabilities. Maryland educates more than 112,000 students with disabilities with a variety of services and supports - most in general education classrooms. **With that in mind, the DD Council opposes SB 583.**

WHAT does this legislation do:

- SB 583 requires the Maryland Center for School Safety to establish a website for anonymous reports of public school classroom disruptions and to establish an office that reviews and refers classroom disruption reports to the appropriate school authorities.
- It also requires the public reporting of the types and frequency of reports received and responses given on the Center's website.

WHY is this a problem?

- Disruption is not defined in the bill. Many students with disabilities display behaviors that could be considered disruptive. Generally, those behaviors are manifestations of the student's disability.
- There are already laws about steps to take, including any disciplinary action, when a student with disabilities exhibits certain behaviors.
- It may lead to students with disabilities being singled out in classroom settings by their peers and educators.
- The annual public reporting with identified categories of the types of disruption without context may lead to unnecessarily identifying students with disabilities as disruptive.

SB 583 could disproportionately and negatively impact students with disabilities and their ability to learn in the classroom setting. For that reason, the DD Council opposes SB 583.

Contact: Rachel London, Executive Director, rlondon@md-council.org