



Maryland Education Coalition



INSPIRES ACTION & POSITIVE CHANGE SO MARYLAND'S STUDENTS SUCCEED

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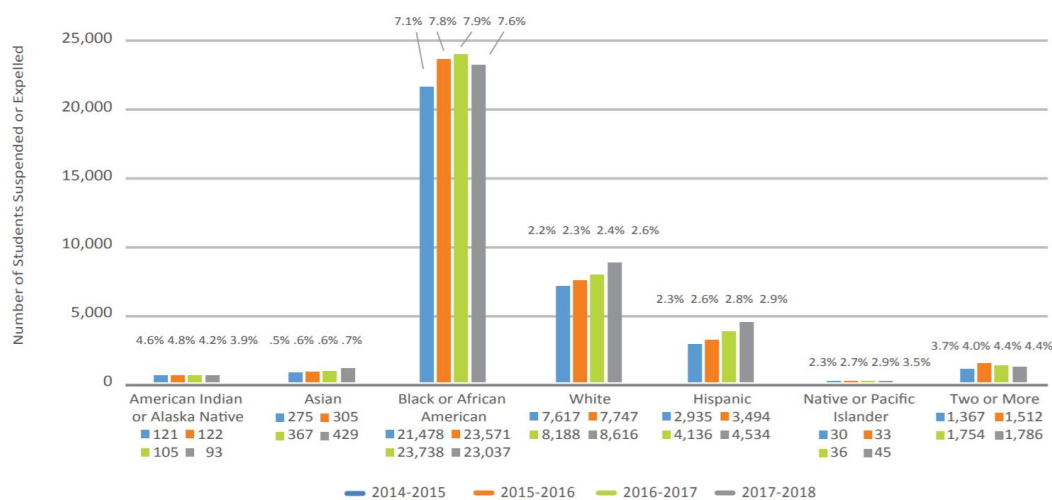
Chair Atterbeary and members of the Ways and Means Committee
House Bill 23
School Discipline - Data Collection and School Resource Officers
January 20, 2022
Position: Favorable Support

The Maryland Education Coalition (MEC) represents non-profit organizations that address a range of public education advocacy interests dedicated to equitable opportunities to learn for Maryland's school students. It is our belief that all Maryland school children deserve to experience schools that are equipped to fully engage them, enliven their interests, and appropriately respond when challenges with behavior arise.

HB23 would address a significant gap in education reporting. Currently student discipline data lacks transparency. The reports are difficult to locate, only available as a PDF, and are not inclusive of disaggregated information. Transparency and availability of data is a precondition for addressing disparities. HB23 would require the Maryland State Department of Education to change the format of the annual state report of discipline data and provide these reports in a format similar to how other public education data are reported. These provisions will improve transparency in reporting and equity for children. We are deeply concerned about the extraordinarily high number and percent of African American students who are suspended in Maryland. According to estimates released by the U.S. Department of Education there were 164,799 days of instruction lost due to out-of-school suspensions in Maryland during the 2015-16 school year. Of these, 68.5% of days missed were by African American students.¹

Maryland's Task Force on Achieving Academic Equity and Excellence for Black Boys identified the disproportionate suspensions of African American or Black Students as a significant concern. Data availability, transparency, and the need to disaggregate data is cited by the Task Force numerous times in its report, *Transforming the Culture of Maryland's School for Black Boys*, as a necessary condition to improve outcomes for African American youth.

Maryland Suspension and Expulsion Data by Race/Ethnicity²



¹ US Department of Education Office of Civil Rights Data Collection. <https://ocrdata.ed.gov/> (Released May 2020)

² Maryland State Department of Education & Task Force on Achieving Academic Equity and Excellence for Black Boys. (2021, April). *Transforming the Culture of Maryland's School for Black Boys*.
<https://www.marylandpublicschools.org/stateboard/Documents/2021/0427/MSDETransformCultureforBlackBoy.pdf>

Eliminating racial disparities and reducing lost learning opportunities due to suspensions is one of the most important steps schools can take toward eliminating barriers to success for African American youth and improve graduation rates. Absences due to suspension and expulsions affect student's grades and connection to school. According to the study, *Sent Home and Put Off-Track: The Antecedents, Disproportionalities, and Consequences of Being Suspended in the Ninth Grade*, researchers found that suspension increased the chance of leaving school prior to graduation from 16 percent to 32 percent.³

Additionally, HB23 requires that schools be identified as “high-suspending” schools when an elementary school suspends 10% and a high school suspends 25% or more of their population or the ratio of suspensions reaches a disproportionality level of 2:1 decreasing the threshold from the current standard of 3:1. Given the significant and negative impact of suspension on student outcomes, and the current level of disproportionality allowing students to be negatively impacted at a ratio of 3:1 is an unjust disservice to our state's most marginalized groups. The return to school from multiple years of disruption requires a transformational response to student needs. Research-based practices including restorative justice, mentoring, training on implicit bias and asset-based youth development, and the provision of behavioral and mental health services should guide how Maryland schools and districts approach improving student behavior.⁴ We would suggest clarifying that the thresholds for a high suspending school be further defined to ensure that measure counts individual students who have been suspended once, and not for each suspension they may incur.

Furthermore, HB23 dictates that a school resource officer may not unilaterally enforce discipline-related school policies, rules, regulations, or procedures. While the Maryland Education Coalition questions the enforceability of this provision we concur with the intention that school resource officers should not engage in discipline related activities for routine misbehavior which is better handled by administrators and through the provision of improved training, restorative justice, and support and resources for school staff and students.

MEC urges a favorable report of HB23.

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

³ Balfanz, R., Byrnes, V., & Fox, J. (2012, December). *Sent Home and Put Off-Track: The Antecedents, Disproportionalities, and Consequences of Being Suspended in the Ninth Grade* [Paper presentation]. Center for Civil Rights Remedies and the Research-to-Practice Collaborative, National Conference on Race and Gender Disparities in Discipline.

⁴ Kostyo, S., Cardichon, J., & Darling-Hammond, L. (2018). *Making ESSA's Equity Promise Real: State Strategies to Close the Opportunity Gap Reducing Student Suspension Rates* (Rep.). Learning Policy Institute.
<https://learningpolicyinstitute.org/product/essa-equity-promise-report>