



## HB495 EDUCATION - STUDENT-ORGANIZED PEACEFUL DEMONSTRATIONS - STUDENT DISCIPLINE AND POLICY

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WAYS AND MEANS COMMITTEE

### OPPOSE

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Anne Arundel County Public Schools (AACPS) opposes **HB495 Education - Student-Organized Peaceful Demonstrations - Student Discipline and Policy**. This bill bars a public school from 1) prohibiting a student from organizing or participating in a student-organized peaceful demonstration; 2) imposing limits that substantially inhibit a student's right to free speech while participating in a student-organized peaceful demonstration; and 3) disciplining a student for organizing or participating in a student-organized demonstration. A school may impose reasonable limitations on the time and place of a student-organized peaceful demonstration to minimize disruptions and protect the health, safety, and welfare of students and school personnel. Each local board of education must develop a written policy as specified regarding student-organized peaceful demonstrations.

AACPS appreciates the amendment to the legislation which AACPS supports the rights of students to peaceably protest. AACPS also supports local control. It is important to note that students are currently able to peaceably protest. What cannot be predicted is when a student-led protest, that is meant to be peaceful, may become unmanageable and result in harm or another kind of disruption to school activities or students. For example, there are potentially serious safety risks with students protesting on a moving school bus.

It is also important to note that under current State law, a person may not willfully disturb or otherwise willfully prevent the orderly conduct of the activities, administration, or classes of any institution of elementary, secondary, or higher education. As such, if there is sufficient cause to believe that a student-led protest actually caused harm or disruption, AACPS believes that the consequences should not be limited to the discipline that would be imposed for an unlawful absence. A school administrator should be permitted to impose the appropriate discipline based on the individual circumstances of a matter in accordance with the AACPS Code of Student Conduct as opposed to simply imposing discipline commensurate with an unlawful absence.

Accordingly, AACPS respectfully requests an **UNFAVORABLE** committee report on HB495.