



UNIVERSITY SYSTEM *of* MARYLAND

Education, Energy, and the Environment Committee Senate Bill 151

Higher Education - Disciplinary Records - Use in Admissions and Disciplinary Proceedings January 22, 2025 Favorable with Amendment

Chair Feldman, Vice Chair Kagan and members of the committee, thank you for the opportunity to offer testimony on Senate Bill 151. The University System of Maryland (USM) appreciates the intent of this bill and respectfully requests an amendment to it for the benefit of all students.

The USM is comprised of twelve distinguished institutions and three regional centers. We award eight out of every ten bachelor's degrees in the state. Each of USM's 12 institutions has a distinct and unique approach to the mission of educating students and promoting the economic, intellectual, and cultural growth of its surrounding community. These institutions are located throughout the state, from Western Maryland to the Eastern Shore, with the flagship campus in the Washington suburbs. The USM includes three Historically Black Institutions, comprehensive institutions and research universities, and the country's largest public online institution.

Admissions personnel recognize that disciplinary records from a student's educational past can bear the traces of bias and could unfairly disadvantage students. Consequently, USM institutions do not disqualify an applicant just because of the existence of such a disciplinary record, and the USM supports the intent of this bill.

The challenge for our campuses is that the bill disallows inquiries into disciplinary records for decisions about campus residency or for offering supportive counseling or services. With respect to residency, it is rare that a discipline record impacts a decision about residency, but when it does happen, the situation has been deemed by professionals to carry serious risk either for the student or other students or staff. Such inquiries for residency can be made for people who have a criminal history, and they should also be allowed for students with disciplinary records.

A much more common situation is that inquiry into a discipline record leads to better understanding of challenges a student has had—and that enhanced understanding can help campus professionals assist a student to succeed in college. There are numerous challenges that could lead a student in distress to behave in a manner that led to a disciplinary record. Secondary schools have access to different kinds of student records to help assign resources to them, but higher education institutions do not always have that information. The concern in this type of situation is the student's own welfare, particularly if the student is going to be living away from home. The transition to college life can be challenging, and the more information USM institutions are provided, the more supports can be in place before the students is on campus.

Therefore, we *respectfully recommend amending 26-504(a) (line 24) so that “a student’s criminal history OR DISCIPLINARY RECORD” can be considered for decisions about access to campus residency or for offering supportive counseling. In concert with that change, 26-504(a)(2) could also be amended to read, “Offering supportive counseling or services to help THE STUDENT, INCLUDING, AS APPROPRIATE, TO rehabilitate and education the student on barriers a criminal record may present.”*

Thank you for considering what we believe is an important amendment to the bill.

