

BILL: Senate Bill 714
TITLE: Public Schools – Discipline-Related Data – Collection and Publication
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COMMITTEE: Education, Energy, and the Environment
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The Maryland Association of Boards of Education (MABE), representing all of the state’s local boards of education, provides this informational letter **for Senate Bill 714 – Discipline-Related Data – Collection and Publication.**

SB 714 seeks to require publication of accessible and disaggregated data on exclusionary discipline (student suspension)—on a school-by-school basis—and to decrease the exclusionary discipline numbers both by a “risk ratio,” comparing a school’s suspension rate of a subgroup to all other students within the school itself, and by a “state comparison threshold,” comparing a school’s subgroup suspension rate to statewide rates of suspension.

MABE appreciates and supports the intent of SB 714 to provide a framework that ultimately reduces disproportionate suspensions across marginalized subgroups. Disproportionately high suspensions of any subgroup—by race, socioeconomic status, disability status, or another—are problematic for their negative educational impact on the impacted subgroup and the school overall. The best place for every student during the school day is inside a school building.

However, while SB 714 laudably aims to enhance transparency in school discipline data, much of what it seeks to establish is already required under COMAR,ⁱ is already data provided to MSDE,ⁱⁱ and already reflects work that local districts are doing.

Any law or regulation seeking to reduce disproportionate exclusionary discipline should:

- Support scaling successful local initiatives that are effectively addressing disciplinary disparities;
- Ensure that data reporting enhances, rather than hinders, school improvement efforts; and
- Protect student privacy while still providing meaningful insights that drive action.

In balancing these goals, the framework must ensure that reporting requirements serve the goal of improvement rather than becoming an administrative burden that diverts resources away from the work that truly improves student outcomes.

The Importance of Localized Continuous Improvement

It is critical for local school systems to analyze their discipline data at the school level. And to be clear, school systems already do this work—they routinely examine discipline trends and identify disproportionate outcomes.

While state oversight can be helpful, it is important that the law does not elevate reporting requirements to MSDE and strict one-year and three-year requirements over supporting the more important lever of localized, ongoing work of continuous school improvement. Addressing disproportionate discipline is not just a matter of reviewing policies and publishing reports—it requires a deeper, school-based approach, that should include:

- Conducting root cause analyses through school walkthroughs and classroom observations,
- Providing targeted training so staff have the tools and supports to address student behavior without over-reliance on exclusionary discipline (which, if not done thoughtfully, can lead to worse academic outcomes), and
- Building school cultures centered on mutual respect, accountability, and support for students and staff alike.

To the extent that the General Assembly and MSDE can support local school systems through resources and assistance in providing the above deliverables, we will see a genuine reduction in suspensions and disproportionate discipline outcomes.

Thank you for your attention to this important issue.

ⁱ COMAR 13A.08.01021 – Reducing and Eliminating Disproportionate/Discrepant Impact provides:

- A. The Department shall develop a method to analyze local school system discipline data to determine whether there is a disproportionate impact on minority students.
- B. The Department may use the discrepancy model to assess the impact of discipline on special education students.
- C. If the Department identifies a school's discipline process as having a disproportionate impact on minority students or a discrepant impact on special education students, the local school system shall prepare and present to the State Board a plan to reduce the impact within 1 year and eliminate it within 3 years.
- D. The local school system will report its progress annually to the State Board.

ⁱⁱ MABE understands that there is a sentiment that due to FERPA and MSDE data suppression policies, there is a sense that much of the data sought by SB 714 will be

suppressed. However, MABE has no serious concerns with SB 714 from a data reporting perspective. The data that SB 714 seeks is largely provided to, and already published by, MSDE. MSDE's office of Equity and Excellence has published [the 2022-23 Suspension data on a school-by-school basis here](#), and the [2021-22 Suspension data on a school-by-school basis here](#). Based on these reports, issues related to FERPA-required suppression of data that could identify individual students and thus put disproportionate scrutiny on certain schools while ignoring others, may not be a significant concern—provided that SB 714 does not intend to further disaggregate already-disaggregated data based on two subgroups, such that the denominators of the school-by-school data pools fall below 10 (e.g., disaggregating Black Male Students with Disabilities from Black Female Students with Disabilities, etc., where a school may only have a handful of such students meeting each combination of the subgroup criteria).