

Education Advocacy Coalition for Students with Disabilities

SENATE EDUCATION, ENERGY & THE ENVIRONMENT COMMITTEE

SENATE BILL 482: Public Middle and High Schools—Student Discipline (Right to Teach Act of 2025)

DATE: FEBRUARY 21, 2025

POSITION: OPPOSE

The Education Advocacy Coalition for Students with Disabilities (EAC), a coalition of nearly 50 organizations and individuals concerned with education policy for students with disabilities in Maryland, strongly opposes Senate Bill 482, which would allow teachers to remove students from their classrooms for behavior “that does not conform to the behavioral guidelines adopted by the county board” and would allow principals to engage in a variety of disciplinary actions, including in-school suspension, moving the child to another classroom, placing the student in an alternative program, and limiting the student’s attendance at, or participation in, school-sponsored or school-related activities. Additionally, Senate Bill 482 would, except under certain circumstances, prohibit a principal from returning a student to their classroom without the teacher’s consent. For a host of reasons, Senate Bill 482 violates the rights of students with disabilities.

Senate Bill 482 would allow a student to be removed from class if the student “has repeatedly interfered with the teacher’s ability to communicate with other students in the classroom or with other students’ ability to learn effectively.” This is exactly the situation addressed by the Individuals with Disabilities Education Act (IDEA) requirement that an Individualized Education Program (IEP) team must consider positive behavior interventions, strategies and supports to address the student’s behavior if it interferes with the student’s ability to learn or the ability of others to learn. Recognizing that students may engage in disability-related challenging behavior, the IDEA includes provisions requiring functional behavioral assessments and behavior intervention plans.

Additionally, Senate Bill 482 fails to define “unruly”, “disruptive” or “abusive” and fails to address the reasons why students with disabilities may engage in behavior that may be perceived as “unruly”, “disruptive” or “abusive.” For example, students with disabilities may engage in challenging behavior because they do not have an effective means of communication as required by the IDEA and the Americans with Disabilities Act, or because their IEPs or Section 504 plans are not appropriate or because they are not receiving the services required by their IEPs or Section 504 plans.

Further, permitting a teacher to refuse to allow students back into their classroom makes it likely that students with disabilities whose teachers would prefer not to teach them will be removed to more restrictive settings in violation of the IDEA; this would also create an end run

Education Advocacy Coalition Testimony: Senate Bill 482
February 21, 2025
Page Two

around well-established requirements governing how students with disabilities may be disciplined.

Senate Bill 482 violates the most basic tenets of law governing the education of students with disabilities.

For these reasons, the EAC strongly opposes Senate Bill 482.

Contact: Leslie Seid Margolis at lesliem@disabilityrightsmd.org or 443-692-2505.

Respectfully submitted,

Selene Almazan, Selene Almazan Law, LLC
Rene Averitt-Sanzone, The Parents' Place of Maryland
Linda Barton, MSED, Education Consultant
Beth Benevides, Autism Society of Maryland, Co-Chairperson, Education Advocacy Coalition
Ellen A. Callegary, Attorney (Retired)
Melanie Carlos, xMinds (Partnership for Extraordinary Minds)
Stephanie Carr, S.L. Carr Education Consultants, LLC
Rich Ceruolo, Parent
Michelle Davis, M.Ed., ABCs for Life Success
Jennifer Engel Fisher, M.S., Weinfeld Education Group
Lisa Frank and Andrea Bennett, Special Kids Company
Riya Gupta, Strong Schools Maryland
Beth Ann Hancock, Charting the Course, LLC
Kalman Hettleman, Independent Advocate
Morgan Durand Horvath, M.Ed., Abilities Network
Stacy Ganz Kahn, Educational Resources Group of Greater Washington
Rosemary Kitzinger and Marjorie Guldán, Bright Futures, LLC
Ande Kolp, The Arc Maryland
Rachel London, Maryland Developmental Disabilities Council
Leslie Seid Margolis, Disability Rights Maryland, Co-Chairperson, Education Advocacy Coalition
Monica Martinez, Martinez Advocacy
Beth Nolan, MAT, Education Team Allies
Sumaiya Olatunde, H2D Counseling
Ellen O'Neill, Atlantic Seaboard Dyslexia Education Center
Ronza Othman, National Federation of the Blind of Maryland/Maryland Parents of Blind Children
Kate Raab and Nicole Joseph, Law Office of Nicole Joseph
Jaime Seaton, BGS Law, LLC

Education Advocacy Coalition Testimony: Senate Bill 482

February 21, 2025

Page Three

Ronnetta Stanley, M.Ed., Loud Voices Together

Wayne Steedman, Steedman Law Group

Guy Stephens, Alliance Against Seclusion and Restraint

Maureen van Stone, Kendall Eaton, Genevieve Hornik, Project HEAL at Kennedy Krieger
Institute

Winifred Winston, Decoding Dyslexia Maryland

Liz Zogby, Maryland Down Syndrome Advocacy Coalition

The Maryland Education Coalition also joins this testimony.