

TO: House Committee on Ways and Means

BILL: HOUSE BILL 488 Public Schools – Discipline-Related Data – Collection and Publication

DATE: February 12, 2025

Position: Information

The Maryland State Department of Education (MSDE) is providing information regarding House **Bill (HB) 488 – *Discipline-Related Data – Collection and Publication***, mandates changes to MSDE’s data analysis and reporting requirements.

HB 488 Summary

House Bill 488 aims to increase transparency and accountability regarding school discipline practices in Maryland public schools. The bill mandates the collection, disaggregation, and publication of discipline-related data, with a particular focus on identifying and addressing disproportionate disciplinary impacts on certain student subgroups.

While the intention behind this bill to address disproportionality in school discipline is commendable, the proposed mandates pose significant operational and fiscal challenges to MSDE and local education agencies (LEAs) and may not achieve the desired outcomes.

MSDE Impact

HB 488 mandates substantial changes to MSDE's data analysis and reporting requirements. The bill requires the public dissemination of discipline-related data in an accessible and disaggregated electronic spreadsheet format on the MSDE website, including data at the State, LEA, and school levels. This data must be disaggregated by grade level, race, ethnicity, disability status (including whether a student has a 504 plan or individualized education program), socioeconomic status, English language proficiency, and gender. This level of disaggregation creates a complex data management task for MSDE. Data suppression rules to protect students’ privacy are applied to all data reports.

The bill lowers the existing risk ratio and state comparison thresholds from 3.0 to 2.0 for identifying disproportional disciplinary practices and adds English language proficiency status to the State’s method for identifying a school as disproportionate. This change will likely increase the number of schools identified as high-suspending or disproportionate, requiring more extensive intervention and resources that are not currently available to MSDE. The 3.0 threshold

was established based on input from key stakeholders and the Maryland State Board of Education.

HB 488 defines "high-suspending" schools as elementary schools suspending 10% or more of students in each subgroup or secondary schools suspending 25% or more of students in each subgroup. The subgroups are defined by race, ethnicity, disability status (including separately students with a 504 plan or IEP), and English language proficiency. This definition may be overly broad, potentially mislabeling schools with complex student populations and unique challenges.

To meet the demands of HB 488, MSDE will need to hire an Education Program Specialist at 50% time in Fiscal Year 2026. This specialist will be responsible for analyzing data, creating public spreadsheets, and providing technical assistance to LEAs. Without additional resources, MSDE cannot absorb the additional workload.

HB 488 requires MSDE to develop and annually update an action plan that includes the required disproportionality data and provide support and resources to LEAs. The increased number of identified schools will impact the timeline for monitoring and support of LEA and school action plans and may require one staff member to provide support to LEAs, in addition to the half time specialist for data analysis included in the agency's explanation of impact.

LEA Impact

HB 488 will also have a significant fiscal and operational impact on LEAs as they will be required to submit plans to the State Board of Education outlining strategies to reduce the disproportionate impact in identified high-suspending or disproportionate schools. LEAs may need to hire additional personnel such as Behavioral Interventionists, In-School Suspension Assistants, School Counselors, and Assistant Principals to implement behavior strategies and manage the new data requirements.

Additional Information

The Maryland State Board of Education already has regulations in place, COMAR 13A.08.01.21, that direct MSDE to analyze school discipline data to determine if school discipline practices are having a disproportionate impact on students of color and students with disabilities. HB 488 modifies existing portions of Section 7-306 of the Education Article, Annotated Code of Maryland and adds more requirements, potentially complicating rather than streamlining current efforts.

In summary, while the objective of HB 488 is laudable, the bill's mandates create substantial burdens on both MSDE and LEAs without a clear plan for providing the necessary resources. The bill's mandates will likely create new costs and additional administrative burdens.



Carey M. Wright, Ed.D.

State Superintendent of Schools

Joshua L. Michael, Ph.D.

President, State Board of Education

MSDE respectfully requests consideration of these comments as HB 488 is discussed and deliberated.

For further information, please contact Dr. Akilah Alleyne at 410-767-0504, or Akilah.alleyne@maryland.gov