

BILL: House Bill 773
TITLE: Public Middle and High Schools – Student Discipline (Right to Teach Act of 2025)
HEARING DATE: March 3, 2025
POSITION: UNFAVORABLE
COMMITTEE: Ways and Means
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The Maryland Association of Boards of Education (MABE), representing all of the state’s local boards of education, **opposes House Bill 773, Public Middle and High Schools – Student Discipline (Right to Teach Act of 2025).**

House Bill 773 authorizes teachers to invoke a student disciplinary process in response to student behavior that may not conform to policies adopted by their local board of education, effectively removing local control from boards of education in favor of each classroom teacher executing their own policy.

Every local board of education places a high priority on establishing policies and procedures concerning student discipline. This is by design, based on the framework established by the General Assembly and the State Board of Education. Current state law reflects the legislature’s recognition that principals and superintendents have broad discretion to make student discipline decisions (see Section 7-305 of the Education Article). Moreover, the state’s regulatory framework assigns local boards of education “the responsibility and authority to adopt policies designed to create safe schools” (COMAR 13A.08.01.09). It is thus paramount to both consistency and the regulatory framework that local boards of education establish and implement policies concerning student rights, responsibilities, and educationally appropriate disciplinary and behavioral responses when school policies are violated.

House Bill 773 (and its Senate counterpart, SB 482) undermines this important local control. Questions about when and whether to remove a student from the classroom are set by district policy. House Bill 773 overrides that policy.

In addition, House Bill 773 misunderstands the nature of restorative practices by stating that after a student is removed from class, a guidance counselor may “discipline” a student using restorative approaches. This fundamentally misunderstands restorative practices in key ways:

- **Restorative Practices Are Not Discipline** – The language of the statute suggests that a guidance counselor is expected to discipline a student using restorative

approaches. However, restorative practices are not a form of punishment; they are meant to repair harm, rebuild relationships, and address root causes of behavior. Framing them as discipline undermines their intent.

- **Restorative Practices Aim to Keep Students in Class** – Effective restorative approaches prioritize keeping students engaged in learning rather than removing them from instructional time. If a student is sent to a guidance counselor as a response to behavior, as this bill proposes, it turns restorative practices into an exclusionary measure, contradicting their goal.

For the reasons outlined above, MABE requests an unfavorable report on House Bill 773.