



House Ways and Means Committee

HB 197 - Public Schools - Restorative Practices Schools – Comprehensive Plan

January 29, 2025

Favorable With Amendments

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The ACLU of Maryland (ACLU) supports with amendments HB 197, which directs the Maryland State Department of Education (MSDE) to develop a comprehensive plan for the establishment of Restorative Practices Schools throughout the state. We are asking for the bill to be amended to include: (1) that MSDE be required to consult with school community members while developing the plan; and (2) that the process for developing the plan be a transparent and accessible process, with opportunities for the impacted community to provide feedback and ideas.

Restorative Practices Are A Proven Model

Restorative Practices is a strategy that seeks to build healthy and strong relationships among school staff, students, and families and provide a place for meaningful conversation and healing when conflicts arise. In Baltimore City, the school district targeted 14 schools to implement intensive Restorative Practices. Two years later, researchers studied the impact of the initiative – and the results were promising.¹

- School suspensions dropped by 44% in one year
- 72% of school staff reported improved climate
- 69% of school staff reported improved student respect for one another
- 64% of school staff reported improved student respect for staff

In collaboration with community advocates and practitioners, the Maryland State Department of Education (MSDE) has taken the first step in developing guidance and promoting the use of Restorative Practices in schools throughout Maryland. However, in recent years, all attention has

¹ Restorative Practices in Baltimore City Schools: Research Updates and Implementation Guide. September 2020. Open Society Institute Baltimore. https://core-docs.s3.us-east-1.amazonaws.com/documents/asset/uploaded_file/3843/BCPS/3792280/RP-Report-2020-FINAL.pdf

been focused on Maryland's *Blueprint for Maryland's Future (Blueprint)* plan, which does not emphasize the importance of improving climate, building a life-affirming environment, and fostering healthy relationships in schools.

Restorative Practices Schools: A Holistic and Culturally Responsive Approach to Building a Healthy School Climate and Fostering Student Well Being

Maryland's focus on Restorative Practices has been limited to its application in discipline-related incidents. These practices include helping children learn how to resolve conflicts and manage emotions through effective communication, mediation, restorative circles, trauma-informed care, social emotional learning, fostering healthy relationships, and more.

However, **Restorative Practices Schools goes further by integrating strategies to build a healthy, life-affirming environment into the daily practices and activities of the whole school.** These schools are intentional about proactively creating an environment where students have the opportunity to learn about each other's lived experiences, how to empathize with one another, and how to develop positive relationships with their peers. This approach is culturally responsive, which is designed to help all students – especially Black and Brown children, and those in the LGBTQ+ community – to critically think about their place in the world and helps them to develop strong identities and self-esteem to mitigate the negative societal messages that they often internalize.

Many studies have shown that racial bias is prevalent in our population as a whole – which includes teachers and schools staff.² This is normal however, without taking steps to mitigate bias school staff can be unknowingly causing harm. One study reported that of the tens of thousands of teachers and school staff surveyed, 30% of respondents expressed explicit pro-white/anti-Black bias, and 77% expressed implicit pro-white/anti-Black bias. These biases are significant as studies have also shown that implicit racial and ethnic biases are associated with lower expectations of students, unfair discipline practices, lower quality instruction, and less attention to fostering positive social environments.³

² Starck, Jordan, et al. *Teachers are people too: May 2020. Examining the Racial Bias of Teachers Compared to Other American Adults.* Educational Researcher. https://journals.sagepub.com/doi/pdf/10.3102/0013189X20912758?casa_token=Y2RAU9sDmvgAAAAA:ncmagk0D8VVLBg5x9hJ6WfVI_Qgk9nrWqxUUMFewFp4myKTmlU4mQ1YGGz3t-GgDNYLTjwAJsxkKpQ

³ Teachers are people too: Racial bias among American educators. July 2020. The Brookings Institution. <https://www.brookings.edu/articles/teachers-are-people-too-racial-bias-among-american-educators/#:~:text=Our%20most%20precise%20raw%20estimates,white%2Fanti%2DBlack%20bias.>

The everyday interactions that happen between teachers and students, teachers and families, principals and teachers, students and students, counselor and student, etc., have a significant impact on student well-being over time. Whether it is in the classroom, with a counselor, or afterschool sporting activity, Restorative Practices Schools are intentional about how school staff are engaging with students and that these interactions are serving to affirm their lives, foster healthy relationships, and bolster self-efficacy and esteem. Studies have shown that a healthy school climate and students' believing that they are capable of doing the work are far more likely to overcome challenges and achieve at a high level.^{4, 5}

Amendments

The ACLU asks that the following amendments (in red) be included in HB 197. On Page 4, starting with Line 23:

(2) IN DEVELOPING A COMPREHENSIVE PLAN, THE DEPARTMENT SHALL CONSULT WITH AND SEEK INSIGHT FROM:

(I) EDUCATORS AND ADMINISTRATORS WHO HAVE EFFECTIVELY ESTABLISHED AND OPERATED SCHOOLS THAT INTEGRATE RESTORATIVE PRACTICES INTO THE DAILY PRACTICES AND ACTIVITIES OF THE WHOLE SCHOOL;
AND

(II) STATE AND NATIONAL ORGANIZATIONS THAT HAVE STUDIED THE EFFECTIVE USE OF RESTORATIVE PRACTICES AND HAVE ESTABLISHED THE MOST APPROPRIATE METHODS OF INTEGRATING RESTORATIVE PRACTICES IN THE SCHOOL SETTING-;

(III) SCHOOL COMMUNITY MEMBERS INCLUDING TEACHERS, PARENTS, FAMILY MEMBERS AND STUDENTS; AND

(3) THE DEVELOPMENT OF THE COMPREHENSIVE PLAN SHALL INCLUDE REGULAR PUBLIC MEETINGS, ACCESSIBLE THROUGH AN ONLINE STREAMING PLATFORM, A WEBPAGE THAT INCLUDES

⁴ Basileo, Lindsey D., et al. "The role of self-efficacy, motivation, and perceived support of students' basic psychological needs in academic achievement." *Frontiers in Education*, vol. 9, 27 May 2024, <https://doi.org/10.3389/educ.2024.1385442>.

⁵ Daily SM, Mann MJ, Lilly CL, Dyer AM, Smith ML, Kristjansson AL. School Climate as an Intervention to Reduce Academic Failure and Educate the Whole Child: A Longitudinal Study. *J Sch Health*. 2020 Mar;90(3):182-193. doi: 10.1111/josh.12863. Epub 2020 Jan 5. PMID: 31903632; PMCID: PMC7427837.

RECORDED MEETINGS AND ALL MATERIALS POSTED IN A TIMELY MANNER, AND CLEAR WAYS FOR THE PUBLIC TO PROVIDE INPUT.

With the aforementioned amendments, the ACLU urges a favorable report on HB 197.

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