

**House Bill 123**  
**School Systems – Reportable Offenses – Alterations**  
**Ways and Means Committee – February 5, 2026**  
**UNFAVORABLE**

**Thank you for the opportunity to present written testimony in opposition to House Bill 123.** I am a long-time resident of Montgomery County and recently served on its Commission on Juvenile Justice. Before retiring from the Federal government, I worked for more than three decades on education policy at the U.S. Department of Education.

**I am opposed to House Bill 123 because it harms children and does not improve public safety.** By expanding the long list of reportable offenses that are already specified in the law, it increases the likelihood that more children, particularly Black children, will be removed from the school environment that is best suited to help them stay engaged in school, develop the social-emotional skills they need to succeed, and remain on a path to graduation. **Communities are not made safer when children who are justice involved are not supported and put at risk of academic failure, dropping out of school, and future justice involvement.**

Requiring the police to notify school officials that a student has been arrested for committing a reportable offense in the community is billed as a school safety mechanism. The theory is that school officials would use that information to identify students whose placement needs to be changed because their presence may endanger other students or staff. Specifically, they are tasked with determining whether the presence of the child poses an imminent threat of serious harm. **The problem is that school officials have used the information about reportable offenses to remove students who are not dangerous, but who are regarded as children who should be excluded from a regular school.**

Exclusionary discipline continues to be overused in schools throughout the State despite efforts to contain it and evidence that it is counterproductive and disproportionately harms Black children and children with disabilities.<sup>1</sup> It should not be surprising that in a State in which school officials continue to rely too heavily on suspensions to manage classroom behavior, some are misusing information about reportable offenses to justify yet another form of push-out. **Students who may never be adjudicated delinquent for the reportable offense for which they were arrested are nevertheless being pushed into learning environments that are not remotely comparable to that of the student’s regular school.** In school year 2023-2024, almost two-thirds of the children removed by school officials were placed in alternative schools or virtual learning at home.<sup>2</sup>

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<sup>1</sup>Maryland Advisory Committee to the U.S. Commission on Civil Rights, “Disparities in School Discipline in Maryland,” (October 2019), <https://www.usccr.gov/files/pubs/2020/01-14-MD-SAC-School-Discipline-Report.pdf>; For the most recent data, see Maryland State Department of Education, “Suspensions, Expulsions, and Health Related Exclusions, Maryland Public Schools 2024-2025,” (October 2025), <https://marylandpublicschools.org/about/Documents/DCAA/SSP/20242025Student/2025-Student-Suspension-Expulsion-Publication-A.pdf>

<sup>2</sup>“Reportable Offenses Data: Maryland Public Schools, School Year 2023-2024,” Maryland State Department of Education (December 30, 2024), [https://dlslibrary.state.md.us/publications/Exec/MSDE/ED7-303\(j\)\\_2024.pdf](https://dlslibrary.state.md.us/publications/Exec/MSDE/ED7-303(j)_2024.pdf)

Alternative schools typically have more limited curriculum offerings than regular public schools. They are often places where children are subjected to harsh discipline and suspended at high rates. **A presentation by the Assistant State Superintendent describes enormous differences in absenteeism, graduation, dropout, and college enrollment rates between alternative high schools in Maryland and Maryland high schools overall.**<sup>3</sup>

**As bad as alternative schools can be for students who are placed in them involuntarily, consigning children to virtual learning at home can make it even harder for children to succeed.** A youth left at home alone to learn without the structure of a classroom and the influence of peers will struggle with motivation, leading to reduced engagement. The social isolation and the lack of face-to-face interaction can result in increased anxiety, depression, and stress. At home a student is less likely to develop the social-emotional skills that are needed to build positive relationships with peers and adults and make good decisions about social interactions and behavior.<sup>4</sup> There can be significant technical challenges relating to problems with internet connectivity and inadequate digital skills. Researchers have found significant differences in social and emotional health and academic success between students in virtual learning and those in in-person classes.<sup>5</sup>

**Adding more reportable offenses increases the likelihood that more Black students will be pushed out of their regular school unjustifiably because of the implicit bias that is at play when adults are making decisions that involve Black children.** Black children are seen by law enforcement and school officials as more culpable, more adult-like, than white children.<sup>6</sup> This adultification contributes to Black students being overrepresented among those with reportable offenses and the likelihood that they will be more harshly treated due to reportable offenses. Sadly, many of these young people are victims themselves, traumatized by adverse childhood experiences (ACEs). A supportive school environment can play a critical role in ameliorating the harmful effects of ACEs on a child's development, mental health, and behavior. Pushing these children out of school can compound the negative impacts of childhood trauma.<sup>7</sup>

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<sup>3</sup> Maryland State Board of Education, "Students Attending Alternative High Schools," (2022), p. 18-30, <https://marylandpublicschools.org/stateboard/Documents/2022/0823/DataDeepDiveStudentsAttendingAlternativeHighSchoolsV5.pdf>

<sup>4</sup> See R. Rana, "7 Major Challenges of Online Education Faced by Students Today," 21K School (September 18, 2025), <https://www.21kschool.com/us/blog/challenges-of-online-education/>

<sup>5</sup> Duckworth, A. L., Kautz, T., Defnet, A., Satlof-Bedrick, E., Talamas, S., Lira, B., & Steinberg, L. (2021). "Students attending school remotely suffer socially, emotionally, and academically," Educational Researcher (July 2021), <https://doi.org/10.3102/0013189X211031551>;

<sup>6</sup> A. Cooke and A. Halberstadt, "Adultification, Anger Bias, and adults' different perceptions of Black and White children," National Library of Medicine (2021), <https://pubmed.ncbi.nlm.nih.gov/34278958/>, Black Boys Viewed as Older, Less Innocent Than Whites, Research Finds," American Psychological Association (March 6, 2014), <https://www.apa.org/news/press/releases/2014/03/black-boys-older>

<sup>7</sup> See F. Rehmani, "Punitive School Discipline and Its Public Health Implications: A Literature Review," Alliance Against Seclusion and Restraint, Inc., (November 18, 2025), <https://endseclusion.org/2025/11/18/punitive-school-discipline-and-its-public-health-implications-a-literature-review/>; A. Lesley and S. La Pierre, "The Childhood Trauma-To-Prison Pipeline: The Prosecution and Incarceration of Traumatized Children as Adults," Human Rights for Kids (November 20, 2025), [file:///C:/Users/corwi/Downloads/The-Childhood-Trauma-to-Prison-Pipeline%20\(3\).pdf](file:///C:/Users/corwi/Downloads/The-Childhood-Trauma-to-Prison-Pipeline%20(3).pdf)

**Maryland has yet to develop a workable, evidence-based framework for reportable offenses that ensures school safety while protecting the rights of students who are arrested in the community and that avoids disproportionately harming vulnerable populations.** At this point, it is counterproductive for legislators to add to a list of reportable offenses that already includes offenses that have no relation to school behavior or bearing on school safety but that are misused and result in students being denied equitable education opportunities.

Pending a thorough examination of this issue by a body like the Commission on Juvenile Justice Reform and Emerging and Best Practices, I urge legislators to rely on the processes that are currently in place for the administration of juvenile justice and for making decisions, informed by risk assessments, regarding the conditions under which a young person who has been arrested can safely return to school and the community. To do otherwise unnecessarily puts more vulnerable young people at risk of long-lasting negative consequences without safety benefits.

**For these reasons, I urge an Unfavorable report for HB 123.**

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