

# MARYLAND COALITION TO REFORM SCHOOL DISCIPLINE

## HOUSE WAYS AND MEANS COMMITTEE HOUSE BILL 1229: RESTORATIVE SCHOOLS FUND AND GRANTS - ESTABLISHMENT

February 28, 2019

### POSITION: SUPPORT

The Maryland Coalition to Reform School Discipline (“CRSD”) brings together advocates, service providers, and concerned citizens interested in transforming school discipline practices within Maryland’s public-school systems. We are committed to making discipline responsive to students’ behavioral needs, fair, appropriate to the infraction, and designed to keep youth on track to graduate. **CRSD strongly supports HB 1208**, which would establish a diverse state-level board to oversee and support local school systems implementation of restorative approaches in schools as a means for preventing and addressing student behavior concerns.

In its December 2018 Final Report and Collaborative Action Plan, the Maryland Commission on the School-to-Prison Pipeline and Restorative Practices – a body comprised of a diverse group of educators, parent representatives, and student discipline experts – made clear that the school-to-prison pipeline continues to operate in full force in our state. Most Maryland schools continue to respond to student conflicts or behavior incidents by reflexively suspending and expelling students, rather than utilizing preventative and holistic approaches to school discipline.<sup>1</sup> While the Maryland State Department of Education enacted regulations in 2014 that eliminated zero tolerance disciplinary policies,<sup>2</sup> these exclusionary consequences persist today and continue to be imposed disproportionately on black students and students with disabilities.

Suspension and expulsion subject the excluded students and their families to harmful consequences in the near-term and over their lifetimes. As the Commission explained, suspensions and expulsions often lead to an intricate web of stigma and isolation, academic failure (such as falling behind academically and repeating a grade), separation from school (including increased absenteeism and dropping out), and, ultimately, entanglement in the juvenile and criminal justice systems.<sup>3</sup> Moreover, heavy reliance on suspension and expulsion has a negative – not positive – impact on overall student climate and student achievement.<sup>4</sup>

Restorative approaches provide a far more effective alternative. This term refers to a continuum of interventions that build relationships within the school community and repair those relationships when they break down, and can include Positive Behavior Interventions and

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<sup>1</sup> MARYLAND COMMISSION ON THE SCHOOL-TO-PRISON PIPELINE AND RESTORATIVE PRACTICES, FINAL REPORT AND COLLABORATIVE ACTION PLAN 19-20 (December, 20, 2018), <https://www.law.umaryland.edu/media/SOL/pdfs/Programs/ADR/STPP%20%20RP%20Commission%20Final%20Report.pdf> (hereafter, FINAL REPORT AND COLLABORATIVE ACTION PLAN).

<sup>2</sup> CODE OF MARYLAND REGS., 13A.08.01.11 (Amendments Effective, September 24, 2018).

<sup>3</sup> See FINAL REPORT AND COLLABORATIVE ACTION PLAN, *supra* note 1, at 20-22 (citing several studies).

<sup>4</sup> *Id.* at 20-21.

Support, trauma-informed education, restorative conferences, mediation, and conflict resolution. Schools that have implemented restorative strategies report a range of impressive outcomes. These outcomes include reductions in student misbehavior and classroom disruptions, dramatic decreases in suspension, improved academic outcomes, improved school climates, reduced absenteeism and, ultimately, safer schools. In its Report, the Commission details successes that restorative practices have brought to schools throughout the United States and internationally.<sup>5</sup>

CRSD's organizations and members work with students who have been suspended, expelled, and otherwise excluded from school for disciplinary reasons, often inappropriately or unlawfully. In many cases, the exclusion seriously harms the student, causing him or her to miss out on days or weeks of their education and to become disengaged from school. And in virtually all cases, the behavior concern prompting the disciplinary action could have been prevented or more effectively addressed through a non-exclusionary approach – e.g., evaluation for and provision of special education services, pre-emptive conflict resolution, a restorative conference, or community mediation.

HB 1208 seeks to strengthen school communities by providing state-level oversight and support for the implementation and evaluation of restorative approaches in schools. The board it creates appropriately represents the wide range of stakeholders – educators, parent representatives, youth, and restorative approaches experts – who can contribute in meaningful ways to the successful implementation of restorative approaches in schools. If passed, it would support the creation of more supportive and sustaining school communities for students, teachers, and staff by recognizing the strengths that students bring to school each day; providing them with the tools they need to learn, collaborate, and problem-solve; and holding them accountable in ways that are nurturing, productive, and transformational.

**For these reasons, the CRSD strongly supports House Bill 1208.**

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**CRSD Members**

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The Arc Maryland  
Bmore Awesome Inc.  
Disability Rights Maryland  
Family League of Baltimore  
NARAL- Pro-Choice Maryland  
Office of the Public Defender

Positive Schools Center  
Project HEAL at Kennedy Krieger Institute  
Public Justice Center  
University of Maryland, Baltimore County,  
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<sup>5</sup> *Id.* at 37-42.