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**BILL:** House Bill 425  
**TITLE:** Public Schools - Suspensions and Expulsions  
**POSITION:** SUPPORT WITH AMENDMENTS  
**DATE:** February 14, 2017  
**COMMITTEE:** Ways and Means Committee  
**CONTACT:** John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE), representing all of the State's local boards of education, supports House Bill 425, with amendments to limit the scope of the bill and modify the conditions under which students may be suspended.

This bill would prohibit the suspension or expulsion of any student from prekindergarten; and essentially prohibit the suspension or expulsion of students enrolled in kindergarten through second grade. The only exception provided for suspending students in these grades would be the possession of a firearm. MABE generally supports local flexibility to create and enforce consistent and fair disciplinary standards in order to respond to infractions of the rules committed by individual students. Correspondingly, MABE opposes legislation or regulations that would unduly limit the authority of school administrators and boards of education to ensure the safety of all students and staff and to provide a school environment conducive to teaching and learning for all students.

However, even as MABE continues to advocate for local policy making discretion, we have pledged to continue to collaborate with the legislature and State Board and Department of Education in the development of policy initiatives intended to improve the student discipline process to promote successful classroom strategies and student attendance. MABE supports reducing the rate of out-of-school suspensions for non-violent behaviors, requiring that educational services be provided to students receiving suspensions or expulsions, and reducing and ultimately eliminating disproportionate and disparate impacts of student discipline policies on minority students.

From 2009 to 2014, the State Board of Education engaged in a comprehensive review and reform of Maryland's student discipline regulations and guidelines. MABE supported the State Board's initiative to require local boards of education to reform their student discipline policies to:

- Prohibit "zero tolerance" policies;
- Reflect a philosophy that fosters positive behavior;
- Provide continuous education services to all suspended and expelled students; and
- Hold school systems accountable for reducing and eliminating disproportionate impacts of student discipline policies on minority students.

In light of these positions, MABE is requesting amendments to limit the scope of the bill to grades prekindergarten and kindergarten, and to authorize the use of suspension in very limited circumstances. Specifically, MABE is requesting amendments to remove the bill provisions pertaining to students in the first and second grades; and limit the authorized use of suspensions for prekindergarten and kindergarten students to cases in which the student's behavior has been determined to have caused, or poses an imminent threat of causing, serious physical harm to a student or staff member. MABE believes that with these amendments, Maryland's public schools could proceed to make significant progress in reducing the rates of student suspensions and at the same time allow for discretion in imposing discipline in limited circumstances.

For these reasons, MABE requests a favorable report on House Bill 425, with the amendments described above.