

BILL: House Bill 846
TITLE: Public Schools - Reporting of Assaults, Crimes of Violence, and Felonies (Report Act of 2020)
POSITION: OPPOSE
DATE: March 4, 2020
COMMITTEE: Ways and Means Committee
CONTACT: John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE) opposes House Bill 846, as contrary to the spirit and letter of the laws and regulations governing student discipline.

MABE strongly believes that safety in public schools is the joint responsibility of local boards of education, school administrators and staff, students, parents and guardians, law enforcement, the courts, and other public safety agencies, human services agencies, and the community in general. However, MABE opposes this bill because it would require not only the filing of an administrative report but also the filing of a criminal report if any assault, a crime of violence, or a felony occurs at a public school.

Local school boards take very seriously the need for strict and comprehensive school safety policies that focus on controlling and/or preventing bullying, verbal threats, student fights, and the numerous other actions which can disrupt effective teaching and learning and potentially lead to more serious behavior. And, while school safety issues are much more complex than the challenges of preventing instances of extreme violence by students, such incidents do occur.

MABE also believes that restorative approaches should play an integral role in the administration of Maryland's public schools. Such proactive practices, implemented following appropriate professional development and training of all staff, can make significant improvements in school climate and the learning conditions for all students to learn. Maryland school systems are committed to each and all of their students becoming college and career ready and ensuring that the appropriate use of school discipline furthers that goal.

Following several years of deliberations, the State Board of Education adopted new regulations in 2014 to dramatically reform the ways in which teachers, principals, and superintendents may suspend or expel students, and define the educational and behavioral supports to be provided to students in disciplinary situations. Therefore, MABE adopted the position of supporting 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.

Legislation enacted in 2019 requires local boards of education to revise local board policies related to student discipline to provide for restorative practices. This new law defines “restorative approaches” as a relationship-focused student discipline model that: (1) is preventative and proactive; (2) emphasizes building strong relationships and setting clear behavioral expectations that contribute to the school community well-being; (3) in response to behavior that violates clear behavioral expectations, focuses on accountability for any harm done by the problem behavior; and (4) addresses ways to repair the relationships affected by the problem behavior with the voluntary participation of an individual who was harmed.

For the reasons outlined above, MABE requests an unfavorable report on House Bill 846.