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2010-2017

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Maryland State Board of Education Meeting  
January 22, 2019  
Public Comment

Good morning, my name is Renuka Rege and I am an attorney at the Public Justice Center (PJC) in our Education Stability Project. We work to reduce school pushout by representing students in suspension and expulsion proceedings, educating the community about student's rights in the discipline process, and advocating to improve the laws and policies that govern school discipline.

The PJC is a member of the Maryland Coalition to Reform School Discipline (CRSD), which is a diverse group of advocates, service providers, students, and concerned citizens interested in ensuring that the discipline of young people in Maryland schools is fair, equitable, and supportive of a positive school climate for both students and school staff. The PJC and CRSD are very interested in the work of the Task Force on School Discipline Regulations that was approved by the State Board at its December 4, 2018 meeting. CRSD sent a letter to the Chair of the Task Force last Friday requesting broader representation among its membership, and we look forward to your prompt response.

The charge of the Task Force is to study the impact of the current discipline regulations in our schools and to make recommendations on any changes that should be adopted "to improve the disciplinary environment in Maryland schools in order to provide every student with a safe school and a world class education." The PJC and CRSD support the Task Force's goal of creating positive school climates that are essential to educational success for all students. The discipline regulations passed in 2014, which seek to reduce exclusionary school discipline, are a critical step toward this goal. Those regulations are based on the extensive research and experience showing that disciplinary school removal does not improve school climate or make schools safer. What's more, reducing reliance on suspension does not result in an increase in school safety issues, but is associated with improvements in achievement, attendance, and perceptions of school climate, as demonstrated by the experience of school systems across the country such as Los Angeles and Chicago.<sup>1</sup>

The Task Force should take note that the 2014 regulations have yet to be fully implemented in school systems across the state. Based on our experience representing students and families, students are still being removed from school for minor behaviors and without required due process protections, and many do not receive adequate educational services while out of school. The regulations have not yet reached their full potential for positive impact that would come with comprehensive implementation of their letter and spirit. At the same time, many school systems have embraced the call to invest in what does work to improve

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<sup>1</sup> Daniel J. Losen and Kacy Martin, *The Unequal Impact of Suspension on the Opportunity to Learn in California: What the 2016-17 Rates Tell Us About Progress*, The Center for Civil Rights Remedies, 2018; Rebecca Hinze-Pifer and Lauren Sartain, *Rethinking Universal Suspension for Severe Student Behavior*, 93 *Peabody Journal of Education* 228, 2018.

school climate and student achievement: alternative approaches to student behavior such as restorative practices and positive behavior interventions and supports. School systems including Baltimore City, Montgomery, Garrett, Dorchester, and others are already beginning to see how restorative approaches improve conflict resolution skills and engagement in class, while decreasing disruptive behavior.<sup>2</sup>

The PJC and CRSD urge the Task Force to use this opportunity to determine what additional training, resources, and support schools need to continue to improve school climates, as well as how to ensure that all school systems implement the existing discipline regulations with fidelity. We encourage the Task Force not to retreat to an exclusionary approach to discipline that has been shown time and again to be both ineffective and harmful, but rather to build on the progress our state has made thus far in reforming school discipline to advance educational equity for all students. Thank you.

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<sup>2</sup> Maryland Commission on the School-to-Prison Pipeline and Restorative Practices, Final Report and Collaborative Action Plan, December 20, 2018.



UNIVERSITY of MARYLAND  
FRANCIS KING CAREY  
SCHOOL OF LAW

Maryland State Board of Education  
Public Comment  
January 22, 2019

Good morning. My name is Aarti Sidhu and I am an attorney from the Youth, Education, and Justice Clinic (“Clinic”) at the University of Maryland Carey School of Law. The mission of the Clinic is to keep children in school so they can receive the education they need and deserve. In my work with the clinic, I provide representation for youth in disciplinary proceedings, educate youth and families on their due process rights, and advocate for school discipline reform.

I am also a member of the Maryland Coalition to Reform School Discipline (“CSRSD”). The CSRSD’s mission is to ensure that discipline of young people in schools is fair, equitable, and supportive of a positive school climate for both students and staff. Through my work with the CSRSD, I learned of the Task Force on School Discipline (“Task Force”) that was approved at the State Board meeting held on December 4, 2018. The CSRSD has submitted a letter to the Chair of the Task Force requesting that the board’s membership be increased to include experts in alternatives to exclusionary discipline, advocates, and youth and families that have experienced school removal. We look forward to a response to this request.

Among other goals, part of the Task Force’s charge is to “evaluate recommendations and findings from the Maryland Commission on the School-to-Prison Pipeline and Restorative Practices” (“Commission”). The Commission was established to study current disciplinary practices and make recommendations to the state based on their findings. After 18 months of collecting data and gathering information from various stakeholders including experts, educators, and administrators, the Commission issued their report on December 18, 2018. The Commission’s membership included representatives from the MSDE, juvenile service providers, educators, administrators, conflict resolution experts, advocates, youth, and other representatives. I had the opportunity to contribute to the report as a research assistant.

Ultimately, the Commission urges Maryland schools to abandon punitive disciplinary practices and invest in preventative and holistic strategies to foster positive learning climates. The Commission’s report calls for a shift in the mindset of how we discipline our youth and includes a variety of ways to create a learning approach to discipline. Based on the research, exclusionary discipline and zero tolerance policies are ineffective and alternative tools should be given to teachers and administrators to help teach students good behavior. The report highlights that multiple districts across Maryland have already begun to use restorative approaches, but local school districts need infrastructure, training, and technical assistance. Specific recommendations for MSDE can be found on pages 84-85 of the report.

On behalf of the Youth, Education, and Justice Clinic and CSRSD, I encourage the Task Force to recognize the importance of having a diverse body of individuals make up the Task Force. Additionally, I urge the task force not to duplicate the work of the Commission but to use it and build on it by helping to determine the best way to implement recommendations already set out by the Commission. Thank you so much.



UNIVERSITY of MARYLAND  
SCHOOL OF SOCIAL WORK

**STRENGTHENING SOCIETY**

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### Members of the Maryland State Board of Education

Good morning, my name is Shantay McKinily and I am here today to request that the task force examining school discipline practices in Maryland to be more representative our state's diverse constituents. I am also asking the task force to consider existing recommendations to implement less punitive behavior strategies.

I am the Director of the Positive Schools Center at the University of Maryland, School of Social Work, and a member of the Coalition to Reform School Discipline. The Positive Schools Center trains and coaches school leaders and district offices in Baltimore City and throughout Maryland to help schools to become more positive and restorative places that are safe for students, teachers, and community members. Before working for the Positive Schools Center, I was a Baltimore City Public Schools teacher and administrator for 19 years. The last eight were spent as the principal of Walter P. Carter Elementary/ Middle. My experience has taught me that shifting school climate is a marathon not a race. In 2017, which was the last year of my tenure as principal, I ended the school year with only five suspensions and an attendance rate of 97 percent.

The Positive Schools Center helps schools to become less punitive and more racially equitable through training all adults working schools in our foundational steps: Trauma Responsive Educational Practices; Restorative and Healing Approaches; Racial Justice and Equity; Social, Emotional and Character Development; and Student, Family, and Community Voice. The Center has been successful in helping schools to shift their school climate. For example, Afya Public Charter has reduced student detentions by up to 75 percent when compared to the same month the year before. Last year their 8<sup>th</sup> grade class had 221 detentions in September. Through implementing Restorative and Trauma-Responsive practices, this year the same class had only 30 detentions in the month of September. Another Positive Center School, Hilton Elementary, has reduced their suspensions to 0. We recognize that building the capacity of the school community is essential. That why our strategy of integrated trainings and coaching leads to school transformation.

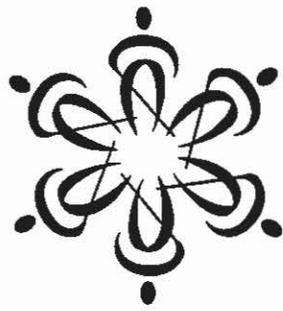
For the last 18 months, the Positive Schools Center has been an active member of the Maryland Commission on the School-to-Prison Pipeline and Restorative Practices. This Commission was established to study current disciplinary practices and make recommendations to state leaders based on their findings. We issued our final report on December 18, 2018. The Commission encouraged the state to adopt "Restorative Approaches" as defined in the report as the most effective strategy to approach school discipline, and prevent the School-to-Prison Pipeline.

I have learned that the charge of the Maryland State Department of Education task force, approved on December 4, 2018, is to study the impact of discipline regulations. It is our hope that steps will be taken to create a diverse membership. Zero Tolerance is not only harmful for students and communities, it is a major contributor to the School-to-Prison Pipeline and Students "Push-Out" from Maryland's educational system. It is important that we continue to move towards

implementing restorative solutions in schools that promote relationships, learning, and healthy environments. The Positive Schools Center urges the task force to build upon the work outlined in the existing commission report and ensure that the task force is representative of Maryland's diverse student needs and community interests.

Thank you for the opportunity to testify.

Shantay McKinily  
Director  
Positive Schools Center  
University of Maryland, School of Social Work



NATIONAL FEDERATION  
OF THE BLIND  
MARYLAND

*Live the life you want.*

**TO:** Maryland State Board of Education  
**FROM:** National Federation of the Blind of Maryland  
**DATE:** January 22, 2019  
**SUBJECT:** Braille Competency Test Requirement

The National Federation of the Blind of Maryland (NFBMD), the largest organization of blind people in the state, applauds the Board's decision on December 4, 2018, to ensure that teachers of blind students demonstrate Braille reading and writing skills by adopting the National Certification in Unified English Braille (NCUEB) exam for certification in Maryland. We further urge the Maryland State Board of Education to rescind its decision on that same date to require that vision teachers, at initial certification rather than at the first five-year renewal period, be required to pass the NCEUB exam. Instead, we urge the Board to follow the recommendation of the Steering Committee to require certification at the first five-year renewal period.

**BACKGROUND**

On December 4, 2018, the Board adopted the NCEUB as the certification exam for teachers of the blind of Maryland and also voted to require that teachers of the blind take this exam at initial certification. The Work Group responsible for reviewing the matter recommended to the Department of Education and the Board of Education that the NCEUB exam be the one selected for certification. They also recommended that testing should occur at the first five-year renewal period and not at initial certification. The Department of Education ignored the Work Group's recommendations and urged the Board to adopt a different exam and require it at the initial certification period. The Board opted to accept the Work Group's recommendation for the exam but required this exam be administered at the initial certification period. This is a complicated issue and the Board did not receive all of the facts from Assistant State Superintendent Sarah Spross.

The goal of the recommendation for teachers of blind students to take a competency test, (NCUEB), at the first five-year renewal period was to make sure that teachers would be willing to come to Maryland and would not be penalized with a provisional salary until they passed the test.

Today, there is already a shortage of teachers of blind students in Maryland with several counties either having no teachers of the blind or experiencing such a severe shortage that students are denied much needed services. This teacher shortage will further increase due to the expected retirement of many long-term teachers in the next five years. There are no college preparatory programs for prospective teachers of blind students in Maryland. Maryland also lacks an effective plan for recruitment and retention of these teachers. Requiring a Braille competency test at the initial certification will exacerbate the recruitment problem that already exists.

Blind students are not and will not receive a quality education without instruction from a teacher of blind students because these teachers provide access to the curriculum. Blind students should not be deprived of a quality education to achieve the goal of uniformity in teacher certification requirements. The board should

use its leadership to create a vigorous state-wide recruitment and retention program for teachers of blind students.

Blindness education is a unique field of study. Teachers of the blind are the only group who must have strong skills in Braille reading and writing. The goal of certification must be to ensure quality teachers. The board should rescind the requirement to take the test at initial certification and move it back to the first five-year renewal period.

For questions or additional information, please contact Ronza Othman, President, National Federation of the Blind of Maryland, at telephone number 443-426-4110 or by email at [President@nfbmd.org](mailto:President@nfbmd.org).

**National Federation of the Blind of Maryland**

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