

# EQUITY FOR ALL KIDS



To: Chair Kaiser and members of the Ways and Means Committee  
From: Shamoyia Gardiner, Education Policy Director  
Re: House Bill 1022: Education – Alternative Schools – Reporting Requirements  
Date: February 26, 2020  
Position: Support

Under current law, local education agencies are asked to offer preventative and intervening programs to address student behavior and permitted to create alternative educational programs do so. However, the state department of education does not make publicly available any information about these alternative programs, whom they serve, or the educational outcomes of students placed in those programs, among many other factors. Maryland, on the brink of an historic investment in public education simply **cannot continue the irresponsible practice of turning a blind eye** to the alternative educational programs across the state and the students being (though more often not being) served by them.

Alternative schools which are targeted at students with “extreme behavioral concerns” are rarely proven to provide students with high-quality educational opportunities. In fact, behavior-focused alternative schools and programs tend to further the school-to-prison pipeline, yielding dubious-at-best outcomes for students, including **lower rates of attendance<sup>1</sup>, fewer credits earned, and positive links with justice system involvement**--when paired with the overrepresentation of Black students, students with disabilities, and male students in these alternative settings<sup>2</sup>, the need for HB 1022 becomes even more urgent.

In the 2018-2019 school year, Black students were pushed out of school and represented in the suspension population at nearly twice the rate they exist in overall statewide enrollment (58.4% of suspensions and expulsions compared to 33.5% of the general population<sup>3</sup>). Students with special educational needs were represented at twice the rate they exist (22% versus 11%) and **the intersection of race, disability status, and sex reveals compounding effects of school pushout** specifically for Black male students with special educational needs.

Behavior-focused alternative elementary schools in particular are rare and inadvisable; it is extremely damaging for our youngest students to be pushed out of traditional academic environments so early in their educational careers. This sends the message that a “regular” school is not a place for them and encourages children to find their sense of belonging elsewhere, beyond the protection of the school community.

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<sup>1</sup> Wilkerson, Kimber, et al. “Behavior-Focused Alternative Schools: Impact on Student Outcomes”. 2016.

<sup>2</sup> Perzigian, Aaron B., et al. “Characteristics of Students in Traditional Versus Alternative High Schools” 2016.

<sup>3</sup> Maryland State Department of Education. “Suspensions, Expulsions, and Health-Related Exclusions” September 2019.

Unfortunately, ACY has seen the proliferation of such programs aimed at our youngest learners across the state, which we believe to be thinly-veiled **attempts to subvert the 2017 pre-kindergarten to 2<sup>nd</sup> grade suspension and expulsion ban**. Some responsibility for this rise in work-arounds is likely due to implicit bias of disciplinarians, but is definitely a clear consequence of the lack of financial and technical assistance resources offered to school staff and school systems. **Shifting school culture and professional practice requires buy-in, education, training, coaching, accountability, and meaningful investment; all areas which can be better-addressed by the General Assembly this legislative session.**

House Bill 1022 will enable state leaders, local education agencies, and school communities to more effectively address the increasingly vast, diverse array of needs that students bring to school. The consolidated, thorough, efficient, and accurate collection of data on existing alternative educational programs in the State will position policy makers at multiple levels appropriately so they can provide empirically-evidenced solutions to the young people and employees who rely upon their leadership. This logical, necessary bill is critical to ensure that investments made in our public education system are effectively utilized and will bring us a step closer to a Maryland in which educational equity is a reality, not just a slogan. **ACY strongly urges a favorable report on this bill.**