

BILL: House Bill 568 - Education - Student-Organized Peaceful Demonstrations
- Student Discipline and Policy

SPONSOR: Delegate Ebersole, *Baltimore County (44A)*

FROM: Hunter Craig, Director Emeritus (MSC)

POSITION: **FAVORABLE**

Dear Chair Atterbeary, Vice Wilkins and esteemed Members of the House Ways & Means Committee. My name is Hunter Craig and I write today as a proud K-12 product of the Maryland public school system in support of House Bill 568.

“It can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech or expression at the schoolhouse gate.” This argument made by Supreme Court Justice Abe Fortas during the *Tinker v. Des Moines* trial illuminates the legal right that students have to demonstrate on school grounds. The 1969 ruling made clear that students' first amendment constitutional rights shall not be muted upon stepping foot into a public institution that they're legally required to attend. House Bill 568 will serve to protect such universal rights for students without the fear of additional consequences. This legislation will also elevate student voice and recognize the importance of peaceful demonstration. Furthermore, this bill will offer an unintentional but wholly desired educational experience; civic engagement.

Unfortunately, many school systems in the state of Maryland either directly or indirectly fail to recognize this Supreme Court precedent. Some students are subject to penalties ranging from detention to long term suspension if they carry out a demonstration on school grounds. In 2018, a group of Maryland students pleaded to their county's Board of Education to allow them to organize and participate in nationwide protests. Even though that county had a policy in their rule books allowing students to participate in demonstrations, its vagueness allowed the Board to block the student's request. Like this case, the majority of school systems in the state do not outline clear and consistent standards for which students shall have the ability to peacefully assemble.

This legislation provides the necessary, uniformed code that permits mutually agreed upon conditions between students and administration when it comes to organizing a student demonstration. It also respects local autonomy by directing school systems to develop their own policy. This will ensure that it fits the respective school systems needs and applies equal implementation to all students across the district. If we continue going by the status quo, it will leave open the opportunity for schools and local jurisdictions to unjustly restrict free speech.

For the reasons stated above, I strongly urge the committee to issue a favorable report on House Bill 568.