

Bill: **HB0568 Education - Student-Organized Peaceful Demonstrations**

Organization: GLSEN Maryland, chapter@md.glsen.org

Submitted by: Michele Schlehofer, Board Member

Position: **FAVORABLE**

I am submitting this testimony in **FAVOR** of **HB0586 Education- Student-Organized Peaceful Demonstrations- Student Discipline and Policy** on behalf of GLSEN Maryland, the statewide chapter of GLSEN National, a nonprofit organization centered on creating and sustaining inclusive K-12 education for lesbian, gay, bisexual, transgender, and queer (LGBTQ+) students. LGBTQ+ students, and particularly LGBTQ+ students of color, are more likely than other students to engage in peaceful demonstrations, and yet are also more likely to experience harsh disciplinary actions in school settings. Codifying protections for peaceful demonstrations into law will help to equalize first amendment protections for these students.

Recent years have witnessed an increase in student activism and civic engagement, both on and off school grounds. Research finds that Lesbian, gay, bisexual, transgender, or queer (LGBTQ+) students and/or Black students are most likely to express an interest and willingness in engaging in peaceful demonstrations (Eagan et al., 2015).

Students' engagement in peaceful demonstrations is a first amendment right. The Supreme Court has ruled that students do not "shed their constitutional rights to freedom of speech or expression at the schoolhouse gate" (Tinker v. Des Moines, 1969). Protecting students' right to engage in peaceful demonstrations on school grounds is a first amendment right which schools must protect. Codifying students' right to peaceful demonstration into Maryland State Law thus provides protections for these students' first amendment rights.

Codifying students' right to protest in state law and requiring schools to create policies around engagement in peaceful demonstrations helps reduce punitive disciplinary actions when students express their first amendment rights. **LGBTQ+ youth of color are more likely to experience harsh discipline at school** (Brudge et al., 2021). Harsh discipline can work to turn students away from education (school push-out) and onto a pathway towards juvenile detention (the school to prison pipeline). **Creating clear policies for engagement in peaceful demonstrations will help to equalize disciplinary actions in schools**, helping to protect LGBTQ+ students of color from disciplinary actions when exercising their first amendment rights.

As students' engagement in peaceful demonstrations in schools is a first amendment right, coupled with the revival of student activism and civic engagement, with LGBTQ+ students of color being most likely to both engage in student activism and experience disciplinary actions in schools, GLSEN Maryland supports enshrining these students' rights to peaceful demonstration in state law. We ask for a **FAVORABLE** vote in committee.

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