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The Maryland State Board of Education Passes School Discipline Regulations to Reform and Eliminate “Zero Tolerance” Policies

January 28, 2014 — After more than three years of debate, public hearings, comments to the regulations and letter writing, the vote is in and a common-sense approach to discipline has returned to Maryland schools. The Maryland State Board of Education (MSBE) passed new school regulations that eliminate zero-tolerance policies and promote a more reasonable approach to discipline.

The ruling will go into effect during the next school year to allow school districts and school administrators to develop or adopt an approach in keeping with the new disciplinary environment.

“These new regulations stop zero tolerance policies, allow students with out-of-school punishments to stay connected to their education and continue to hold children accountable,” said David Beard, Advocates for Children and Youth’s education policy director.

Advocates for Children and Youth along with stakeholder partners ACLU of Maryland, Maryland Disabilities Law Center and the NAACP of Maryland have worked to eliminate zero tolerance policies and have pushed for more appropriate forms of discipline to hold students accountable for their behavior.

In recent years, reports have shown that “zero-tolerance” discipline was neither equitable nor fair. Research shows that students with disabilities were twice as likely to be suspended or expelled while African-American students were almost three times as likely. In addition, many out-of-school suspensions were often for minor offenses that were once handled in school, such as disrespect or insubordination.

“Zero tolerance” began in the 1990s with automatic suspensions or expulsions as a way of keeping the schools safe. However, through the years the approach seemed to have backfired and created its own set of problems. These problems included higher dropout rates and youth involvement in the school-to-prison pipeline. The school-to-prison pipeline describes the cause and effect relationship between repeated out-of-school suspensions and involvement in the juvenile justice system.

In addition to helping disrupt the school-to-prison pipeline, the regulations will create a positive school climate that is conducive to learning and keep students in the classroom, whenever possible. As passed, these regulations will:

- Encourage the use of less punitive techniques for minor violations
- Decrease the amount of long-term suspensions
- Mandate faster decision-making timelines
- Keep students engaged in classwork
- Create an accountability system for disparities

Explaining the importance of these regulations, Beard said, “These regulations are great first step in creating effective disciplinary practices that keep students in school and held accountable for their actions. There is still work to do. Parents, students, teachers and school administrators now have to come together to create positive school climates, eliminate disparities and make effective discipline a reality.”

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Advocates for Children and Youth (ACY) is a statewide non-profit focused on improving the lives and experiences of Maryland's children through policy change and program improvement. ACY champions solutions to child welfare, education, health, and juvenile justice issues in order to influence the full spectrum of youth experiences. This multi-issue platform helps ACY improve the entirety of children's worlds—the systems they touch, the people they interact with, and the environment where they live. ACY is the Annie E. Casey KIDS COUNT research affiliate. You can learn more at www.acy.org. KIDS COUNT® is a registered trademark of the Annie E. Casey Foundation.