EQUITY FOR ALL KIDS

2020

LEGISLATIVE FOCUS
Advocates for Children and Youth Announces their 2020 Legislative Agenda

Child advocacy organization places equity at the forefront of their work

Baltimore, MD (January 8, 2020)—Advocates for Children and Youth (ACY) has announced its 2020 legislative agenda with the theme, Equity for All Kids. ACY believes that Maryland’s children are the greatest gift it can give to the future. For this reason, ACY is working to ensure equitable access to resources and opportunities so that Maryland’s children of every race, ethnicity, and place of birth can achieve their full potential. ACY gathered and analyzed data to understand the scope of inequities that exist across multiple issue areas and strategized how to tackle the gaps. ACY’s approach is reflected in four key areas of focus:

• **Fair, Unbiased Treatment:** A focus that directly addresses disproportionality by promoting the fair treatment of all children no matter the race or zip code. This focus includes school climate; student discipline; shielding personal information of minors and reforming the bail and fines system—especially for detained youth.

• ** Academically Prepared Youth:** A focus on the better preparation of students from pre-k to college by giving them the education, resources and supports they need to thrive. This focus includes equitable and full school funding; equitable graduation requirements for foster youth; and the establishment student health centers.

• ** Positive Life Experiences:** A legislative focus on keeping childhood a positive experience by addressing challenges most felt in marginalized communities such as adverse child experiences (ACEs) and trauma; food insecurities; housing instability; and maternal mortality.

• ** Healthy Kids, Families and Communities:** A legislative focus on policy and programs that support healthy and safe living, learning and working environments. This focus includes addressing implicit bias in the healthcare field; elimination of lead paint exposure; sick, safe and paid leave; earned income tax credit and food stamps.

Advocates for Children and Youth is the only statewide child advocacy organization that addresses a wide range of systemic issues through the racial equity lens. Our directors address various issues independently and in conjunction with coalitions to bring these concerns expressed by Maryland’s communities to the forefront. Our directors are:

**Jennifer Bevan-Dangel:** economic sufficiency—earned income tax credit; sick, safe and paid leave; food stamps and the 2020 Census. Email: jennifer@acy.org | 410-547-9200 ext. 3009.

**Ashley DoVaughn:** youth justice—youth justice reform and bail and fines reform. Email: adevaughn@acy.org | 410-547-9200 ext. 3007.

**Shamoyia Gardiner:** education—equitable, full public education funding; student discipline; and school-based healthcare. Email: sgardiner@acy.org | 410-547-9200 ext. 3018.

**Melissa Rock:** birth to three years—maternal and infant well being and implicit bias in healthcare. Email: mrock@acy.org | 410-547-9200 ext. 3024.

**Rachel White:** child welfare with a focus on foster youth— youth homelessness; equitable graduation requirements; in-depth data reporting; and budgetary and policy implementation. Email: rwhite@acy.org | 410-547-9200 ext. 3019.

###

Advocates for Children and Youth builds a strong Maryland by advancing policies and programs to ensure children of every race, ethnicity, and place of birth achieve their full potential.
Advocates for Children and Youth believes that Maryland’s children are the greatest gift it can give to the future. For this reason, our mission is to build a strong Maryland by advancing policies and programs to ensure children of every race, ethnicity, and place of birth achieve their full potential.

We gather and analyze data to understand the scope of inequities that our children and youth face. We are continuously invited into communities to get a proximate view by folks who experience inequities and negative policy outcomes the most. Oftentimes, these inequities have far reaching effects as they are caused by issues that interconnect and intersect. Therefore, our advocacy will reflect this reality and allow us to effectively address these issues as we introduce and support policies that ensure that every young person in the State has equitable access to resources and opportunities they need to thrive. Hence our theme, Equity for All Kids.

**WHY ADVOCATES FOR CHILDREN AND YOUTH MATTERS:**

We are the only statewide child advocacy organization that works to effectively address multiple interconnecting and intersecting issues through a racial equity lens. We will continue to do so in Maryland’s 2020 General Assembly as we focus on legislation that promotes the following:

**FAIR, UNBIASED TREATMENT**

We will push for equitable treatment of all children and provide them with an opportunity to rebound.

**ACADEMICALLY PREPARED YOUTH**

We will advocate to ensure that all young people get the resources, education and supports they need to thrive.

**POSITIVE LIFE EXPERIENCES**

We will advocate for keeping childhood a positive experience as we address trauma and the fulfillment of the basic needs in life.

**HEALTHY KIDS, FAMILIES, COMMUNITIES**

We will push for policy and programs that support healthy and safe living, learning and working environments in all communities.
Keeping Private Information Private: Shielding Personal Information of Minors

Youth encountering the adult justice system—specifically those youth cases that are sent back to the juvenile system have their personal information publicly available although they are minors. This unnecessary exposure of personal information threatens their ability to rebound and have a fresh start.

**Impact:** In Maryland, youth 14- to 17-years old can be automatically charged as adults for one of 33 offenses. Across the state of Maryland, 57 percent of youth charged as adults have their cases transferred to the juvenile system. In Baltimore, this figure is 67 percent. During the period in which a transfer hearing is pending, all information about the young person is publicly available.

**Need for legislation:** Media outlets can publish all the youth’s personal identifying information prior to the transfer hearing, including name, photograph/mug shot, physical address, and date of birth. Even if a young person is transferred to the juvenile system following media exposure, and even if his/her adult record is expunged, media coverage, especially on the internet, will never be erased.

**What the legislation will do:** This legislation will prevent prejudicial treatment caused by media exposure and increase the opportunity for a fair transfer hearing.

Ending the Practice of Fines, Fees and Costs

Juvenile courts charge young people and their families fines, fees, costs, and restitution without regard to children’s inability to pay. In juvenile courts, the consequences of such practices are detrimental as they are exacerbated by children’s financial dependence.

**Impact:** Children may feel pressure to waive their right to counsel if their legal representation imposes a financial burden on their families; and children and their families are pulled deeper into the court system for longer periods of time, for reasons unrelated to public safety. Further, when access to justice is conditioned on a person’s ability to pay fines, fees, and other costs to the courts, the disparities of class, race, and ethnicity are magnified.

**Need for legislation:** In Maryland, children can be kept under probationary supervision until fines and fees are paid making it difficult to get out of the youth justice system.

**What the legislation will do:** This legislation will stop the imposition of fines and fees on youth and families as well as end incarceration or detention of youth for non-payment of fees, fines, or financial obligations when the failure to pay stems from poverty, lack of income, or an inability to pay.

**Contact:** Ashley DeVaughn at adevaughn@acy.org or 410-547-9200 ext. 3007
Exercising Our Civil Rights: Having Legal Representation During Interrogation

Youth of all races commit offenses at roughly the same rates however, African American and Latinx, youth are arrested and detained at much higher rates than all other racial groups, and therefore are at particularly high risk of facing police interrogations and coercion.

**Impact:** Every day in Maryland, children entangled in the criminal justice system are questioned without a parent or attorney present. As a result, they face criminal charges, prosecution, and incarceration without the basic due process rights as adults. This practice is particularly dire for Black and Brown children, who are overpoliced.

**Need for legislation:** A law is needed to protect due process rights for children.

**What the legislation will do:** This law will codify the rights of children.

Giving Youth A Chance to Get it Right—Informal Adjustment

This bill gives judges the flexibility to determine the best course of corrective and rehabilitative action to help youth rebound after an offense. It extends the informal adjustment process from solely an intake practice to the judiciary realm and allows all parties including the Judge, Prosecutor, and Defense Attorney to request an informal adjustment at trial when more facts of the case are available which diverts young people from the system.

**Contact:** Ashley DeVaughn at adevaughn@acy.org or 410-547-9200 ext. 3007
Ending the School-to-Prison Pipeline

In the 2018-2019 school year, Black students were the ONLY racial group to be disproportionately suspended and expelled from Maryland’s public schools. This holds true in 23 of Maryland’s 24 jurisdictions. Students with educational disabilities were suspended and expelled from school at twice their percentage of enrollment. Students who identify as LGBTQ were also subject to harsher punishment.

**Impact:** Students cannot learn, grow, and thrive in school if they are excluded from being in school at all.
Repeated exclusion of specific groups of students from school over what are typically subjective measures of student behavior (38% disruption/disrespect) or developmentally expected (46% fighting), has consistently been shown to increase a young person’s likelihood of failing to complete high school, interacting with the youth justice system, and overall yields poor life outcomes.

**Need for legislation:** Mitigating the impact of subjective and punitive discipline on students of color, students with disabilities, and students who identify as LGBTQ.

**Next Steps:** Advocates for Children and Youth will support reforms that address this issue.

**Contact:** Shamoyia Gardiner at sgardiner@acy.org or 410-547-9200 ext. 3018

Ending Implicit Bias in Healthcare: Training Medical Practitioners

There are significant racial disparities in birth outcomes for Black women and babies. Black women in Maryland are 3-4 times more likely to die after childbirth than white women and the infant mortality rate for Black babies is almost three times higher than for White babies. These racial disparities are largely due to the epigenetic impact of racism and the differential treatment Black individuals experience with medical professionals.

**Impact:** Eliminating the sub-par treatment Black women receive by medical professionals will go a long way towards eliminating the negative outcomes these women experience throughout pregnancy and child birth.

**Need for legislation:** Medical providers need to increase their awareness of any implicit racial bias and ensure they are responding to Black patients the same way they respond to White patients to eliminate the disparities in care Black people receive by the medical field.

**What the legislation will do:** This law will require mandatory implicit bias training for medical professionals to improve birth outcomes for Black women and lower the racial disparities.

**Contact:** Melissa Rock at mrock@acy.org or 410-547-9200 ext. 3024
We will advocate to ensure that all young people get the resources, education and supports they need to thrive.

Preparing Students for Life: Understanding the Whole Child

Advocates for Children and Youth recognizes that truly transformational education policy change must take into account that students are more than pupils—they are whole human beings with complex needs, underutilized assets, and limitless potential.

As such, our education advocacy will be intersectional and interconnected, allowing us to more effectively champion issues that impact students’ non-academic experiences in Maryland schools—including but not limited to the establishment of high-quality, full-service school-based health centers, youth employment/entrepreneurship opportunities, behavioral and mental health services, first generation American and first generation college-going supports, and solutions which will address the unique needs of students who are expectant and/or current parents.

Next Steps: Advocates for Children and Youth will support reforms that address these issues.

Giving Students Resources: Equitable, Full Public Education Funding

Maryland’s schools are underfunded by $2.9 billion annually—an average of $2 million per school per year. There are 1.3 million people under the age of 18 in Maryland and its public schools welcome nearly 900,000 of them. It is imperative that public schools are resourced adequately enough to meet the more diverse, complex needs students come to school with AND that resources are distributed equitably so all students can achieve at their highest potential.

Impact: Over the last five years, Maryland has made no progress on addressing the issue of children living in concentrated poverty—in fact, 9,000 more children lived like this in 2017 than did in 2012. Children living in concentrated poverty will need more supports and often these needs show up in our schools.

Need for legislation: Giving all students the resources they need to maximize their potential within the pre K to 12 (and post-secondary) educational system.

What the legislation will do: The law will adopt the Kirwan Commission’s recommendations and update the education funding formula to be adequate, equitable, and accompanied by a dedicated revenue stream. This action will give all students the resources they need to maximize their potential within the pre K to 12 (and post-secondary) educational system.

Contact: Shamoyia Gardiner at sgardiner@acy.org or 410-547-9200 ext. 3018
We will advocate to ensure that all young people get the resources, education and supports they need to thrive.

Levelling the Field: Creating Standardized Graduation Requirements

Children in Maryland’s foster care system are regularly bounced from placement to placement and from school to school. On average youth in the custody of Maryland’s Department of Human Services move on average of 5 times every 1000 days. These constant transitions often result in a loss of school credits, academic problems, and a delay in earning a high school diploma.

**Impact:** In Maryland, during the 2017 academic school year, 23 percent of high school youth experiencing foster care and homelessness attended two schools and 7 percent attended 3 or more. Youth in out-of-home care lose approximately 4-6 months of academic progress with each change in school placement and are 50 percent more likely not to graduate from high school even with just one school placement.

**Need for legislation:** Maryland State Department of Education (MSDE) sets minimum high school graduation standards for the state’s school districts, yet allows school districts flexibility with regard to additional coursework pupils are required to complete to graduate from high school.

**What the legislation will do:** In order to reduce the educational barriers faced by youth experiencing foster care and homelessness, Advocates for Children and Youth is in support of a law that will standardize graduation requirements throughout Maryland and increase the opportunity for youth to graduate.

**Contact:** Rachel White at rwhite@acy.org or 410-547-9200 ext. 3019
Keeping Moms and Their Babies Healthy and Alive
There are significant racial disparities in birth outcomes for Black women and babies. **Black women in Maryland are 3-4 times more likely to die after childbirth** than white women and **the infant mortality rate for Black babies is almost three times higher** than for White babies. These racial disparities are largely due to the epigenetic impact of racism and the differential treatment Black individuals experience with medical professionals.

**Impact:** Eliminating the sub-par treatment Black women receive by medical professionals will go a long way towards eliminating the negative outcomes these women experience throughout pregnancy and childbirth.

**Need for legislation:** There is a need to reduce the mortality rate for Black women and their children.

**What the legislation will do:** This law will create a Doula Technical Assistance Group to study how to increase access to doulas for Black women across Maryland. Having a doula throughout pregnancy, at childbirth and post-partum is one of the few interventions that improves the birth outcomes for Black women and lowers the racial disparities.

**Contact:** Melissa Rock at mrock@acy.org or 410-547-9200 ext. 3024

Giving Shelter: Right to Consent to Shelter for Unaccompanied Homeless Minors
During the 2016-17 school year, Maryland public schools identified 2,337 unaccompanied homeless students, who lacked stable housing and were not in physical custody of a parent or guardian. **Unaccompanied homeless minors are often unable to access safe shelter, leaving them vulnerable to exploitation, dangerous living situations, and school drop-out.**

**Impact:** Minors experiencing homelessness do not have the legal capacity to consent to shelter and supportive services. While we do have a child welfare system that provides shelter and supportive services, **if a child does not meet the statutory definition of abuse and neglect, they are ineligible for services and will remain homeless.**

Many Maryland non-profit organizations choose not to shelter unaccompanied homeless minors because it is unclear under Maryland law whether and how they can do so lawfully.

**Need for legislation:** There needs to be legislation to clarify and designate that ability for unaccompanied youth to seek and receive available shelter to avoid homelessness.

**What the legislation will do:** Advocates for Children and Youth will work to establish that an unaccompanied minor in need of shelter **has the same legal capacity as an adult to consent to shelter** and supportive services, thereby incentivizing non-profit organizations to shelter this extremely vulnerable and underserved population.

**Contact:** Rachel White at rwhite@acy.org or 410-547-9200 ext. 3019
Disaggregating and Disseminating Data to Serve Youth Better

Children and families served by Maryland’s child welfare system, as well as the public, must have a high level of confidence that the system will act in a child’s best interests and will respond to the child’s needs by providing the services and interventions best matched with that child’s specific needs.

**Impact:** To engender this high level of confidence in the child welfare system, there should be well-publicized, easily accessible, and transparent data indicating the outcomes and experiences of the children involved in the child welfare system. Although the Department of Human Services (DHS) does release monthly reports with data of children involved with the child welfare system, and a yearly report with several indicators disaggregated by race, gaps in the data provided remain and the yearly report is not readily accessible to the public.

**Need for legislation:** A law is needed to require DHS to provide more detailed disaggregated data as a measure to determine the progress made to serve the most vulnerable.

**What the legislation will do:** Advocates for Children and Youth will advocate for readily accessible and consistent monthly outcome data for youth experiencing foster care and homelessness to include but not limited to: the number of children in the custody of the local department who have siblings living in different placements; the number of children with Individualized Education Plans; the number of children with 504 plans; the number of youth who have been retained a grade; and the number of children in a postsecondary program.

Watching the Budget: Child Welfare Budgetary Priorities

In 2018, the Maryland General Assembly took historic action to prevent and end youth homelessness by passing the Ending Youth Homelessness Act (SB 1218). Legislators recognized that state investment in housing and supportive services designed for youth is critical to ensuring a successful transition to adulthood and out of poverty. The EYHA ensures that Maryland youth who are on their own without stable housing or family support are able to meet basic needs for shelter and safety, obtain and maintain education and employment, and ultimately build the stability they need to thrive.

**Need for legislation:** For the Act to be effective, there must be funding to implement strategies and programs to prevent youth homelessness.

**What the legislation will do:** Advocates for Children and Youth will continue to fight during the 2020 session to ensure that EYHA is adequately funded to meet the needs of all unaccompanied homeless youth throughout Maryland.

**Contact:** Rachel White at rwhite@acy.org or 410-547-9200 ext. 3019
Removing the Poison: Eliminating the Exposure to Lead Paint

Even low levels of lead in the blood (3-5 µg/dl) “can damage the brain, leading to impaired memory and executive functioning skills.” Children of color are more likely to experience lead poisoning than white, non-Hispanic children.

Impact: Surveys from 2016 estimate that 15 to 22 million people across the country have lead water pipes. According to the Center for Disease Control, in 2016, approximately 500,000 children, ages 1 to 5 had blood levels at or above µg. However, as Child Trends points out, “no level of lead in the blood is considered safe.”

Need for legislation: Children who are lead poisoned are 7 times more likely to drop out of school and 6 times more likely to become involved in the juvenile justice system. Given the racial disparities in who experiences lead poisoning, this is another driver of the racial disparities in educational outcomes and criminal justice system involvement.

What the legislation will do: ACY supports efforts to reduce our children’s exposure to lead and hold accountable the entities that are failing to ensure clean, healthy environments for our children.

Securing the Safety Net

Too many families do not have the supports they need to balance providing for their family with taking care of their family.

Impact: SNAP participation in FY2018 was 339,411 households in Maryland. In FY2016, that equaled 744,343 individuals. Sick and Safe Leave: prior to the legislation passing more than 700,000 workers and their families were forced to work when they were sick, send an ill child to school or daycare, or stay home and sacrifice much-needed income or worse, risk job loss. Paid Leave - Nationally, just 35% of private sector working women and 11 percent of private sector working men have paid leave. Across all employment types, nationwide only 22 percent of women and 9 percent of men are employed at worksites that offer paid maternity leave to all female employees. While FMLA might provide some guaranteed leave for employees at larger employment sites, because the leave is unpaid it does not guarantee that parents can afford to take advantage of the time.

Need for legislation: Access to healthy and nutritious food is vital for the development of children. Studies have shown that children with access to nutritious food exhibit fewer behavioral problems, can better participate in school, have better overall academic outcomes, and is fundamental for growth and development, particularly during early childhood years. While paid sick days protect children and families. For a typical family without paid sick days, just 3.5 sick days without pay is equivalent to losing an entire month’s grocery budget. Extensive research has been developed that shows how critical the first three months are for the development of a baby’s brain. Balancing work and parenthood, especially in those first few months, causes stress and anxiety for parent and child alike, and interrupts the critical bonding period. For this reason, having paid leave is vital and necessary.

What the legislation will do: Advocates for Children and Youth will defend Maryland’s assistance programs, including Sick and Safe Leave, and work to expand the safety net through adequate and equitable funding and expanding key programs.

Contact: Jennifer Bevan-Dangel at jennife@acy.org or 410-547-9200 ext. 3009
Advocates for Children and Youth builds a strong Maryland by advancing policies and programs to ensure children of every race, ethnicity, and place of birth achieve their full potential.