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Testimony in OPPOSITION to LD 165, An Act to Allow School Boards to Expel or Suspend Students Regardless of Grade Level

Committee on Education and Cultural Affairs

March 13th, 2025

Senator Rafferty, Representative Murphy, and honorable members of the Committee on Education and Cultural Affairs,

My name is Madeleine DesFosses, and I am the Advocacy and Public Health Manager for the Maine Chapter of the American Academy of Pediatrics (Maine AAP). The Maine AAP is strongly opposed to LD 165, An Act to Allow School Boards to Expel or Suspend Students Regardless of Grade Level.

When we think of students who face suspensions and expulsions, we often think of students who are just misbehaved troublemakers, attempting to disrupt the learning of their classmates. However, with this assumption, we fail to consider the underlying emotional and behavioral issues, childhood trauma, developmental disabilities, discrimination and inequalities that play a large role in determining which children generally face school expulsions and suspensions (1). In short, there are many factors that may cause a child's behavior to be interpreted as misbehavior and disruption, and additionally, students may be subjected to the biases and discrimination of disciplinary decision-makers.

We must also confront the myth that expulsions and suspensions make schools safer and are effective in correcting the behavior of the student being punished. While suspensions and expulsions were once used to address the behavior of students that threatened the health and safety of others, it is now used broadly as a tool to address non-violent, non-dangerous behavior. There is little evidence to suggest that expulsions and suspensions make schools safer (2).

Additionally, suspensions and expulsions do little to effectively correct or address the behavior of the student facing punishment. Instead, they often isolate and stigmatize the student, and result in worse short- and long-term outcomes. High school students who face exclusionary school discipline are at higher risk of dropping out of school and experiencing the juvenile justice system (1). A study from the Centers for Disease Control and Prevention found that when students are not in school and without adult supervision, they are more likely to use recreational drugs, engage in physical fights, and carry weapons (3). Not only does removing students from school not effectively address their behavior, but it puts their health, safety, and futures at risk.

For students who may not enjoy school and who struggle with academics, punishments that remove them from the classroom may cause even more harm. Additionally, younger children may not be able to cognitively understand the punishment in relationship to their behavior. While we like to think that these policies teach students a valuable lesson and set them back on the right course, the opposite is often true.

To truly help students, we must address the underlying issues that cause the actions of students to be labeled as misbehavior. Punitive measures that further isolate and ostracize students are not effective and do more harm than good.

The American Academy of Pediatrics has several recommendations for alternative practices, which we encourage committee members to explore (1). Based on the evidence and the recommendations provided by the AAP, the Maine AAP respectfully urges the committee to vote 'Ought not to pass' on LD 165, and instead, explore alternative options

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that benefit all students, and allow our schools to be safe and productive places for learning and growth.

Madeleine DesFosses

Advocacy and Public Health Manager, Maine AAP

References:

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2. American Psychological Association Zero Tolerance Task Force. Are zero tolerance policies effective in the schools? An evidentiary review and recommendations. *Am Psycho*. 2008; 63 (9): 852 – 862
3. Centers for Disease Control and Prevention. Health risk behaviors among adolescents who do and do not attend school—United States. *Morb Mortal Wkly Rep*. 1992;43(8):129–113