



Committee on Education and Cultural Affairs

**Re: LD 165 - An Act to Modify Discipline Policies in Maine's Public Schools**

March 13, 2025

Dear Senator Rafferty, Representative Murphy, and distinguished members of the Committee on Education and Cultural Affairs, my name is Heide Lester, and I am a resident of Paris and the Deputy Director of EqualityMaine, which has been advocating on behalf of Maine's LGBTQ+ community since 1984. While we appreciate Rep. Tuell's amendment regarding students in grade 5 or below, we nevertheless oppose LD 165 as we believe that the goal of disciplinary protocols should be to reduce any consequences that take the student away from classroom instruction.

According to a study by The American Institutes for Research, in-school and out-of-school suspensions are ineffective methods for dealing with student misbehavior. The results evidenced that not only does suspending students do little to reduce future misbehavior for the disciplined student, it does not yield improved academic achievement. Additionally, the more severe the exclusionary discipline, the greater its negative effects were on a student's future academic performance, attendance, and behavior.<sup>1</sup> Compared to students who are not removed from classrooms, suspended students are more likely to suffer academically, repeat a grade, and drop out of school. They are also less likely to graduate from high school and college and are more likely to be involved with the criminal justice system.<sup>2</sup>

Decades of data have shown that certain groups of students are disproportionately suspended, including LGBTQ+ students, Black students, students with disabilities, and students from low-income families – which additional research has linked to school and systemic factors like educator bias, poor educator working conditions, and harsh discipline policies.<sup>3</sup> There are some cases that necessitate removing a student from school, such as if they are a danger to themselves and/or the school population. But for circumstances that would fall under “deliberately disobedient or deliberately disorderly” behavior, we suggest

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<sup>1</sup>LiCalsi, Christina, et al. “An Empirical Examination of the Effects of Suspension and Suspension Severity on Behavioral and Academic Outcomes.” *American Institutes for Research*, [www.air.org/sites/default/files/2021-08/NYC-Suspension-Effects-Behavioral-Academic-Outcomes-August-2021.pdf](http://www.air.org/sites/default/files/2021-08/NYC-Suspension-Effects-Behavioral-Academic-Outcomes-August-2021.pdf).

<sup>2</sup> “Pushed Out: Trends and Disparities in Out-of-School Suspension.” *Learning Policy Institute*, 4 Apr. 2024, [learningpolicyinstitute.org/product/crdc-school-suspension-report](https://learningpolicyinstitute.org/product/crdc-school-suspension-report).

<sup>3</sup>Snapp, Shannon D, et al. “School Pushout: The Role of Supportive Strategies Versus Punitive Practices for LGBT Youth of Color.” *Journal of Research on Adolescence : The Official Journal of the Society for Research on Adolescence*, U.S. National Library of Medicine, [pmc.ncbi.nlm.nih.gov/articles/PMC10371200/](https://pubmed.ncbi.nlm.nih.gov/articles/PMC10371200/).

evidence-based positive discipline strategies such as Positive Behavior Interventions and Supports (PBIS), the School Responder Model (SRM), Youth Mental Health First Aid (YMHFA), and restorative justice.<sup>4</sup> Educators should be given the opportunity to consider the severity and the context of the situation when a student violates school rules, but removing a student so that the school can develop updated protocols and increase staff support unfairly places the burden on the student.

We ask you to vote “Ought Not To Pass” on LD 165. Providing pathways for educators to foster trusting relationships with students and maximizing opportunities for learning, re-direction, and support have been proven to be far more effective alternatives to school exclusion.

Thank you,

Heide Lester (they/them)  
Deputy Director, EqualityMaine

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<sup>4</sup>[www.nccourts.gov/assets/documents/publications/SJP-Toolkit-revised-01112022.pdf?zDGNZLeIhQX7ngXTjgSfbP\\_Gow4cG2Rf](http://www.nccourts.gov/assets/documents/publications/SJP-Toolkit-revised-01112022.pdf?zDGNZLeIhQX7ngXTjgSfbP_Gow4cG2Rf).