

Testimony of Melissa Hackett
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In Opposition to LD 165, An Act to Modify Discipline Policies in Maine's Public Schools

Senator Rafferty, Representative Murphy, and esteemed members of the Education Committee. My name is Melissa Hackett. I serve as the coordinator for the Maine Child Welfare Action Network. I am offering testimony today in opposition to LD 165.

Several years ago, many advocates, parents, and community leaders came together to advance policy that would ensure young children in Maine are not unnecessarily being suspended or expelled from their schools. That advocacy and collaboration led to the implementation of LD 474, which enshrined protections for children grades 5 and below with the intention of significantly reducing the use of out-of-school suspensions and expulsions for Maine's youngest students.

All too often, these young children were being removed from their schools. It is well established in the research and evidence – and perspectives of children and families who have experienced these actions – that suspensions and expulsions are harmful to students. Removing children from school tells them that they cannot be supported in the school environment; it tells them that they do not belong. Young people feeling they matter and belong is critical to their social emotional development, with implications for their long-term health and well-being. It is well documented that students who experience a suspension or expulsion are more likely to experience future suspensions and expulsions, and later down the road, more likely to be involved with the criminal justice system - known as the school to prison pipeline. There are obvious implications for these young people to experience success as adults with these hardships in their younger years.

When I was working on LD 474, one of my son's friends was asking me about my work, and I shared about this legislation. They were in middle school then. He quietly shared how he wished this law was in effect when he was in elementary school, where he was first "kicked out of school". As I have watched him grow up, I have seen his continued struggles at school and with school authorities who have this power over him. That first suspension was certainly not his last. He was and still is a good kid. And I have often thought of how his outcomes in life might have been different if we had tried harder when he was younger to help him, to make sure he felt that he mattered, and that he belonged.

This is one of many stories that could be shared about the harm that has been caused by removing children from their school – their peers and the adults they hope will support them. Because it is best practice to keep kids in school and bring the supports and services

they need to be successful to them there. We should also consider what it means for parents of young children when their children are sent home. This impacts their ability to work and provide for their families. It also puts the burden on them to try to support their children with behaviors that need additional support. In short, if the school can't provide appropriate supports for students, what makes parents any more able to do so? It's a shift of responsibility that will fall hardest on the students themselves.

I want to acknowledge the significant work that went into this amendment. I have friends and family members who are educators and administrators. I know that schools do not have what they need to best support children with disabilities and significant behavioral health needs. Just as schools struggle to access supportive services, so too do families with children who have these needs. In the end, it's simply not okay to pass along the burden of this scarcity to children. This idea was also supported by the DOJ's recent lawsuit with Maine; the state and our communities have a responsibility to provide these services to children who need them.

To the particular changes being proposed: Every additional day of a suspension is more time a parent isn't able to work and a student is getting behind in their academic learning and important social connections with peers and adults in the school. These proposed language changes would create a slippery slope for administrators to utilize.

While I am sympathetic to the constraints and challenges that school districts have in providing needed supports and services to students in school, loosening the restrictions on the circumstances in which schools can remove children from school will most certainly mean that more students will experience this harmful intervention. Instead, we must work together to provide the investment and support that schools need to be able to keep children in school and ensure they have what they need to be successful. I urge you to reject this proposal. Thank you.