

April 25, 2021

**Committee on Education and Cultural Affairs**  
**Chairpersons Senator Joseph Rafferty and Representative Michael Brennan**  
**Public Hearing on LD 474: An Act Regarding School Discipline for Maine's Youngest Children**  
**Testimony in Support of LD 474**  
**By Liz Blackwell-Moore, MPH, Certified Prevention Specialist of Portland**

Chairpersons Rafferty and Brennan and members of the Committee on Education and Cultural Affairs,  
My name is Liz Blackwell-Moore and I live in Portland. I support LD 474.

For the past 15 year I have been a public health professional working with schools, police departments, parents, social workers, municipalities, healthcare providers, and other community organizations in Maine, to increase the use of best practices and policies in order to improve the behavioral health and wellbeing of young people. I know we all want young people to reach their potential. We all have a responsibility, as adults, as community members, as legislators, to give all young people the opportunity to reach their potential. The best way to give young people that opportunity is by supporting their healthy brain development.

The architecture of the brain, the actual form and function, is built over time. It's built through **relationships, experiences, and the environment** in which young people live. When children have supportive and trusting adults in their lives, when they have opportunities for building their skills for emotional-regulation and decision making, and when they have sources of faith, hope, or cultural tradition, they can be resilient during difficult times and thrive.<sup>i</sup> It takes support, practice, and time for the front part of the brain to develop fully before young people become truly adept at controlling their emotions and consistently making good decisions. We now know the frontal lobe isn't fully developed until age 25.

When young people experience toxic stress, stress that is prolonged, like abuse, neglect, food or housing insecurity, when they are being discriminated against, or the child lacks caring adults to support them, they can stay in extended periods of fight, flight, or freeze. In this state, the front part of the brain, which controls emotional-regulation and decision making, is not easily accessible and young people may act out in ways that get them sent to the principal's office. From the 2019 Maine Integrated Youth Health Survey we know that more than 1 in 5 high school students in Maine have experienced 4 or more Adverse Childhood Experiences. Maine LGBT students and Black, Indigenous, and students of color report high rates of discrimination and violence at school and not feeling safe.<sup>ii</sup> These experiences of toxic stress put these students at much higher risk for suspensions and expulsions. The antidote to trauma, discrimination and behavioral issues in schools is caring adults; inclusion; accountability with support; opportunities for building skills to talk about and regulate emotions; a school climate where students feel safe in school regardless of race, ethnicity, gender and sexual identity, income, religion, or disability status; having a sense of self-efficacy and perceived control; and having hope for the future. Evidenced-based strategies for preventing and responding to behavior issues in school includes PBIS (Positive Behavioral Interventions with Supports), responsive classrooms, transformative Social Emotional Learning, restorative practices, trauma-responsive practices, and professional development and resources for staff in de-escalation and the impact of trauma and discrimination on children's behavior.

The answer to student behavior problems is not pushing them out of school through suspensions and expulsions. Actually, suspensions and expulsions are never an evidenced-based strategy. There is no research

that shows they are helpful for the student. There is only research showing the harms of suspensions and expulsions on the children that receive them, on the other children that attend schools that use them regularly, and on long-term state economies.<sup>iii</sup>

In one large study, researchers found that young people living in poverty, those with generally poor health, learning disabilities, or children with parents with mental illness were more likely to be suspended. They also found that suspension and expulsion increased the risk for all kinds of behavioral health problems.<sup>iv</sup> Schools are more likely to suspend young people that are already dealing with big problems at home or in their community and those suspensions increase their risk for more problems and more suspensions later in life.<sup>v</sup> In another public health study, researchers found that students who attended schools that used suspensions for drug use were more likely to use drugs compared to schools that made it clear using drugs was not allowed and responded to use with counseling and restorative practices.<sup>vi</sup> Another large study using student and school records found that students attending schools with high levels of suspensions and expulsions had worse reading and math achievement than students who went to schools with less suspensions and expulsions.<sup>vii</sup> Additional research suggests that students who experience exclusionary discipline are more likely to drop out of school, more likely to be involved in the criminal justice system, and have decreased economic success as adults.<sup>viii</sup>

The sum of this research indicates that suspensions and expulsions are frequently given to students experiencing the most trauma and discrimination, putting those students at much greater risk for problems in school and for future behavioral health problems, and suspensions and expulsions have the collateral impact of reducing academic achievement of the students who are not being suspended. While we so desperately want all our Maine students to thrive and reach their potential, the research is clear that suspensions and expulsions are ineffective and harmful for all the children in our elementary schools. In 2019, 883 pre-k to 5<sup>th</sup> graders were given an out-of-school suspension or were expelled from school in Maine. Not only are those 883 students and families impacted negatively by this, all of the other children in those schools are and our future state economy is too. It's time we take suspensions off the list of acceptable responses to student behavior problems like we did with corporal punishment in 1975. Maine was one of the first states to ban corporal punishment. Let's now join the 16 other states that have laws limiting the use of exclusionary discipline for elementary school age children. I urge you, in an effort to help all our children thrive, to support LD 2016.

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<sup>i</sup> Center on the Developing Child and Harvard University (2021) <https://developingchild.harvard.edu/science/key-concepts/resilience/>

<sup>ii</sup> MIYHS, 2019

<sup>iii</sup> Education Commission of the States (2019) "Policy Analysis: The status of School Discipline in State Policy."

<sup>iv</sup> Ford, T., Parker, C., Salim, J., Goodman, R., Logan, S., & Henley, W. (2018). The relationship between exclusion from school and mental health: A secondary analysis of the British Child and Adolescent Mental Health Surveys 2004 and 2007. *Psychological Medicine*, 48(4), 629-641. doi:10.1017/S003329171700215X

<sup>v</sup> Mi-Youn Yang, et al (2018). Predictors of early elementary school suspension by gender: a longitudinal multilevel analysis. *Children and Youth Services Review*, 93:331-338.

<sup>vi</sup> Evans-Whipp, Tracy, et al (2015) Longitudinal effects of school drug policies on student marijuana use in Washington State and Victoria, Australia. *American Journal of Public Health* 105(5):994-1000. doi: 10.2105/AJPH.2014.302421.

<sup>vii</sup> Perry, Brea and Edward Morris (2014). Suspending Progress: Collateral Consequences of Exclusionary Punishment in Public Schools. *American Sociological Review*. 79 (6) 1067-1087 <https://doi.org/10.1177/0003122414556308>

<sup>viii</sup> Education Commission of the States (2019) "Policy Analysis: The status of School Discipline in State Policy."