



Testimony of Connor J Cory, Esq.  
Pine Tree Legal Assistance, Inc.

**Speaking in Support of LD 474  
An Act Regarding School Discipline for Maine's Youngest Children**

Date of Public Hearing: April 26, 2021

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

My name is Connor Cory. I am the Kids Legal attorney at Pine Tree Legal Assistance, Inc., and I am speaking to you today in support of LD 474, An Act Regarding School Discipline for Maine's Youngest Children. I would like to thank Representative Morales for sponsoring L.D. 474, as well as this Committee for your commitment to addressing important issues around school discipline and access to education for Maine's most vulnerable children.

LD 474 would limit the use of suspensions and expulsions for young children who are fifth graders or below. It would also ensure that parents have access to a list of available free and low-cost legal services when their child is facing an expulsion hearing.

I have been asked and am honored to share the perspective of Pine Tree Legal Assistance, and specifically our Kids Legal Unit. Pine Tree is a nonprofit organization with offices in Portland, Lewiston, Augusta, Bangor, Machias, and Presque Isle. Since 1967, Pine Tree Legal Assistance has provided free legal services to low-income people throughout the State of Maine. Kids Legal is a specialty unit within Pine Tree that focuses on meeting the civil legal needs of low-income children and their caregivers. Representing students in education matters is a central part of our work.

At Kids Legal, we see many cases where out of school suspensions and expulsions result in long-term educational and emotional consequences to the student, along with ripple effects on the student's family members. When a student is suspended, they aren't in the classroom learning – and as a consequence, they often fall behind their peers academically and lose access to important relationships with friends and adult role models. This can easily snowball into a crisis of confidence, and a deepening of whatever struggles the student is experiencing. Students who were already struggling may begin to feel it is easier to avoid school all together.

One of the most common threads I hear from clients facing expulsion is a sense of shame and a feeling of rejection. In a recent case, I was trying to meet with a client and her guardian on zoom to discuss her expulsion. She would respond to my questions but would sit outside of the video's

reach when we spoke. When I eventually asked why she didn't want to be in the video, she told me that she felt embarrassed by what had happened, and she was ashamed to be seen. This, I fear, is the message expulsion can send to young people. Removing its use on children fifth grade and younger is an incredibly positive step in the right direction.

When expulsion hearings do occur, it is critical that students have access to legal representation. School board hearings can be extremely intimidating and confusing to a student. Imagine a recent case I had. The client was fifteen years old. Together, we presented ourselves before the eight or nine school board members who were tasked with determining whether my client could be in school. Understandably, they had a lot of questions for her. She was peppered with inquiries into what had occurred, if she would behave differently in the future, and was also faced with several deeply personal questions about her mental health struggles and her overall character. This is no easy task for anyone to face, much less a fifteen-year-old who is learning to cope with anxiety and depression.

Thankfully, we had prepared for this, and with a shaking voice she responded directly to their questions. The power dynamics are very significant, and students without attorneys are unlikely to know their rights to cross-examine witnesses, provide their own testimony and evidence, or even to ask for a recess to collect themselves. There is a lot at stake in expulsion hearings, and access to an attorney is critical to ensuring the student's due process rights. Pine Tree Legal, in collaboration with other legal services providers, has created a robust pro bono referral process to provide representation to students facing expulsion. LD 474 will ensure parents know that resources like ours exist at no cost. I believe this will result in greater access to justice and due process for students from low-income households.

Thank you for your consideration of my comments, and for this legislation to address access to education for young children and due process rights of students facing expulsions. Your support of LD 474 will result in better long-term outcomes for students in Maine, most especially those from low-income families. I am happy to answer any questions.

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