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**COMMISSION ON INNOVATION AND EXCELLENCE IN EDUCATION
TESTIMONY THE ARC MARYLAND
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The Arc Maryland is the largest statewide advocacy organization dedicated to the rights and quality of the lives of children and adults with intellectual and/or developmental disabilities. The Arc Maryland has long been concerned about equity in schools and issues of disproportionality and over-representation. The Arc Maryland views disproportionality as an important issue to closing the gap in student achievement. We thank you for giving us the opportunity to speak with the Commission today regarding these important issues.

Each year, roughly 6 million students with disabilities, ages 6 to 21 receive services under the Individuals with Disabilities Education Act (IDEA). Although special education is a source of critical services and supports for these students, African American students with disabilities still face a number of obstacles which impend their ability to succeed in school. Because students of color are disproportionately overrepresented among children with disabilities: black students are 40 percent more likely to be identified as having disabilities than their peers. Research has also shown that black students are twice as likely to be identified as having emotional disturbance and intellectual disabilities.

In 2014, after studying the issue for many years, the Maryland State Board of Education (MSBE) adopted regulations that are aimed at addressing the overuse of exclusionary practices, which impacted minorities and students with disabilities at disproportionate rates. Despite the impact these practices have on students with disabilities and black students, Maryland continues to be challenged in this area, particularly for students of color and disabilities.

During the 2015-2016 school year, 8.1% of African-American students and 10.1% of students with disabilities received an out-of-school suspension or expulsion, compared to just 2.3% of white students and 3.6% of students without disabilities.

The disproportionate representation of Black students and students with disabilities in the suspension population is indicative of the large numbers of Black and disabled adults in our jails and prisons not just here in Maryland but across the nation.

For students with disabilities, there are already systems in place that are underutilized for addressing the problem behavior, including correctly identifying students with disabilities through existing special education process and planning for appropriate accommodations and services for those students. The Arc Maryland acknowledges the work that Maryland State Department of Education has before it and is thankful to the Division of Special Education & Early Intervention Services under the leadership of Marcella E. Franczkowski, Assistant State Superintendent for taking the charge and moving Maryland forward on not disproportionately identifying students with disabilities by race or ethnicity or disproportionately suspending or expelling students with disabilities by race or ethnicity.

The Arc Maryland understands we all play an important role in decreasing disproportionality and improving educational outcomes for students with disabilities and color. We have to promote alternatives to ineffective out-of-school suspensions and expulsions and protect education funding and strengthen the education funding formula to be equitable and adequate to support special education programs.

The Arc Maryland sees this as a new era in the education of Maryland students and students with disabilities in creating a new funding formula. We thank you for the opportunity to share our testimony as you move forward.

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