

**Informational Testimony regarding Senate Bill 245
Public Schools—School Resource Officers—Requirements and Prohibitions**

Senate Education, Health, and Environmental Affairs Committee

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The Maryland State Education Association offers this informational testimony on Senate Bill 245, legislation that would prohibit a school resource officer (SRO) from entering a school building except if summoned by a school administrator or official to respond to an emergency involving violence or the threat of violence; participating in a specialized instructional activity sanctioned by a school administrator or official; or using the school's restroom facilities. Additionally, it would require a SRO to conceal their service weapon unless they are responding to an emergency situation involving violence or a threat of violence. Finally, it would require SROs to wear civilian clothing and would prohibit them from being involved in situations related to routine student discipline.

MSEA represents 75,000 educators and school employees who work in Maryland's public schools, teaching and preparing our 896,837 students for careers and jobs of the future. MSEA also represents 39 local affiliates in every county across the state of Maryland, and our parent affiliate is the 3 million-member National Education Association (NEA).

In 2017, the Maryland General Assembly passed House Bill 1287, which established the Maryland Commission on the School-to-Prison Pipeline and Restorative Practices. They were charged with studying the disciplinary practices being utilized in Maryland public schools and recommending best practices, particularly related to restorative approaches to student behavior and healthy school climates. In their final

report¹, they discuss the issue of SROs and the role they play in either helping or harming school climates and the role they must play in order to ensure restorative approaches are being properly implemented in schools.

SROs can serve as mentors for students, assist with health and law-related education (e.g., drug, alcohol, and gang prevention), coach sports teams, and respond in the event of a rare emergency. But in too many schools, SROs inappropriately have become heavy-handed enforcers of basic school discipline, causing arrests of children for minor incidents that should be handled by a teacher or principal.... Given the disparities in the implementation of discipline and school-based arrests at the school level, many Commission members are concerned that the Maryland Safe to Learn Act, Md. Code Ann., Educ. § 7-1508, which requires local school systems to identify either an assigned SRO or other law enforcement coverage for each school, may exacerbate these disparities. Increasing the presence of law enforcement in schools, without proper training and coordination with school personnel about the limits of their roles, could harm school climate, over criminalize adolescent behavior, and fuel the school-to-prison pipeline. To the extent a school has an SRO, that officer must have explicit guidelines about his/her responsibilities, with the role clearly limited to keeping school property and the people in the school safe from serious criminal activity. These parameters must be understood by administrators and other school staff. SROs never should be involved in student discipline or behavioral control of schoolchildren. (Page 26)

MSEA believes that the overall aim of this legislation is to provide clarity of mission for any SRO or school security employee so as to ensure that students feel safe; staff are clear on who is primarily responsible for handling routine school discipline matters; and that a healthy, safe, and supportive teaching and learning environment be achieved and maintained for all members of the school community. To be clear, educators have grave concerns about the conduct they are seeing and experiencing

¹<https://www.law.umaryland.edu/media/SOL/pdfs/Programs/ADR/STPP%20%20RP%20Commission%20Final%20Report.pdf> (Accessed on January 24, 2021)

in many of their schools—conduct that can involve violent and unruly behavior between students and toward adults. Effectively dealing with these types of behaviors is the responsibility of every member of the school community. But while there is no doubt that everyone has a role and a stake in creating a safe, healthy, and supportive teaching and learning environment, deliberate steps must be taken to ensure that routine discipline incidences do not unnecessarily become extreme altercations involving security personnel and students. These are the conditions that further exasperate and perpetuate the very school-to-prison pipeline the Commission sought to eliminate.

That said, we have concerns related to the specific requirements of this legislation. We worry that the overarching goal is a worthy one but that some of the specifics could prove challenging at the point of implementation. Furthermore, we believe that providing clarity around the roles and responsibilities of SROs and other school security personnel is merely one cog within the complicated system required to establish and maintain healthy, safe, and supportive teaching and learning environments for our students and for the educators charged with their care.

If we are to truly make manifest the fundamental systemic changes necessary to truly replace disruptive and unsafe learning and teaching environments with healthy school climates and communities, we must intentionally and simultaneously address the issues of student and educator trauma and mental and behavioral health; inadequate instructional and support staff; historically under-resourced schools and communities; desperately needed academic and non-academic supports for students and families; rigorous and relevant educator preparation and ongoing, job-embedded professional development; culturally responsive pedagogy, instructional practices, and instructional content; restorative accountability and behavior management practices that prioritize mitigating harm and restoring safe and healthy environments instead of punitive, ineffective, and deleterious discipline policies; and policy and regulatory solutions focused on meeting the needs of the whole child—ones that understand the unequivocal need to address Maslow's Hierarchy of Needs before we can hope to achieve success along the taxonomy for teaching, learning, and assessment (more commonly known as Bloom's Taxonomy).