

**Education Advocacy Coalition  
For Students with Disabilities**

**HOUSE WAYS AND MEANS COMMITTEE**

**HOUSE BILL 496: PRIMARY AND SECONDARY EDUCATION – MENTAL HEALTH SERVICES – EXPANSION (COUNSELORS NOT COPS ACT)**

**February 3, 2021**

**POSITION: SUPPORT**

The Education Advocacy Coalition for Students with Disabilities (EAC), a coalition of more than 30 organizations and individuals concerned with education policy for students with disabilities in Maryland, supports House Bill 496. House Bill 496 redirects \$10 million a year from the School Resource Officer (SRO) fund (Educ. § 7-1508) to student mental health services, wraparound supports, and restorative approaches.

Students with disabilities and students of color are disproportionately harmed by the presence of police in schools. In Maryland, students with Individual Education Programs (IEPs) receive 23% of school-based arrests despite comprising 12% of the student population.<sup>1</sup> According to data from the U.S. Department of Education's 2015-16 Civil Rights Data Collection, students with disabilities nationally are 2.9% more likely to be arrested than students without disabilities when police are present in schools.<sup>2</sup> Black boys with disabilities suffer the highest arrest rate, at five times the rate for all students.<sup>3</sup> As advocates for students with disabilities, we have seen first-hand the traumatic and harmful interactions that school police have with students with disabilities and we have seen students criminalized for non-violent, disability-related behavior. Another risk for students with disabilities is the harm that can result from being physically restrained or secluded by police at school, aversive interventions that already disproportionately impact students with disabilities.

House bill 496 is critical because it redirects the \$10 million per year SRO fund to a variety of services and resources that have been proven to effectively support our most vulnerable students. With this funding, school districts would be able to hire needed counselors, social workers, school psychologists, restorative approach practitioners, and community school coordinators. Districts could also use the funding to implement trauma-informed practices and restorative approaches. Research has unequivocally shown that school police do not keep students and educators safe, and that effective alternatives to school police include supporting students' positive behavior, prioritizing their social-emotional well-being, and strengthening and investing in relationships among students, staff, and parents.<sup>4</sup>

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<sup>1</sup> Maryland State Department of Education, Maryland Public Schools Arrest Data: School Year 2018-19 (2020), <http://marylandpublicschools.org/stateboard/Documents/2020/0623/MarylandPublicSchoolsArrestData20182019.pdf>

<sup>2</sup> ACLU, COPS AND NO COUNSELORS: HOW THE LACK OF MENTAL HEALTH STAFF IS HARMING STUDENTS 23 (March 2019), [https://www.aclu.org/sites/default/files/field\\_document/030419-acluschooldisciplinereport.pdf](https://www.aclu.org/sites/default/files/field_document/030419-acluschooldisciplinereport.pdf).

<sup>3</sup> Id. at 30.

<sup>4</sup> Maryland Commission on the School-to-Prison Pipeline and Restorative Practices, Final Report and Collaborative Action Plan at 21- 22 (2018),

SROs, armed law enforcement officers that are stationed in schools and directly contribute to funneling students into the school-to-prison pipeline, are ill equipped to respond to a variety of situations our students face. HB 496 provides Maryland the chance to redirect funds and hire trained professionals who actually have the expertise to effectively support and nurture our students so that they may thrive.

For these reasons, the EAC supports HB 496.

Please contact Leslie Seid Margolis, chairperson, at [lesliem@disabilityrightsmd.org](mailto:lesliem@disabilityrightsmd.org) or 410-370-5730 for more information.

Respectfully submitted,

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