

Informational Testimony regarding House Bill 496
Primary and Secondary Education—Mental Health Services—Expansion Counselors Not Cops
Act

House Ways and Means Committee

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Government Relations

The Maryland State Education Association offers this informational testimony on House Bill 496, 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

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

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)

Ensuring that all members of the school community feel healthy, safe, and supported in the places where they learn and work is of paramount importance. We believe, and years of research affirm, that disruptive and unsafe teaching and learning environments pose a significant threat to our collective goal of ensuring that all of Maryland's students receive a world-class education—one that properly prepares them for college, career, and civic engagement. A number of bills aimed at creating healthy, safe, and supportive teaching and learning environments have been introduced during this legislative session; several of which speak to the challenges our schools faced well before the devastating harms brought about by the COVID-19 global pandemic and the national uprisings of 2020 in response to police brutality and racial and social injustice. As we prepare ourselves for a return to in-person instruction in the aftermath of these traumatic events, we must come to terms with the significant task lying ahead of us all. To be clear, the tempest in which we find ourselves requires much more than a singular solution. Nothing short of intentional, fundamental, substantial, multifaceted, and long-term actions and responses will meet the moment we collectively face.



It is through this perspective that MSEA views this legislation. A number of the chords struck here are the very chords necessary to begin building the healthy, safe, and supportive teaching and learning environments we must make manifest if we are ever to succeed in building strong, safe, and healthy school communities. To be clear, educators have grave concerns about the conduct they are seeing and experiencing 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.

We believe that honest, inclusive, and robust dialogue around the roles and responsibilities of SROs and other school security personnel in our schools is an urgent need. However, this issue is merely one cog within the complicated system required to establish and maintain healthy, safe, and supportive teaching and learning environments. If we are to 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).

Educators are engaging in the courageous conversations that are a critical element of systemic change. We are ready to join with all stakeholders who are genuinely interested in finding solutions that lead to healthy school climates. We understand first-hand the fierce urgency of this need. We are committed to doing what is necessary to ensure that every school in Maryland is a healthy, safe, and supportive teaching and learning environments. Our students and our fellow educators deserve nothing less.

