

Oral Testimony in Opposition of HB0146

- Hello, my name is Tammy Fraley and I live in Allegany County Maryland. I have two children that attend public schools currently and two children that have graduated from public schools in Maryland and West Virginia. I am speaking today as a parent with children in schools in Allegany County. My husband served as an SRO in Allegany County MD for 14 years and is now employed as a prevention resource officer (PRO) within the state of West Virginia. I have seen firsthand how proactive opportunities exist when law enforcement is able to provide information to school administration regarding student behavior outside of the school building. As an example, stopping a very upset student who was in an altercation the night before which led to an assault charge from coming to school the next day to “finish the job”.
- As a parent, I feel that the safety and security of schools depends on full disclosure to the school administration on acts of students that become a reportable offense.
- This bill appears to essentially eliminate the reportable offense statute and process – thereby not providing an opportunity for schools to not only guide the student in question but also to ensure a learning environment conducive to learning is available for all.

- Maryland legislature passed the Safe to Learn Act in 2018 based on some tragic acts of violence occurring on school grounds. This act included the creation of several key processes to include:
 - Increase of personnel at the local level to include mental health services, assessment teams, law enforcement/security
 - A school safety subcommittee and advisory board and increased funding to Maryland Center for School Safety (MCSS)
 - to take that away during this very difficult time for students, families, and educators would be an injustice as the funding of every local jurisdiction is stretched.

- How is it fair to the students and staff in a school building to not be protected from the aftermath of another student's reportable offense?

- Imagine a student that is “on the verge” of something....if reported to those that can help them it could prevent further action on others – including my own children.

- As a parent, I believe EVERY student should be able to go to school knowing that if something occurred the day/week before that caused a reportable offense to be filed – their school administration and local school system would be aware

and able to implore their procedures to ensure the upmost safety and security.

- In researching other counties I found a very good policy statement by Howard County Public Schools:

[Policy 9280 – School Use of Community or Reportable Offenses](#)

The presence in school of a student who has engaged in a community offense or has been arrested for a reportable offense that may compromise the safety and well-being of students or employees or disrupt the educational process in the school may lead to a school system response under this policy. The Board of Education believes that the educational needs of such students must be carefully balanced with its obligation to provide a safe school environment free of disruption for students and employees.

When the presence of a student who has been arrested for a reportable offense has a direct effect on the order and general welfare of the schools, the student may be assigned to alternative education placements and/or disciplined. Likewise, when a student has engaged in a community offense that has a direct effect on the order and general welfare of the school, the student may be assigned to alternative education placements and/or disciplined. It is

expected that a school system responses to a reportable or community offenses will reflect a restorative approach.

- Additionally, I would ask that you read the article in Education Week noted in the appendix of this testimony in which experts have noted several key outcomes of the pandemic and the uptick in overall violence within the school's nationwide.
- Thank you for your time today, as we continue to combat the effects of the pandemic across the state, I implore you as our legislative allies to not take away another tool in the toolbox of helping keep schools safe.

Appendix:

- [Initial Fiscal and Policy Note for 2021 HB0027](#)

Current Law: When a student is arrested for a “reportable offense” or an offense related to the student’s membership in a criminal organization, the law enforcement agency making the arrest must notify:

- (1) the local superintendent;
- (2) the school principal; and
- (3) if appropriate, the school security officer. The law enforcement agency may also notify the State’s Attorney (the bill requires notification of the State’s Attorney).

A reportable offense includes a crime of violence, as specified in current law, and numerous other specified weapons-, drug-, assault-, and theft-related offenses.

Except by order of a juvenile court with good cause shown, information about a student’s arrest is confidential and may not be redisclosed, except as specified, and may not be part of the student’s permanent educational record. A superintendent may share the information as part of a confidential file with another superintendent or a nonpublic school in the State in which the student has enrolled. The information shared must include information regarding any educational programming and related services provided to the student. SBE is required to adopt regulations to ensure that information obtained by local superintendents,

principals, or school security officers is used only for specified educational purposes and is destroyed when the student graduates, otherwise permanently leaves school, or turns 22 years old, whichever comes first.

- ["Violence in Schools Seems to Be Increasing. Why?" Excerpts from Education Week report of 11/1/21:](#)

Following the return of most U.S. schoolchildren to full-time, in-person learning, a raft of anecdotal reports indicate that violence may be rising in K-12 schools.

Teachers are reporting breaking up fights in schools and are raising concerns about their own safety. Students have been caught with guns or other weapons on campuses in several high-profile incidents. And school shootings in 2021, though still very rare, are on track to surpass their pre-pandemic high.

But if an actual surge is taking place, what's causing it? Will it reshape the contours of the fractious school-safety conversation? And what do district leaders need to consider as they try to respond?

Criminologists note that the nation is in the grip of a general spike of violence probably due to the pandemic and social unrest accompanying the murder of George Floyd in 2020.

Their best guess is that those trends are trickling inexorably, and tragically, down to K-12 students.

“You study these things for so long and then you throw the rule book out. No one really knows why we’ve got the trends and violence we’re seeing right now,” said James A. Densley, a professor of criminal justice at Metropolitan State University, in St. Paul, Minn., who studies gun violence. “But I think at the same time, we’re coming to the same sorts of conclusions. It’s a combination of the pandemic; a lack of trust in our institutions, particularly law enforcement; the presence of guns; the toxic, divisive, contentious times we live in. They’re all interacting together.”

The nation is still in the crisis of the pandemic with no real end in sight, pointed out Margaret A. Sedor, a school psychologist and a member of the National Association of School Psychologists’ school safety and crisis response committee. And students can display a range of crisis reactions, which may include aggression, in response to the losses of the last two years.

“They’ve had almost two years of being socialized and acculturated in a different way, and we need to acknowledge and support community re-engagement,” she said.