

SB0938-EEE_MACo_SUP.pdf

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Position: FAV



Senate Bill 938

Primary and Secondary Education – School Safety and Student Well-Being – Examination of Policies

MACo Position: **SUPPORT**

To: Education, Energy, and the Environment
Committee

Date: March 15, 2023

From: Brianna January and Michael Sanderson

The Maryland Association of Counties (MACo) **SUPPORTS** SB 938. This bill would increase State grant funding designated to support facility safety programs and services like student dispute prevention and remediation and School Resource Officers. By increasing the annual Safe Schools Fund grant appropriation, the bill better equips local school systems and counties to provide safer educational environments.

Counties applaud SB 938's significant commitment to the safety and wellbeing of Maryland's public school students and staff. The bill and its dedicated State resources are particularly timely as school boards and counties around the state work to address the mental and behavioral health needs of students and secure school facilities with limited dedicated resources to do so.

Additionally, SB 938 offers greater flexibility in eligible uses of grants supported by the Safe Schools Fund, to include student conflict resolution for situations like fist fights and physical altercations – a concerning and dangerous problem for all Maryland students and school staff.

By increasing the annual appropriation for the Safe Schools Fund and providing greater flexibility for funding usage, SB 938 would aid local systems as they address one of the most daunting – and most important – challenges they face: providing safe schools conducive of the learning and prosperity of all Maryland schoolchildren. For these reasons, MACo **SUPPORTS** SB 938 and urges a **FAVORABLE** report.

SB938 MSPA Letter.pdf

Uploaded by: Sarah Peters

Position: FAV



Senator Brian J. Feldman, Chair
Senator Cheryl C. Kagan, Vice Chair
Education, Energy, and the Environment Committee
2 West, Miller Senate Office Building
Annapolis, MD 21401

February 25, 2023

Bill: Senate Bill 938 – Primary and Secondary Education – School Safety and Student Well-Being – Examination of Policies

Position: Support

Dear Chair Feldman, Vice Chair Kagan, and Members of the Committee:

I am writing on behalf of the Maryland School Psychologists' Association (MSPA), a professional organization representing about 500 school psychologists in Maryland. We advocate for the social-emotional, behavioral, and academic wellbeing of students and families across the state. School psychologists provide comprehensive psychological services to Maryland's students, including counseling, consultation and assessment. We are writing in support of SB 938, which brings a welcome emphasis on conflict resolution as an essential element in school safety.

The Maryland Center for School Safety is charged with providing a coordinated and comprehensive policy for school safety in Maryland, and with providing resources and guidance to local systems on school safety. Much of its focus to this point has been on the physical aspects of school safety, and the center is widely seen as helpful and effective in this area. SB 938 expands the mission of the Center to include a focus on student dispute resolution through mediation, recognizing that school safety can be substantially enhanced if students learn that they have non-violent means of resolving interpersonal difficulties available to them. Research shows that programs of mediation and instruction in conflict resolution can reduce the prevalence of disruption and fighting and reduce suspensions and expulsions. Properly implemented, these programs have been shown to have a beneficial effect in the broader school community as well. These methods are already being implemented in some Maryland schools, with positive results, and SB 938 will help our schools to extend and to expand these efforts.

MSPA urges you to favorably report on SB 938, to help Maryland's school develop and implement effective conflict resolution procedures. If we can provide any further information or be of assistance, please contact us at legislative@mSPAonline.org or Sarah Peters at speters@hbstrategies.us or 410-322-2320.

Respectfully submitted,

Katie Phipps, M.Ed., Ed.S., NCSP
Committee Chair, Legislative Committee
Maryland School Psychologists' Association.

SB 938 MCSS letter of response.pdf

Uploaded by: Kimberly Buckheit

Position: FWA

Bill:	Senate Bill 938	Date:	March 15, 2023
Title:	Primary and Secondary Education - School Safety and Student Well-Being - Examination of Policies	Committee:	Education, Energy, and the Environment
Position:	Favorable with amendments	Contact:	Kim Buckheit kimberly.buckheit1@maryland.gov 443-902-0622

On behalf of the Maryland Center for School Safety (MCSS), thank you for the opportunity to submit this letter of support with amendments to Senate Bill 938.

Safe Schools Fund Grant

Senate Bill 938 would expand the purpose of the safe schools fund grant to include conflict resolution and mediation services. Additionally, beginning in FY25, the bill allows school systems access to grant funds for any of the listed uses under 7-1512 section (G). This flexibility would allow systems that currently do not apply for the SROs grant access to these funds for other school safety efforts. MCSS supports both of these changes.

It is important to note that the increased flexibility and combining of all the uses of the funding will require local jurisdictions to coordinate school safety priorities across local agencies, which may prove challenging initially but should increase overall effectiveness.

To provide better clarity, MCSS recommends the following amendments to the bill language beginning on page 8.

Amendment No. 1

On page 8, lines 25-29 strike. *The language included in (ii) is unnecessary, see Amendment No. 2.*

Amendment No. 2

On page 9, strike and replace lines 4-5, with; "IN AWARDING GRANTS FROM THE FUND FOR THE PURPOSES DESCRIBED IN SUBSECTION (G) OF THIS SECTION, THE SUBCABINET SHALL ALLOCATE GRANTS TO EACH LOCAL SCHOOL SYSTEM BASED ON THE NUMBER OF SCHOOLS IN EACH SCHOOL SYSTEM IN PROPORTION TO THE TOTAL NUMBER OF PUBLIC SCHOOLS IN THE STATE IN THE PRIOR YEAR." *This change will ensure that funds are allocated to jurisdictions using the same formula regardless of use, including the language stricken in Amendment 1. This change becomes 7-1512(G)(2)(ii)2.*

Amendment No. 3

On page 9, lines 9-13 strike. *Amendment No. 2 makes this language unnecessary.*

For these reasons, MCSS respectfully requests that with these amendments, the committee give Senate Bill 938 a favorable report.

SB 938 - Expansion of SRO Funding - Oppose - CRSD.

Uploaded by: Monisha Cherayil

Position: UNF

MARYLAND COALITION TO REFORM SCHOOL DISCIPLINE

**EDUCATION, ENERGY, AND ENVIRONMENT COMMITTEE
SENATE BILL 938
PRIMARY AND SECONDARY EDUCATION – SCHOOL SAFETY AND STUDENT
WELL-BEING**

**POSITION: OPPOSE
March 15, 2023**

The Maryland Coalition to Reform School Discipline (CRSD) brings together advocates, service providers, and community members dedicated to transforming school discipline practices within Maryland’s public-school systems. We are committed to making discipline responsive to students’ behavioral needs, fair, appropriate to the infraction, and designed to keep youth on track to graduate. **CRSD opposes SB 938**, which would allow for as much as a twofold increase in the amount of state dollars supporting the placement of police in public schools.

SB 938 would mandate an increase from \$10 million/year to \$20 million/year in the amount of state dollars allocated towards measures intended to improve school safety, including grants to fund the assignment of armed, uniformed police officers – referred to as school resource officers – to patrol public schools. Yet, mounting evidence clearly demonstrates that police presence does not make schools safer, criminalizes childhood and adolescent behavior, and exacerbates race- and disability-based disparities in education.

Regular Police Presence Makes Schools Less Safe, Not More, Particularly for Black Children and Children with Disabilities. Every Maryland school district stations police in its public schools on the theory that doing so will stop school shootings or reduce other types of violence. However, the true impact of the model is different:

- Numerous studies have concluded that police presence in schools does not prevent school shootings or prevent other school-based violence¹

¹ Caitlin Moe & Ali Rowhani-Rabar, What We Know About School Mass Shootings Since Columbine and How to Prevent Them (2019), <https://www.chds.us/ssdb/what-we-know-about-school-mass-shootings-since-columbine-and-how-to-prevent-them/> (citing “accumulating research [which] has shown that the conspicuous security, including the presence of school resource officers, have little to no effect in preventing school shootings, or reducing casualties”); Chongmin Na & Denise Gottfredson, Police Officers in School: Effects on School Crime & the Processing of Offending Behaviors, Justice Quarterly (2011), <https://www.tandfonline.com/doi/abs/10.1080/07418825.2011.615754> (finding “no

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- Approximately 70% of school arrests in Maryland are for fights without weapons, disruption/disrespect, trespassing, and similarly low-level offenses; the remainder are mostly for simple drug possession²
- Black students receive 56% of school arrests in Maryland, even though they are only a third of the student population, and research has found no differences in student behavior across race³
- Students with IEPs receive 23% of school arrests in Maryland, even though they are only 12% of the student population⁴
- Students arrested in school are 22 percentage points more likely to drop out than peers who share similar characteristics but do not face arrest⁵

In short, police presence in schools needlessly pushes students – particularly Black students and students with disabilities – out of school and into a pipeline to prison for engaging in developmentally-anticipated childhood and adolescent behavior, without improving school

evidence suggesting that SRO or other sworn law-enforcement contribute to school safety”); Chris Curran, *The Expanding Presence of Police in Florida Schools: Research Report* (2020), https://www.aclufl.org/sites/default/files/curran_the_expanding_presence_of_law_enforcement_in_florida_schools.pdf (“little consistent evidence that the presence of law enforcement decreased the number of behavioral incidents occurring, indicating that school-based law enforcement were not necessarily making schools safer”); Denise Gottfredson et al, *Effects of School Resource Officers on School Crime and Responses to School Crime*, *J. Criminology & Pub. Pol.* (2020) (“no empirical evidence supports th[e] claim” that school police stop shootings and in many of the highest profile school shootings nationwide the presence of armed school police failed to deter or stop shooters); Alex Yablon, *Do Armed Guards Prevent School Shootings?*, *The Trace* (April 6, 2019), <https://www.thetrace.org/2019/04/guns-armed-guards-school-shootings/> (“Armed guards don’t deter gunmen” at schools); Alexis Stern & Anthony Petrosino, *What Do We Know About the Effect of School-Based Law Enforcement on School Safety?* (2018), <https://www.wested.org/wp-content/uploads/2018/04/JPRC-Police-Schools-Brief.pdf> (40 years of study “evidence . . . fails to support a safety effect” associated with officer presence at schools”)

² Maryland State Dep’t of Education, *Maryland Public Schools School-Based Arrest Data 2018-19*, <https://marylandpublicschools.org/about/Documents/DSFSS/SSSP/StudentArrest/MarylandPublicSchoolsArrestDataSY20182019.pdf> (Note: 2018-2019 school arrest data is the most recent available, excluding school years impacted by COVID-related school closures)

³ *Id.*

⁴ *Id.*

⁵ David S. Kirk & Robert Sampson, *Juvenile Arrest & Collateral Educational Consequences in the Transition to Adulthood*, *J. Sociol. Educ.* (2012), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4192649/>

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safety. SB 938 doubles the amount of state dollars that local districts can use towards school policing – from \$10 million annually to \$20 million annually – despite the failures and harms of this model.

Expanded Student Mental Health Services, Wraparound Supports, and Restorative Approaches Keep Schools Safe – But SB 938 Does Not Meaningfully Fund Such Strategies. Schools can employ proven strategies to keep students and educators safe without causing harm. Restorative approaches, for example, build positive relationships within school communities, facilitating the prevention and resolution of conflict and resulting in decreases in suspensions and improvements in school climate.⁶ Social-Emotional learning teaches students character skills, such as self-awareness, emotional self-regulation, empathy, and responsible decision-making, and has been shown to decrease emotional distress and violent behaviors/conduct problems.⁷ Additionally, trauma-informed practices help to minimize fight-or-flight responses for students who have suffered trauma, preventing behavior crises and making schools feel “safer” and “calmer.”⁸ But to implement these measures, schools need counselors, social workers, psychologists, restorative practitioners, and community school coordinators – and in Maryland, they have far from enough.⁹

SB 938 does not meaningfully support these proven school safety strategies. It allows districts to direct state funding towards “mediation” of inter-student disputes and services for students with “behaviors of concern,” but it does not require or incentivize districts to use funds in this manner. At the same time, the bill and the existing law it amends does not expressly permit - and thus arguably disallows - districts from investing state funds in social emotional learning, trauma-informed practices, restorative practices other than student-to-student mediation, and other preventative services. By paying only lip service to evidence-based strategies for

⁶ National Education Policy Center, *The Starts & Stumbles of Restorative Justice in Education: Where Do We Go From Here?* (2020),

https://nepc.colorado.edu/sites/default/files/publications/Revised%20PB%20Gregory_0.pdf

⁷ Taylor, R. Oberle, E., Durlak, J. & Weissberg, R. , Promoting positive youth development through school-based social emotional learning interventions: A meta-analysis of follow-up effects. *Child Development*. 88(4), 1156-1171. (2017),

<https://srcd.onlinelibrary.wiley.com/doi/epdf/10.1111/cdev.12864>.

⁸ Wehmah Jones et al, *Trauma & Learning Policy Initiative (TLPI): Trauma-Sensitive Schools Descriptive Study*, American Institutes for Research (2018),

https://traumasensitiveschools.org/wp-content/uploads/2019/02/TLPI-Final-Report_Full-Report-002-2-1.pdf.

⁹ ACLU, *Cops & No Counselors: How the Lack of School Mental Health Services is Harming Students* (2019),

https://www.aclu.org/sites/default/files/field_document/030419-acluschooldisciplinereport.pdf

MARYLAND COALITION TO REFORM SCHOOL DISCIPLINE

improving student behavior, resolving conflict, and reducing violence, SB 938 will fail to keep students and schools safe.

In short, SB 938 doubles Maryland’s school safety funding to districts but continues to permit all those funds to be directed towards school policing, without requiring or even permitting districts to invest state dollars in a variety of more effective strategies. The likely impact is that many districts – particularly those that already tend towards over-policing students – will expand police presence in their schools, funneling students into the school-to-prison pipeline on the state’s dime.

For these reasons, CRSD strongly opposes SB938.

For more information contact:

Monisha Cherayil

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CRSD Members

ACLU of Maryland

The Choice Program at UMBC

Disability Rights Maryland

Progressive Maryland

Project HEAL at Kennedy Krieger Institute

Public Justice Center

League of Women Voters Maryland

Maryland Office of the Public Defender

Youth, Education and Justice Clinic, University of Maryland Francis King Carey School of Law

SB 938 Letter of Information.pdf

Uploaded by: Helene Grady

Position: INFO



WES MOORE
Governor

ARUNA MILLER
Lieutenant Governor

HELENE GRADY
Secretary

MARC L. NICOLE
Deputy Secretary

SENATE BILL 938 Primary and Secondary Education – School Safety and Student Well-Being – Examination of Policies

STATEMENT OF INFORMATION

DATE: March 15, 2023

COMMITTEE: Senate Education, Energy, and the Environment

SUMMARY OF BILL: SB 938 requires the Maryland State Department of Education (MSDE), the Maryland Center for School Safety (MCSS), and the Interagency Commission on School Construction (IAC) to review the state of physical security in schools and existing guidelines, increases the funding mandate for the Safe Schools Fund, and establishes guidelines for distributing grants from the Fund. Section 2 of this bill requires MCSS to conduct an external review of its performance while Section 3 requires MSDE, in consultation with the Maryland Longitudinal Data Systems Center (MLDSC) to analyze the effect of State and local policies in place from SY 2018 to SY 2023 on school safety and student well-being.

EXPLANATION: The mandated review of the state of physical security in schools and existing guidelines on school safety carried out by MSDE, MCSS, and IAC must begin on or before July 1, 2024, and occur every two years thereafter. Local school system reports on critical, life-threatening incidents already reported to MCSS must be incorporated into the review. After the review, MCSS, MSDE, and IAC must create guidelines to maximize school safety and minimize impediments to students and staff.

SB 938 also increases the funding mandate for the Safe Schools Fund from \$10 million to \$20 million. Funds in the Safe Schools Fund are then disbursed as grants to local school systems under the direction of the School Safety Subcabinet to provide adequate school resource officer (SRO) and local law enforcement (LLE) coverage. This bill would allow the subcabinet to determine the amount of grant funding rather than require the subcabinet to allocate a specific amount.

The external review required of MCSS's functions and duties in Section 2 must be initiated by December 1, 2024, and completed by December 1, 2025. MCSS must report the study's results to the Governor and General Assembly by January 15, 2026. In addition, \$200,000 is mandated in FY 2025 to complete the study. The analysis required under Section 3 must use school data on various safety and well-being areas and must be provided to the Governor and General Assembly by July 1, 2024.

In total, this bill increases mandated appropriations by \$10.2 million in FY 2025 and \$10 million in all future years and would be an addition to ongoing enhancements for education and student support services. Funding in the State budget for K-12 education is at record levels in FY 2024, at approximately \$8.8 billion. Existing funding can already be utilized to enhance efforts to boost school security and

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safety at the local level. The FY 2024 budget also includes record funding targeted at safety in public schools. On top of the \$10 million in existing mandated funding for the Safe Schools Fund, the Governor’s FY 2024 budget includes \$10 million for security improvements to public schools, \$3 million to support schools and childcare centers at risk of hate crimes and bias incidents, and \$3 million to help local school systems conduct safety evaluations. The safety evaluations are supported by surplus funding in the Safe Schools Fund.

The Department of Budget and Management (DBM) is charged with submitting a balanced budget to the General Assembly annually and strives to create a structurally balanced budget, in which the growth in spending is less than the growth in revenues. In light of current economic uncertainty and the potential for a downturn, the Department urges caution in passing legislation significantly expanding State required expenditures without offsetting revenues. General fund mandates can have the effect of crowding out the State’s ability to fund staffing, salary adjustments, and in general invest strategically and holistically in State government’s human capital and the infrastructure required to carry out State government’s mission. State government must be intentional, disciplined, and strategic with its allocation of State funding to ensure maximum impact toward priority outcomes.

General Fund Structural Budget Outlook, Fiscal 2024 – 2028 (\$ millions)

	Est. 2024	Est. 20235	Est. 2026	Est. 2027	Est. 2028
Structural Balance	\$337	\$232	\$263	\$529	\$1,113
Adjusted for Blueprint				-\$963	-\$1,207

Department of Legislative Services, January 2023 Fiscal Briefing

For additional information, contact Marc Nicole at
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