



529 14th Street NW
Ste 722
Washington, DC 20045
(202) 457-0800
www.acludc.org

**Statement on behalf of the
American Civil Liberties Union of the District of Columbia
before the
D.C. Council Committee of the Whole
Budget Oversight Hearing for the
District of Columbia Public Schools
By
Ahoefa Ananouko, Policy Associate
April 10, 2024**

Hello Chairman Mendelson and members of the Committee. My name is Ahoefa Ananouko and I am a Policy Associate at the American Civil Liberties Union of the District of Columbia (ACLU-D.C.).

ACLU-D.C. is committed to working to dismantle the school-to-prison pipeline. We are a member of the Every Student Every Day and Police-Free Schools coalitions, and believe all D.C. students deserve to feel safe and nurtured, and learn in secure school environments.

ACLU-D.C. understands that school safety is a complex and multilayered issue. We also acknowledge and share the concerns many stakeholders have expressed about safety in D.C. schools. It is therefore deeply concerning that the Mayor's proposed Fiscal Year (FY) 25 budget makes cuts to vital services and programs that support students and schools, such as school-based behavioral health services.¹

The only way to make D.C. school communities safer is by investing significant resources in evidence-based, effective strategies aimed at addressing underlying circumstances that present as behavioral issues. Such strategies are the way to prevent small incidents from escalating into crimes or acts of violence in schools. These resources are more important than ever, in a post-pandemic era where economic strains, among other factors, have significant impacts on students' and their families' well-being.

To make progress towards school safety, ACLU-D.C. recommends that the Council funds the following items in the FY25 budget. We believe these immediate-term investments could significantly improve school safety without jeopardizing the future of D.C.'s young people and contribute to a safer D.C. overall.

¹ The School Behavioral Health Program is run through the Department of Behavioral Health (DBH). The program provides school-based, primary prevention services to students and school staff, early intervention and treatment services to students and parents, and consultation to individual teachers and school administrators.

ACLU-D.C. Recommendations

1. We urge the Council to pass and fund B25-234, the “School Safety Enhancement Act of 2023.”² This bill was introduced by Councilmember Parker in March of 2023, with Councilmembers Bonds, Lewis George, McDuffie, Nadeau, and Robert White as co-sponsors. B25-234 would establish a school safety team at all D.C. public and charter schools—which would include a School Safety Director (plus an Assistant School Safety Director in high schools.) Additionally, B25-234 would direct the Office of the State Superintendent for Education (OSSE) to convene stakeholders to create guidelines to review and enhance school safety plans that include evidence-based trauma-informed approaches. The bill had a public hearing this past January, but has yet to be marked up or make it out of committee.

School safety teams would allow school communities to tailor safety plans and dedicate resources to meet their unique needs. Schools would be better equipped to coordinate responses to everyday behavioral problems as well as more serious threats in and around schools, including those that may require a police response. As recommended by the School Safety Enhancement Committee (SSEC), every school should identify the members of their safety team responsible for core functions such as lead point of contact for safety-related matters, lead for disciplinary issues, and lead for social-emotional learning, among other things.^{3,4}

It is critical that the Council passes and funds this bill so that school communities can get resources they have long been promised and can truly begin reimagining school safety.

2. We are glad to see that the Mayor’s proposed budget allocates \$9.7 million to maintain the Safe Passage program at ARPA-level funding⁵ and to expand coverage through roving teams in neighborhoods experiencing short-term increases in crime. Safe Passage is a vital program that works with community-based organizations to support students as they travel to and from school and in the community.⁶ Overseen by the office of the Deputy Mayor for Education (DME), the program currently serves 48 schools.

² B25-234 , “School Safety Enhancement Amendment Act of 2023.” <https://lims.dccouncil.gov/Legislation/B25-0234>.

³ School Safety Enhancement Committee. “Strengthening School Safety in Washington, DC: Report and Recommendations.” Published March, 25, 2024. <https://dme.dc.gov/safetyreport>.

⁴ The School Safety Enhancement Committee was established in the FY24 Budget Support Act. The Committee, convened by the Deputy Mayor for Education, was tasked with producing actionable recommendations on the ways that schools and all those within the school-supporting ecosystem can ensure our public schools are safe for children and youth. The Committee was composed of representatives and experts from District education and public safety agencies, the D.C. Council, and school communities and families.

⁵ The American Rescue Plan Act of 2021 (aka ARPA) was the early COVID-era stimulus packed passed by the federal government. The package included grants for states and cities to invest in things like public safety.

⁶ According to the DME info page, Safe Passage programming includes conflict resolution, mediation services, and community relationship building to keep students safe and improve student attendance. Safe Passage Ambassadors – trained and trusted adults from community-based organizations – are assigned to schools and work to build relationships with school staff, students, families, and community members. <https://safepassage.dc.gov/>.

Students, parents, teachers and school administrators, as well as other stakeholders, have consistently testified before the Council calling for Safe Passage to be implemented in other parts of the District. Expanding Safe Passage is also one of the recommendations of the SSEC.⁷

The SSEC noted in its report that “many students feel unsafe in the commute to and from school and are eager for safe passage and transit solutions.”⁸ Because the District does not have a typical school bussing system that most other school districts have, it is vital that programs that facilitate travel to and from school are in place especially in the most vulnerable communities to ensure that students are commuting to and from school safely. Adequate funding for these types of initiatives would also help to address issues with tardiness, truancy, and chronic absenteeism—which several members of the Council have taken on as urgent issues that need to be addressed.^{9,10,11} We recommend that the Council work with the DME to evaluate the current designated priority areas and consider changes in designations, as well as new areas that can be added to the program.

As noted by the SSEC, there are currently schools in safe passage areas that are not a part of the Safe Passage program. And there are also schools that are not in priority areas that are requesting participation in the program.¹²

3. Restore funding for the School Behavioral Health Program and expand and invest in more non-police alternatives to improve school safety.

The School Behavioral Health Program is operated through the Department of Behavioral Health, which partners with community-based organizations to carry out services. The program provides school-based, primary prevention services to students and school staff, early intervention and treatment services to students and parents, and consultation to individual teachers and school administrators. Clinicians also provide support in the aftermath of traumatic events that impact school communities.¹³

⁷ SSEC report, 37.

⁸ SSEC report, 26.

⁹ Councilmember Robert White Introduced B25-740, the “Truancy Reduction for Student Success Act of 2024,” on March 4, 2024. The bill would require OSEE to publish monthly data on absenteeism on its website. The bill was co-introduced by Councilmembers McDuffie, Nadeau, Pinto, Henderson, Parker, Bonds, Allen, T. White, Lewis George, Frumin, and Chairman Mendelson. <https://lms.dccouncil.gov/Legislation/B25-0740>.

¹⁰ Councilmember Allen introduced B25-754, the “Chronic Absenteeism and Truancy Reduction Amendment Act of 2024,” on March 25, 2024. Among other things, the bill proposed that schools with a chronic absenteeism rate above 20% should be designated as priority areas for the Safe Passages Safe Blocks program by School Year 2027-2028; a new additional funding category be added to school budgets specifically to address chronic absenteeism; and that schools intervene with a student after five unexcused absences in a marking period (before any referral to the Child and Family Services Agency (CFSA)). The bill was co-introduced by Councilmembers Pinto, McDuffie, Nadeau, and R. White. <https://lms.dccouncil.gov/Legislation/B25-0754>.

¹¹ Councilmember Parker introduced B25-758, “The Showing Up for Students Amendment Act of 2024,” on March 28, 2024. Among other things, the bill seeks to address chronic absenteeism and truancy by setting expectations for parents to communicate about their student’s absence; and modifying the process for engaging families by requiring that students to the Department of Human Services before referrals to CFSA or the Office of the Attorney General. <https://lms.dccouncil.gov/downloads/LIMS/55079/Introduction/B25-0758-Introduction.pdf?Id=187631>.

¹² SSEC report, 32 & 37.

¹³ DBH School Behavioral Health Program page. <https://dbh.dc.gov/service/school-behavioral-health-program>.

ACLU-D.C. has been a strong supporter of the School Behavioral Health Program, joining partner organizations and other stakeholders in signing letters from the Strengthening Families Through Behavioral Health Coalition—advocating for expansion of the program to ensure that every D.C. school is equipped with at least one behavioral health technician.^{14,15}

Programs and initiatives supporting student mental health and teaching students conflict-resolution skills have been shown to improve school climate and reduce acts of aggression by students. Below are a few examples in a universe of wide-ranging alternatives to punitive measures that support student learning and increase safety in schools.

Mindfulness Practices

Mindfulness programs draw on health and wellness, focusing particularly on awareness of the mind, the body, and emotions to foster the development of the whole individual. In school settings, mindfulness programs can be used at the individual level as an alternative to detention or isolation from others, or at the classroom level with students practicing breathing exercises, reflective walks, yoga, or thought activities.^{16,17}

Although research on the use of mindfulness practices in schools is still growing, the research available shows that mindfulness interventions significantly improve cognitive performance and resilience to stress and have the greatest impact on mental health and well-being outcomes, especially when implemented in high schools.^{18,19}

¹⁴ Strengthening Families Coalition letter asking Mayor Bowser to fund School Base Behavioral Health in FY23 budget. Sent December 10, 2021. <https://static1.squarespace.com/static/61fc198478b173509177a060/t/623498c4c8d99f4664b95497/1647614148680/SBBH+letter+to+the+mayor.pdf>.

¹⁵ Strengthening Families Coalition letter asking Mayor Bowser to fund School Base Behavioral Health in FY24 budget. Sent November 21, 2022. <https://static1.squarespace.com/static/61fc198478b173509177a060/t/637e6fdf8f09c66ced66844d/1669230593873/2022+Strengthening+Families+Coalition+Letter+to+Mayor+Bowser.pdf>.

¹⁶ Saphiang, S. et. al. Mindfulness in Schools: A Health Promotion Approach to Improving Adolescent Mental Health." International Journal of Mental Health and Addiction, Volume 17, Issue 1, pages 112-119. 2019. <https://doi.org/10.1007/s11469-018-0001-y>.

¹⁷ Ager, K. et. al. "Mindfulness in Schools Research Project: Exploring Students' Perspectives of Mindfulness—What Are Students' Perspectives of Learning Mindfulness Practices At School?" Psychology, 6, 896-914. 2015. https://www.researchgate.net/publication/279970345_Mindfulness_in_Schools_Research_Project_Exploring_Students'_Perspectives_of_Mindfulness_What_are_students'_perspectives_of_learning_mindfulness_practices_at_school.

¹⁸ Carsley, D. et. al. "Effectiveness of Mindfulness Interventions for Mental Health in Schools: A Comprehensive Meta-Analysis." Mindfulness, Volume 9, Issue 3, pages 693-707. 2018. <https://doi.org/10.1007/s12671-017-0839-2>.

¹⁹ During the Committee of the Whole's January 11th hearing on B25-234 and B25-420, the "Conflict Resolution Education Amendment Act of 2023," a fourth grader from Lafayette Elementary School shared how her school, which she has been at since pre-K, has peace classes. In peace class they learn ways to solve their problems and how to keep conflicts from escalating. Students are taught mindfulness practices that help them recognize physiological responses they are having when something is bothering them and how to regulate their behavior. Techniques like taking five (in which one traces their fingers while taking deep breaths), or changing the channel (where one tries to focus on something other than what is bothering them), allow students to take ownership of

Restorative Justice Practices

Restorative justice is a relational approach that promotes safety by emphasizing accountability, healing, and repairing relationships. In restorative practices, the person that causes harm must make amends for their actions and provide assistance to those harmed. These practices use dialogue and relational teachings to orient the wrongdoer with the person(s) they harmed in order to humanize the injury. In schools, restorative justice helps students to understand the root of their misbehavior and how they might do better. Restorative justice typically uses the method of circling to build a listening culture, positively impact student practices of respect, empathy, trust, critical thinking, problem solving, and shared leadership.

Research on restorative practices found that they are an effective alternative to punitive responses to wrongdoing, and that these practices aid in producing safe learning environments and the developing of positive, supportive, and authentic relationships.²⁰ Restorative practices promote dialogue and accountability, create a stronger sense of community, improve relationships, reduce exclusionary discipline referrals, and increase equity in discipline.^{21,22}

Social-Emotional Learning (SEL)

SEL programs aim to strengthen communication skills, self-control, and collaborative problem-solving in order to reduce aggression, increase social competencies, and develop positive relations among students as well as between students and teachers. SEL can be implemented as a formalized program or something less structured.

In a D.C. study of 30,462 students, 4,273 teacher respondents and 12,216 parents, Kautz, et. al found that SEL programs that focus on self-management (how well students control their emotions, thoughts, and behavior) might have the most potential for improving student outcomes. Specifically, the study found that SEL helped to predict whether students felt loved, challenged, and prepared. Kautz, et. al. noted that schools may be able to boost SEL competencies by fostering a positive school environment, which comprises all the tangible and non-tangible ways schools support student development, including relationships among students and staff, school discipline, student engagement, and safety.²³

how they express their frustrations. The student shared that peace class has been very helpful to her and her classmates, and that they are noticeably “more happy.”

²⁰ DePaoli, J. L. et. al. “A Restorative Approach for Equitable Education.” Learning Policy Institute. March 16, 2021. <https://learningpolicyinstitute.org/product/wce-restorative-approach-equitable-education-brief>.

²¹ Gregory, A. & Evans, K. R. “The Starts and Stumbles of Restorative Justice in Education: Where Do We Go From Here?” Boulder, CO: National Education Policy Center. 2020. <https://nepc.colorado.edu/publication/restorative-justice>.

²² Gregory, A. et. al. “The Promise of Restorative Practices to Transform Teacher-Student Relationships and Achieve Equity in School Discipline.” *Journal of Educational and Psychological Consultation*, Volume 26, Issue 4, pages 325–353. 2016 (a). https://www.researchgate.net/publication/285551204_The_Promise_of_Restorative_Practices_to_Transform_Teacher-Student_Relationships_and_Achieve_Equity_in_School_Discipline.

²³ Kautz, T., et. al. “Using a Survey of Social and Emotional Learning and School Climate to Inform Decisionmaking.” Institute of Education Sciences, Regional Educational Laboratory Program. 2021. <https://ies.ed.gov/ncee/rel/Products/Region/midatlantic/Publication/30205>.

Young People Need Support, Not Punishment

Most young people do not just wake up one day and decide they hate school or want to fight one of their peers. What may present as behavioral issues in the classroom often goes deeper than a student simply not following directions. When students' needs go unmet they are more likely to disengage from school, leading to truancy and chronic absenteeism.

The need for behavioral and mental health support services is greater than ever, as D.C. students and families are experiencing a mental health crisis like never before, as well as other challenges, particularly following the height of the COVID-19 pandemic. A slow and unevenly distributed economy growth that has not kept up with inflation is putting major strain on families.^{24,25} Even prior to the pandemic, many of the District's Black and brown students were already experiencing economic instability,^{26,27} which impacts things like housing, food intake, and even access to healthcare. The pandemic only exacerbated these issues. D.C. students were also already struggling with mental health in an ever-changing society that engages more and more via social media platforms.^{28,29}

While the pandemic increased stress for many people in just about every aspect of their lives, it really embedded many people in their stress response system—fight, flight or freeze.³⁰ This has been especially true for young people, many of whom did not have the tools to deal with the trauma of losing loved ones at unprecedented rates or being in prolonged isolation, away from their peers. For some students who were already responsible for caregiving duties and other household tasks, these responsibilities became greater during the pandemic.³¹

Students who are stuck in their fight-flight response may experience increase in behavioral issues in school (example of “fight” response) or disengage and be more absent (“flight”).³² When the response is

²⁴ Andrade, C. “The Social and Economic Impact of Covid-19 on Family Functioning and Well-Being: Where do we go from here?” National Library of Medicine. May 27, 2022.

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9136200/>.

²⁵ Bhattarai, A. “As pandemic benefits wind down, a reckoning for households and economy.” Washington Post. April 2, 2023. <https://www.washingtonpost.com/business/2023/04/02/medicaid-snap-expiration-economy/>.

²⁶ Kijakazi, K. et. al. “The Color of Wealth in the Nation’s Capital.” Urban Institute, Duke University, The New School, and the Insight Center for Community Economic Development. November 2016.

https://www.urban.org/sites/default/files/publication/85341/2000986-2-the-color-of-wealth-in-the-nations-capital_8.pdf.

²⁷ In D.C. White households have 81 times the wealth of Black households and 22 times the wealth of Latine households. See Williams, E. “DC’s Extreme Wealth Concentration Exacerbates Racial Inequality, Limits Economic Opportunity.” D.C. Fiscal Policy Institute. October 20, 2022. <https://www.dcfpi.org/all/dcs-extreme-wealth-concentration-exacerbates-racial-inequality-limits-economic-opportunity/>.

²⁸ U.S. Surgeon General. “Social Media and Youth Mental Health: The U.S. Surgeon General’s Advisory.” 2023. <https://www.hhs.gov/sites/default/files/sg-youth-mental-health-social-media-advisory.pdf>.

²⁹ U.S. Surgeon General. “Protecting Youth Mental Health: The U.S. Surgeon General’s Advisory.” 2021. <https://www.hhs.gov/sites/default/files/surgeon-general-youth-mental-health-advisory.pdf>.

³⁰ Mervosh, S. “A Crisis of School Absences.” Yahoo! News. March 29, 2024. <https://www.yahoo.com/news/crisis-school-absences-115310423.html>.

³¹ Lewis, F. “Youth Caregivers: Before, During, and After the Pandemic.” October 20, 2021. American Society of Aging. [https://generations.asaging.org/youth-caregivers-and-pandemic#:~:text=Eleven%20percent%20of%20young%20carers,Health%20Care%20Association%2C%202020\).](https://generations.asaging.org/youth-caregivers-and-pandemic#:~:text=Eleven%20percent%20of%20young%20carers,Health%20Care%20Association%2C%202020).)

³² Mervosh.

punitive measures that target the surface-level behavior rather than the underlying challenges, a vicious cycle is created.

What students need are resources to recover from the pandemic and provide stability—not criminalization of their behaviors. Welcoming environments and trusted adults do more for student wellbeing and school safety than exclusionary and carceral approaches. Proposals that seek to expand exclusionary practices like suspension, increase the number of school police,³³ or criminalize young people and their families are not the solution. They will only help continue to expand the school-to-prison pipeline.

³³ Research shows that increased interactions with police have negative implications for the wellbeing of young people, which can impact their ability to self-regulate their behaviors and their performance in school. Young people who encounter police at increased rates experience heightened emotional distress and symptoms of post-traumatic stress, such as rapid heart rates, sweaty palms, uncontrollable thoughts, and decrease in quality sleep. See Jackson, D. B., et. al. "Police Stops Among At-Risk Youth: Repercussions for Mental Health." *Journal of Adolescent Health* Volume 65, Issue 5, Pages 627-632. November 2019. <https://www.amostbeautifulthing.com/wp-content/uploads/2020/01/Police-Stops-Among-At-Risk-Youth-Repercussions-for-Mental-Health.pdf>.