Statement on behalf of the
American Civil Liberties Union of the District of Columbia
before the
D.C. Council Committee of the Whole
Hearing on
B25-234 – the "School Safety Enhancement Amendment Act of 2023"
by
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Hello Chairperson 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.). I present the following testimony on behalf of our more than 12,500 members and supporters across the District.

The ACLU-D.C. is a member of the Every Student Every Day and Police-Free Schools Coalitions, and believes all D.C. students deserve to feel safe and nurtured, and learn in secure school environments. We acknowledge and share the concerns others have about safety in D.C. schools and, to that end, support evidence-based, effective strategies for preventing crime and violence in schools. We strongly urge District leaders to take a whole child,[1] community-centered approach to addressing school safety concerns.

We submit this testimony in support of B25-234, the "School Safety Enhancement Amendment Act of 2023." B25-234 was introduced by Councilmember Parker in March of 2023, with Councilmembers Bonds, Lewis George, McDuffie, Nadeau, and Robert White as co-sponsors. The bill would establish a school safety team at all D.C. schools—which would include a School Safety Director (plus an Assistant School Safety Director in high schools.) The bill would also, among other things, direct the Office of the State Superintendent for Education to convene stakeholders to create guidelines to review and enhance school safety plans that include evidence-based trauma-informed approaches.[2] Aspects of this bill were

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[1] On a fundamental level, a whole child approach recognizes that student success in school goes beyond academics. A whole child approach understands that student wellbeing must prioritize the full scope of developmental needs, which include social-emotional, as well as physical and safety needs. This approach works from the perspective that students' educational and life outcomes depend on their access to safe and welcoming environments, as well as rich learning environments in and out of school. See Learning Policy Institute "Guiding Principles for Equitable Whole Child Design." Available at https://learningpolicyinstitute.org/topic/whole-child-education#:~:text=A%20whole%20child%20approach%20understands,implications%20for%20the%20education%20system. See also Ohio Department of Education and Workforce "Ohio's Whole Child Framework." Available at https://education.ohio.gov/Topics/Student-Supports/School-Wellness/Ohios-Whole-Child-Framework#:~:text=A%20whole%20child%20approach%20broadens,environments%20and%20rich%20learning%20experiences.

[2] B25-234, "School Safety Enhancement Amendment Act of 2023." Available at https://lims.dccouncil.gov/Legislation/B25-0234.

included in the Fiscal Year '24 Budget support Act,"[3] which created the School Safety Enhancement Committee. The Committee is due to issue its report and recommendations on February 1st of this year.

To build safer schools, District leaders must invest in initiatives that meet the safety needs of school communities—students, teachers, school administrators, and even parents—without jeopardizing the current and future well-being of students—and by extension, the communities they live in. School safety teams are a good step in the right direction, as there would be staff dedicated specifically to focusing on safety issues in D.C. schools. School Safety Directors and Assistant Directors, and other support staff, would allow teachers to focus on engaging students in learning rather than disciplinary issues. These teams would improve coordination of responses to student discipline and safety concerns, and more broadly, ensure that discussions about school safety are not occurring in siloes.

The ACLU-D.C. highly encourages District leaders to invest in interventions that limit student interactions with law-enforcement, help students and families gain stability, and are proactive in deterring student misbehavior and issues that may escalate to violence.

Over the past several years, D.C.'s young people, particularly Black youth, who are the most negatively affected by punitive measures in schools, [4] have shared through advocacy efforts like testifying before the Council what makes them feel safe in schools: removing police and not having their behaviors criminalized, strong relationships with trusted adults, safe spaces where they feel they belong, arts programs, and access to healthy foods.

Research and experience indicate that punitive approaches to school safety, like having school police for example, do not make schools safer or improve school climate.[5] Additionally, exclusionary policies like suspensions and expulsions typically do not address underlying issues students face, which may present as behavioral problems.

A lot of D.C. students and their families, particularly those in low-income communities, were already dealing with challenging circumstances like food and housing insecurity, poor access to healthcare, financial stressors, and trauma from witnessing violence, prior to the onset of the COVID-19 pandemic. For many, the pandemic exacerbated these issues, with disproportionate impact on the District's Black and Latine communities.[6] Now, students are facing even more challenges with mental health and on-

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[3] Fiscal Year 2024 Budget Support Emergency Act of 2023, Subtitle T. "School Safety Coordination." Enacted July 14, 2023. Available at https://lims.dccouncil.gov/downloads/LIMS/53228/Signed_Act/B25-0320-Signed_Act.pdf?Id=166664.

[4] According to data from the U.S. Department of Education's Civil Rights Data Collection, Black students made up 66% of school-based arrests and referrals to law enforcement during school-year 2020-2021. https://civilrightsdata.ed.gov/profile/us/dc?surveyYear=2020.

[5] Bartlett, T., et. al. "Reimagining School Safety Without Resource Officers: Discussing Alternative Programs and Practices." Arizona State University, 2021. Available at https://sirc.asu.edu/sites/default/files/school_safety_alternatives_.pdf.

[6] Children's National Hospital. "COVID-19 and Children's Behavioral Health in The District Of Columbia: The Pandemic's Impact on Child Behavioral Health Outcomes and the Behavioral Health Care System." June, 2021. Available at https://childrensnational.org/-/media/cnhs-site/files/advocacy-and-outreach/child-health-advocacy-institute/covid19-and-childrens-behavioral-health-in-

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going violence in the District, which means the need for support in addressing underlying issues that appear as behavioral issues is greater.

D.C. must increase resources for schools to hire more staff like psychologists, counselors, and nurses who are trained in trauma-informed practices, as described in B25-234.[7] Lack of adequate support for students who are struggling can have real impact on school safety, as students have less opportunities to speak with someone who has the training to help them address challenges they are facing. For example, while the American School Counselor Association recommends a 250:1 student to counselor ratio, D.C. schools had a 444:1 student to counselor ratio during the 2021-22 school year (well above the national average of 408:1).[8]

Below are a few non-police approaches we recommend District leaders to consider investing more resources to expand or implement.

Non-Police Approaches that District Leaders Should Invest In

Mental health support, along with practices like restorative justice and social-emotional learning have been shown to improve school climate and reduce acts of aggression by students.

Mindfulness Practices

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 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."[9]

As illustrated by the student's examples during the hearing, mindfulness practices focus on an awareness of the mind, the body, and emotions to foster the development of the whole individual. In school

dc.pdf?la=en#:~:text=However%2C%20the%20pandemic's%20effects%20have,to%20social%20influences%20on%20health.

[7] B25-234, 4.

[8] See American School Counselor Association, "School Counselor Roles & Ratios." Available at https://www.schoolcounselor.org/About-School-Counseling/School-Counselor-Roles-Ratios#:~:text=Student%2Dto%2DSchool%2DCounselor,for%20which%20data%20is%20available). See also, "Student-to-School-Counselor Ration 2021-2022." Available at https://www.schoolcounselor.org/getmedia/b9d453e7-7c45-4ef7-bf90-16f1f3cbab94/Ratios-21-22-Alpha.pdf.

[9] See archived hearing video, available at https://dc.granicus.com/MediaPlayer.php?view_id=2&clip_id=8601.

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.[10,11]

As the student emphasized during the hearing, all students should have peace class—or at least something like it that teaches conflict resolution and how to recognize things that trigger them and how to respond appropriately.

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.[12] Restorative practices promote dialogue and accountability, create a stronger sense of community, improve relationships, reduce exclusionary discipline referrals, and increase equity in discipline.[13,14]

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[10] Sapthiang, 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. Available at https://doi.org/10.1007/s11469-018-0001-y.

[11] 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. Available at 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.

[12] DePaoli, J. L. et. al. "A Restorative Approach for Equitable Education." Learning Policy Institute. 2021. Available at https://learningpolicyinstitute.org/product/wce-restorative-approach-equitable-education-brief.

[13] 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. Available at http://nepc.colorado.edu/publication/restorative-justice.

[14] 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). Available at https://www.researchgate.net/publication/285551204_The_Promise_of_Restorative_Practices_to_Transform_Teacher-Student_Relationships_and_Achieve_Equity_in_School_Discipline.

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.[15]

Conclusion

We all want D.C. students to feel and be safe. This starts with recognizing that students are facing challenges outside of school that impact their behavior both in and out of school. We hope the Council and other District leaders will continue seeking effective ways to support D.C.'s most vulnerable students and school communities in a continuum of care that helps them all to thrive.

The above examples are just a few in a universe of wide-ranging alternatives to punitive measures that support student learning and increase safety in schools. Currently, some schools in D.C. have some type of non-police practice, but many schools do not. And to the extent that these programs exist, they are on a smaller scale,[16] primarily due to inadequate resources such as funding and personnel to run them, or lack support from District leaders. We hope the Council and other District leaders will support School Safety Teams seeking to minimize their reliance on law enforcement and exclusionary practices that are ultimately more detrimental to student success and school safety.

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[15] 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/edlabs/regions/midatlantic/pdf/REL_2021114.pdf.

[16] Some examples of existing programs shared during January 11 COW hearing: Peace in Mind, Alliance of Concerned Men, TRIGGER Project, Beyond Your Block, and Safe Passage - multiple witnesses expressed wanting to see safe passage expanded.