



Texas Should Eliminate Harmful Hardening and Policing Mandates and Invest in Safe and Supportive Schools

IDRA Testimony on HB 2, submitted by Paige Duggins-Clay, J.D., to the Texas House Select Committee on Educational Enrichment and Opportunity, November 10, 2023

Dear Chair Buckley and Members of the Committee:

IDRA is an independent, non-partisan non-profit committed to achieving equal educational opportunity for every child through strong public schools that prepare all students to access and succeed in college.

I respectfully submit this testimony on House Bill 2 to emphasize that the state must do more to strengthen and protect school communities. We agree that the legislature must prioritize legislation protecting students from horrific acts of physical violence, including school shootings. But we must also ensure our students feel safe every day, in every way, by adopting practices that have been shown to promote safe and welcoming schools and do not compromise the overall well-being of our children.

HB 2 represents a significant investment and seismic change to the way the state funds school safety initiatives. While we appreciate the intention of the legislation to increase funds available to schools to meet state school safety mandates, we have two primary concerns.

First, we are deeply concerned that the State is doubling down on harmful hardening, surveillance and policing mandates – including the armed security officer requirement in HB 3 (2023, 88R) passed last session. School districts are understandably struggling to comply with unfunded safety mandates, but the solution is not to divert yet more money to personnel and practices that undermine students' sense of belonging, safety and dignity in schools.

Instead, this body should eliminate unnecessary and harmful mandates, such as requirements for school-based police, other armed and insufficiently trained adults, and other extreme and intrusive security and surveillance measures in our schools. Not only are these mandates expensive, but they also harm students, compromise their privacy and civil rights, and destabilize school climates (Craven, 2022). And when policymakers prioritize investment in hardening and policing, it reduces the resources available for the school personnel and programs that work to protect students and increase safety (Gottfredson et al., 2020; Weisburst, 2018).

We are in the midst of an unprecedented teacher shortage, and the indisputable need for additional educators and support professionals – including counselors, behavioral health specialists and special education service providers – is clear. We therefore appreciate that this legislation maintains current statutory guidance to school leaders encouraging the use of school

safety grant funds for evidence-based practices, personnel and resources. But we know that even with a dedicated school safety fund, the legislature has not invested enough to serve our students, families and educators.

That brings me to our second concern: We are worried that HB 2 does not contain appropriate safeguards ensuring that the State will adequately fund this grant program in the future.

Under current law, school districts are statutorily entitled to receive a school safety allotment. While the current allotment is grossly insufficient to pay for required safety mandates and invest in positive and preventative measures, it is at least a protected source of funding that districts can rely on. HB 2 repeals the school safety allotment in exchange for a state school safety fund.

The bill outlines several potential revenue streams to finance the fund and outlines a formula for calculating schools' potential grant awards, but the bill does not appear to ensure that districts will receive a minimum grant amount. In other words, the bill does not seem to include a floor for ensuring that districts will receive school safety funding at least commensurate with the current school safety allotment going forward.

Finally, we are concerned that the bill vests too much authority with the Texas Education Agency, since the agency is tasked with overseeing the administration of the \$1.1 billion fund and authorized to engage in rulemaking for implementation. The public would benefit from more information regarding the proposed grant application and award process, and we encourage this committee to ensure that school districts and communities have the freedom to use state school safety funds for evidence-based practices that promote positive school climates – including investing in prevention measures, family engagement and mental health.

Recommendations

Safe schools are built and maintained through strong, enduring relationships between diverse educators, students and families within the school community. Rather than continuing to invest millions of dollars on harmful hardening, surveilling, and policing measures, which negatively impact children for the mere illusion of safety, we urge the legislature to invest in evidence-based practices and resources that support students and educators, address the root causes of challenging youth behaviors (David-Ferdon et al., 2016), promote safety and strengthen school communities. These include:

- Allocate funding and provide technical support to aid school districts in implementing evidence-based strategies to strengthen relationships, support students and educators, and improve school climate, such as positive behavior interventions and supports (PBIS), social emotional learning, and restorative practices;
- Increase school-based mental health resources, including counseling, behavioral intervention and social work professionals;
- Invest in effective alternatives to exclusionary discipline that address root causes of challenging and problematic behavior;
- Promote authentic family and community engagement (Montemayor, 2016);
- Train and provide technical assistance to support full implementation of student support teams established in SB 11 (2019) to intervene and prevent violence before it occurs; and
- Require robust data collection and reporting and hold districts accountable for disproportionate policing and discipline rates that target students of color, students with disabilities, LGBTQ+ students and others.

IDRA is available for any questions or further resources that we can provide. For more information, please contact Paige Duggins-Clay, J.D., at paige.duggins-clay@idra.org.

Resources

- Craven, M. (June 16, 2022). What Safe Schools Should Look Like for Every Student – A Guide to Building Safe and Welcoming Schools and Rejecting Policies that Hurt Students – IDRA Issue Brief. IDRA. <https://idra.news/SafeSchoolsIB>
- David-Ferdon, C., Vivolo-Kantor, A., Dahlberg, L.L., Marshall, K.J., Rainford, N., & Hall, J. (2016). A Comprehensive Technical Package for the Prevention of Youth Violence and Associated Risk Behaviors. Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, Division of Violence Prevention. <https://www.cdc.gov/violenceprevention/pdf/yv-technicalpackage.pdf>
- Gottfredson, D., Crosse, S., Tang, Z., Bauer, E.L., Harmon, M.A., Hagen, C.A., & Greene, A.D. (2020). Effects of School Resource Officers on School Crime and Responses to School Crime. *Criminology and Public Policy* 19, No. 3. https://onlinelibrary.wiley.com/doi/full/10.1111/1745-9133.12512?utm_content=PublicationUpdate&utm_medium=email&utm_source=govdelivery
- Montemayor, A. (September 2016). Co-Leading and Co-Transforming Schools – School Administrators and Family Leaders in Education, IDRA Newsletter. <https://www.idra.org/resource-center/co-leading-co-transformingschools-school-administrators-family-leaders-education>
- Weisburst, E. (2018). Patrolling Public Schools: The Impact of Funding for School Police on Student Discipline and Long-Term Education Outcomes (A Sub-project of 'Building Pathways to College Access and Beyond'). Education Research Center, University of Texas at Austin. <https://texaserc.utexas.edu/wp-content/uploads/2018/11/21-UTA034-Brief-BPCAB-11.1.18.pdf>

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