

ACLU OF RI POSITION: SUPPORT

**TESTIMONY IN SUPPORT OF 23-H 5396,
AN ACT RELATING TO EDUCATION – THE EDUCATION EQUITY AND
PROPERTY TAX RELIEF ACT
April 26, 2023**

The ACLU of RI supports this important legislation which would provide \$2,000,000 in funding for the hiring of school social workers. It stands in contrast to other legislation being heard tonight that would instead funnel money to school resource officers, i.e., police. This bill appropriately recognizes that the personnel most needed and appropriate on school campuses are not law enforcement; rather, they are those with a professional understanding of the unique social-emotional needs of students and adolescents and are available to provide support and counseling.

This committee may remember an incident in 2019 in which enough teachers at Kickemuit Middle School called out sick that the school was actually closed for the day. In the following days and weeks, teacher after teacher remarked on the rapidly disappearing counseling structures available to students, and their school environment's desperate need for mental and behavioral support services. At the time, however, the school district's immediate action was to bring law enforcement, in the form of a school resource officer, into the school to contend with the purported student behavioral issues that had incited the closure.

For many reasons, this avenue was an inappropriate approach to circumstances that clearly necessitated additional psychological support for students. In many instances, SROs are relied upon to provide routine school discipline, and the tools that police have at their disposal to combat unruly behavior are often not suited for a school setting. After filing an open records request a few years ago, we discovered that many incident reports arising from student arrests documented examples of escalation of minor infractions (such as wearing a hat in violation of a school dress code) into arrests for open-ended crimes such as disorderly conduct. That is, a police presence often led to arrests for minor misconduct that could and should – and otherwise would – have been treated internally as a school disciplinary matter.

Instead, an increased and concerted emphasis on prioritizing the role of mental and behavioral health staff in schools can and will mitigate and reverse the problems we have thus far seen from the heavy-handed introduction of SROs to schools. The training that these professionals have is much more suited to the vulnerabilities of students and carries a robust understanding of age-appropriate behaviors and actions. Especially for students of color, students with disabilities, and LGBTQ students, whose populations are disproportionately affected by disciplinary and enforcement protocol, an increased number of mental health staff will ensure that behavioral issues

rooted in social, psychological, or academic problems are not inappropriately redefined as issues of criminal justice in the manner that the presence of an SRO may prescribe.

During the 2019 legislative session, a school psychologist testifying before Senate Education Committee remarked that the ratio for school counselors to students in Providence was 1 to 1,000-1,500 students, while the American School Counselor Association recommends a ratio of 1 to 250 students, the ratio that this bill would require schools to have. Personnel with this expertise are desperately lacking in our public school systems, and our schools, teachers, and students are hurting because of it. The prioritization of treatment and services is a critical and necessary step towards an equitable and enriching school system.

As this legislation is currently restricted to the hiring of school social workers, the only amendment we would suggest is to consider expanding the ability for schools to use the allocated funding from this legislation for all mental and behavioral health personnel, including the hiring of counseling professionals.

We strongly urge passage of this important legislation. Thank you for your consideration of our views.