NAMI Connecticut
National Alliance on Mental Illness

Testimony of the National Alliance on Mental Illness (NAMI) Connecticut
Before the Judiciary Committee
February 24, 2013

IN SUPPORT OF
SB 54 AN ACT CONCERNING COLLABORATION BETWEEN BOARDS OF EDUCATION AND LAW ENFORCEMENT PERSONNEL

Senator Coleman, Representative Fox, and distinguished members of the Judiciary Committee, my name is Daniela Giordano and I am the Public Policy Director with the National Alliance on Mental Illness (NAMI) Connecticut. NAMI Connecticut is the state affiliate of NAMI, the nation's largest grassroots mental health organization dedicated to building better lives for all those affected by mental illness. NAMI Connecticut offers support groups, educational programs, and advocacy for improved services, more humane treatment and an end to stigma and economic and social discrimination. We represent individuals who live with mental illness and parents and family members of individuals living with mental illness. I am writing to you today on behalf of NAMI Connecticut to support raised bill SB 54, *An Act Concerning Collaboration Between Boards of Education and Law Enforcement Personnel*.

Many schools have police stationed in them without clear or formal guidelines governing daily interactions. And even though federal guidelines[1] stress that the role of law enforcement personnel in schools should be to protect students and be informal mentors, the presence of police officers in schools (oftentimes referred to as school resource officers or SROs) can bring an increase in the number of student arrests. The majority of these arrests are not for serious or violent offenses. Rather, these arrests occur for low-level, non-violent offenses, such as breach of peace and disorderly conduct[2] which in many cases are the result of unmet behavioral and mental health needs. Therefore, it is necessary for schools and police to collaborate and develop a written formal agreement, as SB 54 requires, to detail the roles and responsibilities of police stationed in schools.

As noted above, many of the behaviors exhibited by children that lead to school-based arrests are often the result of **unmet behavioral and mental health needs**. It is widely recognized that twenty percent of all children have a diagnosable mental health condition. Drop-out rates among students classified as Emotionally Disturbed (ED) under the Individuals with Disabilities Education Act (IDEA) are alarmingly high, over 50%. Additionally, 65-70% of youth in juvenile detention have a diagnosable behavioral health condition. Rather than pushing children out of school for difficult behaviors, we must work towards creating a positive school climate for learning and social development so that every child has an opportunity for success.

[1] U.S. Department of Education. Guiding Principles – a Resources Guide for Improving School Climate and Discipline. January 2014. Available at: http://www2.ed.gov/policy/gen/guid/school-discipline/guiding-principles.pdf
[2] State of Connecticut, Judicial Branch. School-Based Arrest Distribution SY 2012-13 statewide

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In order to reduce the number of inappropriate arrests in schools of children with difficult behaviors, this legislation promotes and **facilitates collaboration and communication between schools and the police departments** from which school resource officers are sent, by requiring the two entities to create a formal written **memorandum of agreement (MOA) and/or policies, outlining the roles and responsibilities of each.** Additionally, school and police personnel should be regularly oriented to the implementation of the MOA or policies. We recommend that such MOAs or policies reference safe school climate plans, which are required pursuant to CGS Section 10-222d, and that such safe school climate plans include school-wide positive behavior supports which are evidence-based practices that increase student learning and simultaneously address problem behaviors through positive reinforcement.[3]

We also support the use of the model MOA developed by the state's Juvenile Justice Advisory Committee, within the Office of Policy and Management, together with educators, police and others. This model includes **a "graduated response model"** that clarifies what misbehaviors should be handled (A) by teachers in classrooms, (B) with administrators, (C) with personnel like social workers, and finally, only in serious cases, (D) with law enforcement. National experts, like those at the National Juvenile Justice Network have recommended this approach, and Connecticut communities using it have seen remarkable decreases in arrests without compromising safety. For example, Hartford has experienced a 44% reduction and Bridgeport a 31% reduction in school-based arrests from the 2011-12 to the 2012-13 school years as result of such agreements.

We furthermore support the collection of data regarding school-based arrests, using the well-known format of the strategic school profile, to help our communities keep children in school and out of the juvenile justice system.

Federal guidelines, released this past month by the U.S. Department of Education **corroborate this approach** and state that: "schools should provide clear definitions of the officers' roles and responsibilities on campus, written documentation of those roles, proper training, and continuous monitoring of the program's activities through regular data collection and evaluation […] Schools and districts should document the expectations for officers' roles through clear, written policies or MOUs between school administrators and law enforcement personnel […] written discipline policies should define offense categories and base disciplinary penalties on specific and objective criteria whenever possible […] Schools should attempt interventions prior to the disciplinary process but create a continuum of developmentally appropriate and proportional consequences […] [which] generally should *not* include the use of law enforcement approaches, such as arrest, citations, ticketing, or court referrals. Further, restraint and seclusion should *never* be used for punishment or discipline."[4]

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[3] *Bazelon Center Backs Evidence-Based Alternatives to Increased Law Enforcement in Our Nation's Schools,* Bazelon Center for Mental Health Law, (March 28, 2013).

[4] U.S. Department of Education. Guiding Principles – a Resources Guide for Improving School Climate and Discipline. January 2014. Available at: http://www2.ed.gov/policy/gen/guid/school-discipline/guiding-principles.pdf

We all want our schools to *be* safe places. And, we want schools to be environments where children and youth *feel* safe, meaning a place where they are valued and supported, especially when they are struggling with extra challenges such as behavioral or mental health challenges. In order to have both, we need to support schools and school resource officers to clarify their own roles in the school community.

Thank you for your time and attention. Please let us know if we can answer any questions for you.

Respectfully submitted,

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