

The Honorable Miguel Cardona
Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Secretary Cardona,

We appreciate the Department of Education’s (the Department) release of Frequently Asked Questions (FAQs) for the Stronger Connections Grant Program authorized through the Bipartisan Safer Communities Act (BSCA). We applaud the BSCA FAQs for elevating evidence-based approaches to create safe, inclusive, and culturally responsive learning environments. At the same time, we are concerned that the FAQs do not sufficiently elevate the significant evidence regarding the harms of school hardening measures—notably, school based-law enforcement, physical security equipment, and threat assessments—included in the FAQs. We appreciate the Department’s invitation to provide feedback and include several suggested updates below. Specifically, we request the Department of Education update the BSCA FAQs to include evidence about the harms of school hardening, emphasize comprehensive approaches to school discipline, highlight the lack of evidence that the use of exclusionary discipline improves school safety, and clarify that these ineffective and harmful practices are disproportionately used on historically marginalized and underserved students.

Before detailing our recommendations for improvement, we want to acknowledge the detailed actions, robust resources, and timely release of these BSCA FAQs. These FAQs incorporate many aspects of the recommendations our organizations [sent to the Department](#) on July 22, 2022 broadly to:

- encourage and support school and districts to use available funding to improve school staff training on safe, restorative, and inclusive approaches to school discipline;
- hire support staff to provide school-based mental health services, and ensure that underserved student populations can access them; and
- use student support data to target additional funds to schools and students most in need.

We appreciate the work the Department has done to date and recognize there is plenty left to accomplish. As advocates and champions for evidence-based policies that support the [whole child](#) and educational equity, we encourage you to continue to support evidence-based school safety policies and practices while avoiding those known to be harmful. This will ensure every child is protected and afforded the opportunity to learn in a safe, inclusive, and affirming environment.

Evidence Against School Hardening

As we noted in our previous letter, implementation of the BSCA “should [not focus on physically ‘hardening schools,’](#) hiring or providing additional funding for school resource officers (SROs), implementing ‘zero tolerance policies,’ or promulgating [behavioral threat assessments](#) in schools.” These practices have [not](#)

[been shown](#) to increase school safety, and instead have been correlated with disproportionate negative impacts on our most underserved students, thus increasing risks to their mental health and well-being.

To ensure the Department's guidance is consistent with the latest evidence on how to keep students safe and thriving in the classroom, we recommend changes to the questions regarding school-based law enforcement (C-21), physical hardening (C-22), and threat assessments (C-23) below. We also encourage the Department to add information regarding the importance of using comprehensive approaches to school discipline and to highlight research on the inequitable use of exclusionary discipline across student subgroups.

C-21. May funds be used for school-based police officers, law enforcement, or school resource officers (SROs)?

The frequent harms of placing armed staff in schools are well-documented and are understated in the FAQs. Despite the significant number of students dealing with toxic and often chronic stress, middle and high schools where Black students comprise the demographic majority are [more likely to have security staff but not mental health providers](#). Students of color are also more likely to attend schools employing law enforcement officers but no school counselor. This is especially problematic because schools with more police have [more suspensions, expulsions, police referrals, arrests of students, and increased chronic absenteeism](#). These impacts fall disproportionately on many Black students and other students of color and with disabilities, where the presence of police officers in their schools poses a physical and psychological threat in a place that should be supportive and welcoming. On top of these negative impacts, [a recent study](#) showed schools experienced almost three times more casualties in shooting cases with an SRO or armed police presence than those without. Plus, funding for armed staff can be better directed toward other evidence-based approaches to school discipline and safety.

We recommend that the Department revise its guidance to acknowledge the harms of using funds for school-based law enforcement—including the contextual information above regarding the impact of SROs on the school-to-prison pipeline and school safety.

C-22. May funds be used for equipment such as surveillance cameras, metal detectors, and other physical or infrastructure-related security equipment?

Instead of hardening the physical environment of a school by installing metal detectors or [surveillance equipment](#), schools should focus on creating identity-safe and supportive learning environments. [Research](#) indicates that a punitive environment undermines learning by increasing students' anxiety and stress, which drains energy available to address classroom tasks. A punitive environment also limits students' abilities to meaningfully engage with peers and adults and can degrade the sense of community in a school. Physical hardening measures such as metal detectors and surveillance equipment are often ineffective because schools lack the capacity to train and operate them, or detract from capacity needs to build and sustain inclusive and equitable learning environments. Physical hardening can also make students [feel less safe and often](#) come with [a hefty price tag](#). Plus, [research](#) demonstrates that various

school surveillance measures, including the installation of security cameras and facial-recognition technology, only worsens discipline disparities and academic achievement for underserved students, particularly students of color and students with disabilities. Investments should be made in other proven support measures given the high costs and limited evidence of the effectiveness of physical school security infrastructure. For example, schools should instead use their available resources to train their staff to foster [identity-safe learning environments](#), in which all students feel seen and valued, and promote student achievement and attachment to schools. Learning experiences in which teachers allow students to express their identities as assets enable students to feel a strong sense of safety, belonging, and purpose, which in turn increases their ability to learn and engage with instructional content.

The Department included some contextual information regarding the harms of school hardening in the September Dear Colleague letter and could elevate similar information in the BSCA FAQs. For example, the Department's [September Dear Colleague](#) notes that physical measures can be both ineffective and harmful. Specifically stating, "it is important to note that there is some research that shows that visible security measures alone – and without efforts to promote student learning, growth and positive learning environments – may have detrimental effects, and some of these measures are unlikely to reduce or eliminate serious incidents."

We recommend that the Department also revise its guidance to discourage the use of physical hardening and acknowledge the harms of using funds for such purposes—including contextual information regarding how physical hardening measures impact school climate and student well-being; on the capacity constraints that increased physical security pose to districts and schools, in terms of financial and staff capacity; and on the impact of surveillance equipment and other physical security measures in exacerbating discipline disparities.

C-23. May funds be used to implement threat assessment systems or teams?

In our original letter, we noted concern with funds from BSCA potentially being used to support training efforts on practices that lack a significant evidence base such as behavioral threat assessments, as these [practices can result in the profiling of and discrimination against Black and Brown students and students with disabilities](#). Although intended to prevent instances of school violence—any form of which is horrific—behavioral threat assessments often result in the inappropriate sharing of private student information with law enforcement, create long-term educational consequences by labeling and stigmatizing students in question, and increase the volume of discriminatory discipline and inappropriate arrests of children. Rather than using threat assessments, districts can take an asset-based approach by completing disaggregated audits of existing student-support services to identify gaps and then use this information to assess student needs and make decisions about which [evidence-based practices](#) to use in response.

We recommend that the Department revise its guidance to discourage the use of behavioral threat assessments and acknowledge the harms of using funds for such purposes—including contextual information regarding how threat assessments can result in the profiling of and discrimination against

students, particularly students of color and students with disabilities; and on the impact of threat assessments on the school-to-prison pipeline.

Continue to Elevate Comprehensive Approaches to School Discipline

The Department should include additional information about the importance of how a comprehensive approach to school discipline can increase school safety, including [approaches that use restorative practices and support social-emotional learning schoolwide](#). Specifically, the Department should show how taking a comprehensive approach to supporting students' mental health and overall well-being can prevent school violence and keep students safe. The need for this comprehensive approach is in direct response to a common characteristic among school shooters, which is that [more than 90%](#) have been perpetrated by current or former students, many who experienced academic or social-emotional issues at home and school, were suspended or expelled, and did not receive mental health and other supports. In fact, [87% of school shooting perpetrators](#) left behind evidence that they were victims of severe bullying within the school. [Research shows](#) that the availability and accessibility of mental health supports and schoolwide services—often supported by well-trained, and when needed bilingual, school-based psychologists, counselors, social workers, community intervention specialists, and other mental health professionals—is key to the success of children and adolescents in both school and life.

We appreciate the inclusion of comprehensive approaches emphasized in the BSCA FAQs. For example, the Department notes that LEA plans “should reflect a comprehensive set of evidence-based components” in the introduction and in several answers to the proposed questions. We recommend that the Department add a question under section C. “Additional Allowable Uses of Funds” to “How may funds be used to fund comprehensive approaches to prevent school violence and keep schools safe?” The answer to such a question can be drawn from the information provided above.

Promoting Equitable Learning Environments for All Students

As you continue to implement BSCA, please continue to keep in mind that exclusionary discipline practices have [deleterious consequences](#) on all students and disproportionately impact students of color and students with disabilities. [Research shows](#) that even though suspensions and expulsions are intended to create safer schools and act as a deterrent against student misbehavior, exclusionary discipline practices are ineffective at improving school safety and reducing infractions. In addition, Black and Brown students and students with disabilities are subjected to [higher rates of discipline](#) compared to their white and nondisabled peers for [similar offenses](#). Such disproportionate discipline results in [Black students losing 5 times as many instructional days](#) compared to white students. Students experiencing homelessness are also disciplined in schools at [disproportionate rates](#) in comparison to their housed peers, with disproportionalities further exacerbated by race, disability, and sexual identity/orientation. Further, in the 2015-2016 school year, 31 percent of public school students referred to law enforcement or arrested were Black students, even though Black students accounted for only 15 percent of the student population. Similarly, students with disabilities accounted for 28 percent of law enforcement referrals or arrests, even

though they make up only 12 percent of the student population. Implementation of BSCA should not exacerbate these systemic problems.

We appreciate that the Department includes information about the inequitable use of exclusionary discipline for many students in the BSCA FAQs. For example, on page 21 the Department notes students of color, “are often more likely to be met with discipline” than to receive mental health treatment. In addition, your September Dear Colleague letter about the Stronger Connections grant program notes “disparities in the application of discipline policies” for students of color, students with disabilities, English learners, and LGBTQI+ students.” Nevertheless, we recommend the Department add to what is currently included in the BSCA FAQs by describing research (including the data linked above) and contextual information regarding how students of color, students with disabilities, English learners, and students experiencing homelessness are disproportionately disciplined compared to their peers. Given the long standing impacts that disparities in exclusionary discipline practices have had on historically marginalized and underserved students, providing this information can help prevent states and districts from exacerbating these inequities.

Continuing to Partner for Effective Implementation

All students deserve the opportunity to learn in a safe, supportive, and inclusive environment. To improve school safety and prevent future attacks on our nation’s students, schools and districts must employ practices that support the holistic needs of a child without stigmatizing students experiencing mental health issues. We know that the majority of decisions about BSCA implementation will take place at the state and local levels. As such, we are working to partner with decision makers to guide on-the-ground efforts to create safer, more inclusive, and culturally responsive learning environments. Collectively we are also working to advance multiple components of school safety—physical, emotional, identity, etc. We hope the implementation of the Bipartisan Safer Communities Act will advance school safety for all students in all of these, and that you can use the FAQs to help schools avoid increasing the risk for some. We look forward to continuing to work together to achieve this goal and urge you to take the above listed actions and to continue working on behalf of every student in our nation’s schools.

Sincerely,

All4Ed Center for American Progress Education Reform Now The Education Trust	Learning Policy Institute National Center for Learning Disabilities SchoolHouse Connection Teach Plus
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