



Committee: E&C
Committee Review: At a future date
Staff: Craig Howard, Deputy Director
Purpose: To receive testimony – no vote expected
Keywords: MCPS, restorative justice

AGENDA ITEM #8
December 1, 2020
Public Hearing

SUBJECT

Special Appropriation to the Fiscal Year 2021 Operating Budget, Montgomery County Public Schools, Restorative Justice Training for School Staff, \$750,000 (Source of Funds: General Fund Reserves)

EXPECTED ATTENDEES

None

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

None

DESCRIPTION/ISSUE

The County Council will hold a public hearing on a \$750,000 special appropriation to the FY21 Operating Budget for Montgomery County Public Schools to provide restorative justice training to school staff.

SUMMARY OF KEY DISCUSSION POINTS

- Councilmembers Jawando and Riemer are proposing a package of appropriations and legislation to invest in mental health professionals and restorative justice while prohibiting the Montgomery County Police Department from placing School Resource Officers (SROs) in school buildings.
- This special appropriation would provide restorative justice training for MCPS educators and staff.
- An Education and Culture (E&C) Committee worksession on this special appropriation will be scheduled.

This report contains:

Memo from Councilmembers Jawando and Reimer
Draft Special Appropriation Resolution

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MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND

WILL JAWANDO
COUNCILMEMBER
AT-LARGE

MEMORANDUM

TO: Montgomery County Council
FROM: Will Jawando and Hans Riemer, Councilmembers
DATE: November 12, 2020
SUBJECT: Removing SRO's from MCPS and Special Appropriations

Today Montgomery County has a police officer in every high school and several middle schools. At the same time, our counselor-to-student ratios lag far behind other school systems both in the region and nationally. Over time, our county government has chosen to prioritize funding of police in schools who can quickly make arrests, instead of professionals and services that can assist our students with non-law enforcement-based interventions and mental health or wellbeing.

Over the past four years, almost half of all student arrests were of Black children, a cohort that is one-fifth of the student body.¹ These disparities raise serious concerns about the school-to-prison pipeline. In fact there are broad disparities in how students are treated once they enter the criminal justice system. Black students are nearly 20 times more likely to be held by the Department of Juvenile Services for pretrial detainment for misdemeanor offenses than their white peers.² Black students are 85% less likely to be referred for Screening and Assessment Services for Children and Adolescents (SASCA) Diversion Programs for substance abuse and mental health.³ Black students are 320% more likely to be incarcerated at the conclusion of their trial than white students.⁴

While we know our SRO's are good people doing the job they have been assigned, there are better research-based approaches to resolving disciplinary problems and more effective ways to use precious county resources. School counselors, nurses, therapists, and security guards are better equipped to help students deal with the challenges that today may result in arrests. We should address behavioral problems early through guidance, mental health support, and restorative justice techniques rather than criminalizing adolescent mistakes.

School discipline begins with the teacher, ensuring that all teachers are properly trained in mediating conflicts. Students are another key factor: ensuring that students take steps to atone for the harm they have caused has been correlated with lower suspension and expulsion rates and with students feeling

¹ Statistic derived from previous 4 years of Maryland Department of Education Public School Arrest Data reports. These reports indicate that from SY 2015-2016 through SY 2018-2019, 475 of the 1042 students arrested on MCPS property were Black.

² Statistic is derived from Table 5.24 of the 2016-6 OLO School to Prison Pipeline Report, page 72

³ Statistic is derived from Table on page ii of 2016-6 OLO School to Prison Pipeline Report.

⁴ Statistic is derived from Table 5.27 of the 2016-6 OLO School to Prison Pipeline Report, page 73

safer in the school community. Principals and other administrators are also a key component, as they frequently request arrests or police intervention as a means of resolving disciplinary problems. Training all employees in MCPS in restorative justice and other practices to ensure equitable discipline from the classroom up through the administration is essential to reducing disparities and ensuring better outcomes for all students. That is one of the key goals of our appropriations.

The package of appropriations and legislation we are introducing today will invest in mental health professionals and restorative justice while prohibiting the Montgomery County Police Department (MCPD) from placing SROs in school buildings. The discontinuation of the SRO program would achieve approximately \$3 million in annual cost savings in future fiscal years. We are not suggesting firing these officers, rather they should be moved to other unfilled positions within MCPD.

Beginning next year, the \$3 million in savings would be allocated to 3 separate programs that will better address the needs of students: 1) Providing funding for an after school student service hub model to reduce risk factors for students through the Montgomery County Collaboration Council (\$406,000), 2) Providing recreational therapeutic group activities for students through HHS (\$312,455), and 3) Providing funding for restorative justice training for MCPS educators and staff (\$750,000). Our goal is to provide at least some funding before the end of the fiscal year. Next year when we begin to work through the budget, we need to take a closer look at the counseling and therapy needs for students and look at addressing mental health professional ratios. It is necessary to begin to address these mental health challenges as soon as possible. Thank you for your careful consideration of these proposals.

Resolution No.: _____
Introduced: _____
Adopted: _____

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

Lead Sponsors: Councilmembers Jawando and Riemer

SUBJECT: Special Appropriation to the FY21 Operating Budget
Montgomery County Public Schools
Restorative Justice Training for School Staff, \$750,000
Source of Funds: General Fund Reserves

Background

1. Section 308 of the County Charter provides that a special appropriation is an appropriation which states that it is necessary to meet an unforeseen disaster or other emergency, or to act without delay in the public interest. Each special appropriation shall be approved by not less than six Councilmembers. The Council may approve a special appropriation at any time after public notice by news release. Each special appropriation shall specify the source of funds to finance it.
2. Montgomery County Public Schools (MCPS) has established a Restorative Justice Unit within the Office of Student and Family Support and Engagement to prepare and engage all stakeholders in restorative practices through meaningful trainings, school-level support, collegial collaboration, and supported community partnerships.
3. Existing discipline policies disproportionately impact students of color, particularly Black students. Black students are over six times more likely to be suspended from MCPS and 278% more likely to be arrested in school than their white peers.
4. Addressing racial disparities in school discipline will require a rethinking of policies for disciplining students and will require all members of the school community to buy into and be trained in this new approach.
5. Restorative justice shifts the focus of discipline from punishment towards making amends and restoring the classroom community.
6. School discipline begins with the teacher, ensuring that all teachers are properly trained in mediating conflicts and guaranteeing that students take steps to atone for the harm they have caused has been correlated with lower suspension and expulsion rates and with students feeling safer in the school community.

7. This appropriation is needed to provide restorative justice training to MCPS staff in FY21.
8. Notice of public hearing was given and the public hearing was held.
9. The County Council declares this request is in the public interest to be acted upon without delay as provided for under special appropriation requirements described in Article 3, Section 308 of the Montgomery County Charter.

Action

The County Council for Montgomery County, Maryland approves the following resolution:

A special appropriation to the FY21 Operating Budget of the Montgomery County Public Schools is approved as follows:

<u>Personnel Services</u>	<u>Operating Expenses</u>	<u>Capital Outlay</u>	<u>Total</u>	<u>Source of Funds</u>
\$0	\$750,000	\$0	\$750,000	General Fund

This is a correct copy of Council action.

Selena Mendy Singleton, Esq.
Clerk of the Council