



Texas Should Prioritize Supporting Students and Educators, Not Expanding School Police and Guardians

IDRA Testimony Against House Bill 13, submitted by Paige Duggins-Clay, J.D., to the Texas House Select Committee on Youth Health and Safety, March 27, 2023

Dear Chair Thompson and Honorable Members of the Committee:

My name is Paige Duggins-Clay, J.D., and I serve as the chief legal analyst at IDRA, an independent, non-partisan non-profit committed to achieving equal educational opportunity for every student through strong public schools that prepare all students to access and succeed in college.

I respectfully submit this testimony opposing the bill primarily because it would (1) incentivize the expansion of individuals with guns in schools by diverting substantial funds needed for student and educator supports and resources to school guardians and school-based police; and (2) eliminate the list of statutorily-approved uses for the school safety allotment, which include important policies and practices proven to support students, improve school climate and strengthen school safety.

We agree that the legislature must prioritize passing legislation rooted in evidence-based practices to protect students from horrific acts of physical violence, including school shootings. However, we are concerned that HB 13's focus on funding an expansion of the school guardian program and creating an exception in our state's school finance laws to fund school-based police will detract from evidence-based methods of ensuring school safety, including critical and much-needed investments in mental and behavioral health, addressing the teacher shortage, and supporting students and families recovering from the trauma and learning loss of the pandemic.

Decades of public health research strongly indicates that arming teachers will not prevent violence in schools. In fact, this research suggests that armed teachers would likely *increase*, rather than decrease, students' exposure to gun violence in schools (Swedler, 2018).

Increasing the number of weapons in our schools will lead to guns falling into the wrong hands. A review of publicly reported incidents involving guns on school campuses details numerous incidents where a gun was mishandled or improperly fired by armed adults at schools (Drane, 2022). For example:

- On January 20, 2023, the superintendent for Rising Star ISD left his gun in an elementary school bathroom for 15 minutes where it was discovered by a student.
- On January 16, 2020, a school resource officer in Ingram left a firearm unintended in the bathroom, where it was found by a student.

- On January 21, 2020, a teacher brought a handgun to school and made threatening statements about his colleagues.
- On December 5, 2019, a school district employee's firearm fell out of its holster onto a school bus seat in Texarkana. The firearm was later found by a student.
- On October 23, 2019, a teacher in Whitney left her gun unattended in a teacher's workroom. The teacher served as a school guardian and was authorized to have a gun on campus.
- On August 28, 2019, a vice principal left her gun unattended in a restroom on campus. The vice principal served as a school guardian and was authorized to have a gun on campus. No shots fired.
- On April 18, 2019, a Mesquite police officer assigned to a high school unintentionally discharged his handgun while inspecting it.
- On May 24, 2017, a principal in Kirbyville resigned, walked out to his truck in the school's parking lot, and shot himself in the head.
- On May 1, 2017, a school superintendent left a loaded gun in a school van, which was found by a student when the van was used during an athletic event.

Because of the effects of implicit bias, Black students, other students of color, and students with disabilities are more likely to be harmed by educator mishandling of weapons on school grounds. (Whittenburg, 2022; IDRA, 2022).

Further, arming school employees will erode students' trust in educators, undermine positive school climate, and make it difficult for educators to create a safe and supportive environment for students. According to a recent report following the Robb Elementary shooting, 77% of Texas school employees reject the idea that teachers should be armed in the classroom (Texas AFT, 2022).

Texas teachers should be focused on educating and supporting students – not managing a weapon or worrying about responding to a school safety threat with minimal training or experience.

We similarly oppose Section 6 of the bill, which creates an exception to state school finance laws to allow for increased funding for school-based police officers (Duggins-Clay, 2023). While we certainly want a swift and appropriate response to violence when it occurs in our schools and communities, that response cannot threaten the daily safety of our students. A regular police presence in schools is ineffective, expensive, unnecessary, and can lead to the targeting of Black and Latino students, LGBTQ+ youth, and young people with disabilities who research shows are more likely than their peers to be harmed by law enforcement.

And finally, we are very concerned that the bill strikes important guidance to schools and districts regarding approved evidence-based practices and resources that are eligible for school safety allotment funds. These practices include prevention and treatment programs; providing licensed counselors, social workers, and individuals trained in restorative discipline and restorative justice practices; providing mental health personnel and support and behavioral health services; and developing and implementing programs focused on culturally relevant instruction.

Section 5's focus on vendors for technology and equipment to the exclusion of these critical practices is an alarming withdrawal from important gains this legislature put in place in 2019, which most schools and students have not had the benefit of fully implementing due to the pandemic.

The answer to gun violence in our schools is not more people with guns in our schools, whether it is by arming teachers or increasing school-based police. Safe schools are built and maintained through strong, enduring relationships between diverse staff, educators, students and families within the school community. It is unacceptable to propose spending money on increasing armed personnel in schools instead of investing in resources that will actually make our children safer.

Instead of funding harmful and ineffective policies that ultimately will 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 youth violence, and strengthen school communities.

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. <https://idra.news/SafeSchoolsIB>
- Drane, K. (July 22, 2022). Every Incident of Mishandled Guns in Schools. Giffords Law Center Report. <https://giffords.org/lawcenter/report/every-incident-of-mishandled-guns-in-schools/>
- Duggins-Clay, P. (March 27, 2023). HB 3 Offers an Illusion of Safety but Fails to Invest in Real Solutions for Safe and Supportive Schools – IDRA Testimony Against House Bill 3, submitted to the Texas House Select Committee on Youth Health and Safety. <https://idra.news/TsetimonyTx-HB3>
- Giffords Law Center (2019). The Truth About School Shootings. <https://files.giffords.org/wp-content/uploads/2019/02/The-Truth-About-School-Shootings-Report.pdf>
- Gottlieb, A., & Wilson, R. (2019). The Effect of Direct and Vicarious Police Contact on the Educational Achievement of Urban Teens. Children and Youth Services Review. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6662931/>
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- St. John, V., Headley, A.M., & Harper, K. (2022). Reducing Adverse Police Contact Would Heal Wounds for Children and Their Communities. Child Trends. https://www.childtrends.org/wp-content/uploads/2022/05/Policingtraumabrief_ChildTrends_June2022.pdf
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- Texas AFT. (Jun 8, 2022). Texas AFT Respect Us Expect Us Survey Stats. <https://gunviolence.issuelab.org/resource/texas-aft-respect-us-expect-us-survey-stats.html>
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- Whittenberg, T., Skiba, R., Beauchesne, B., & Groves, A. (2022). #AssaultAtSpringValley: An analysis of police violence against Black and Latine students in public schools. Advancement Project & Alliance for Educational Justice. <https://advancementproject.org/resources/assaultatreport>

IDRA is an independent, non-profit organization led by Celina Moreno, J.D. Our mission is to achieve equal educational opportunity for every child through strong public schools that prepare all students to access and succeed in college. IDRA strengthens and transforms public education by leading policy analyses and advocacy; dynamic teacher training and principal coaching; useful research, evaluation and frameworks for action; and innovative student, family and community engagement.