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Philadelphia Board of Education
Education Center
440 N. Broad Street, Suite 101
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schoolboard@philasd.org

Re: Policy 805 Opposition

Dear Chair Wilkerson and Members of the Philadelphia Board of Education:

The Education Law Center-PA (“ELC”) stands with district students, parents, youth leaders such as the Philadelphia Student Union, and teachers, in urging you to oppose the proposed amendments to Policy 805. ELC is a nonprofit legal advocacy organization dedicated to ensuring that all children in Pennsylvania have access to a quality public education. We advocate on behalf of the most educationally at-risk students including children of color, children living in poverty, children with disabilities, English learners, LGBTQ students, students in the foster care and juvenile justice systems, and students experiencing homelessness. ELC has a long history of advocating against policies that militarize schools and criminalize students and works diligently to dismantle the systems and practices that funnel students out of schools and into pathways to confinement.

We are deeply concerned that amending Policy 805 to mandate the use of metal detectors in all district high schools will perpetuate an alarming national trend—attempting to protect students through the implementation of policies and practices which are not only ineffective but create a more negative school climate.

Contrary to common rhetoric, there is no clear evidence that the utilization of increased security measures prevents school violence.¹ In fact, experience shows us that hardening school buildings does not prevent tragedies from occurring in school and has little deterrent value. Many of the schools impacted by the most heinous acts of school violence had taken steps to fortify their school buildings prior to subsequent acts of violence. For example, following Columbine, Arapahoe High School expended an estimated \$25 million dollars in the name of school and student safety. Unfortunately, the measures did not prevent a student from entering the school building with a shotgun, machete, and three bombs, and killing a classmate.² Relatedly, when monitoring for weapons at schools, metal detecting machines are not infallible. In 2015, a high school student in Washington, DC was able to enter their school, which had

¹ See E. E. Tanner-Smith, et. al, *Adding security, but subtracting safety? Exploring schools’ use of multiple visible security measures*, 43 *American Journal of Criminal Justice*, 102 (2018).

² Caitlin Emma, *Why hardening schools hasn’t stopped school shootings*, *Politico* (Mar. 1, 2018), <https://www.politico.com/story/2018/03/01/school-shootings-security-guns-431424>

metal detectors and X-ray machines, with a semiautomatic handgun that was only discovered when the student flashed it in the hallway later in the day.³ What the evidence *does* demonstrate is that adopting increased security measures, such as installing and utilizing metal detectors, is ineffective in protecting students.⁴ Rather, the use of such tactics is associated with increased incidents of crime and disruption,⁵ as well as higher levels of disorder in schools.⁶ Furthermore, studies show that the presence of metal detectors in schools results in students feeling *less* safe.⁷

We are concerned that mandating the use of metal detectors in all district high schools is a step backwards and away from the District's commitment to ending policies and practices that criminalize, target, and/or disproportionately affect students of color, students with disabilities, those who identify as lesbian, gay, bisexual, transgender, queer (LGBTQ) and/or gender nonconforming, and students at the intersection of those identities. During the 2015-16 schoolyear, the most recent year for which federal civil rights data is available, Black students were 51% of the student population in the School District of Philadelphia but received 71% of all out-of-school suspensions and 75% of all expulsions.⁸ Looking specifically at students without disabilities in the district during the same period, Black students made up 51% of the student population yet accounted for 70% of school related arrests.⁹ Statewide, more than 1 in 4 LGBTQ students are disciplined for public displays of affection that did not result in discipline when displayed by straight, cisgender students; and while Black and Latin(x) students without disabilities experience out-of-school suspensions at incredibly high rates, the rates are even higher for Black and Latin(x) students *with* disabilities. 22% of Black children with disabilities received an out-of-school suspension compared to 16% of Black children without a disability; and 17% of Hispanic students with a disability received an out-of-school suspension compared to 9% of Hispanic students without a disability.¹⁰

We know that these disparities are not due to increased rates of misbehavior among these student populations.¹¹ Rather, over-surveillance of marginalized student groups contributes to their disproportionate discipline. According to the National Center for Education Statistics, the number of metal detectors and how aggressively they are used is correlated with the number of Black and brown

³ Perry Stein, *Do X-ray machines and metal detectors belong in schools?*, The Washington Post (Aug. 14, 2018), https://www.washingtonpost.com/local/education/do-metal-detectors-and-x-ray-machines-belong-in-schools/2018/08/14/b4c31674-9f2d-11e8-8e87-c869fe70a721_story.html?noredirect=on&utm_term=.ce9eee8b6f2c

⁴ See Tanner-Smith, *supra* note 1.

⁵ A.B. Nickerson & M. R. Martens, *School violence: Associations with control, security/enforcement, educational/therapeutic approaches, and demographic factors*, 37 *School Psych.Rev.* 228 (2008).

⁶ K.T. Steinka-Fry, et. al., *Visible school security measures across diverse middle and high school settings: Typologies and predictors*, 11 *J. of Applied Security Research* 422 (2015).

⁷ Abigail Hankin, et. al., *Impacts of Metal Detector Use in Schools: Insights from 15 Years of Research*, 81 *J. of School Health* 100, 100 (Feb. 2011), <https://www.edweek.org/media/hankin-02security.pdf>

⁸ Dep't. of Educ., *Civil Rights Data Collection*, <https://ocrdata.ed.gov/Page?t=d&eid=27031&syk=8&pid=2278> (last visited Mar. 20, 2019).

⁹ <https://ocrdata.ed.gov/Page?t=d&eid=27031&syk=8&pid=2374>

¹⁰ See ACLU, *Beyond Zero Tolerance* 12 (Feb. 2015), https://www.aclupa.org/files/5714/2436/0535/2-16-2015_FINAL_64204_ACLU_ONLINE.pdf; GLSEN, 2017 State Snapshot: School Climate in Pennsylvania, https://www.glsen.org/sites/default/files/Pennsylvania%20State%20Snapshot%20-%202017%20NSCS_0.pdf.

¹¹ See, e.g., Catherine P. Bradshaw, et al., *Multilevel Exploration of Factors Contributing to Overrepresentation of Black Students in Office Disciplinary Referrals*, 102 *J. ED. PSYCH.*, 508, 513-14 (“Black students had greater odds of being referred to the office, even after controlling for the child’s level of behavior problems and classroom-level covariates. . . . The fact that we still observed a significantly higher risk for [disciplinary referrals] among Black students, even after controlling for teachers’ perceptions of the level of disruptive behavior . . . , lends support for the hypothesis that there is a bias against Black students in [disciplinary referrals].”); GSA Network, *LGBTQ Youth of Color* 4, https://gsanetwork.org/wp-content/uploads/2018/08/LGBTQ_brief_FINAL.pdf; Russel J. Skiba & Natasha T. Williams, *Are Black Kids Worse? Myths and Facts about Racial Differences in Behavior*, *The Equity Project*, at 6 (Mar. 2014); Daniel J. Losen, *Discipline Policies, Successful Schools, and Racial Justice*, *The Civil Rights Project at UCLA*, at 6-7 (Oct. 2011), <http://nepc.colorado.edu/files/NEPC-SchoolDiscipline.pdf>.

students in a school.¹² There is also a close correlation between the socioeconomic status/class of students and the use of metal detectors.¹³ As students have pointed out in their testimony to the Board of Education, nearby school districts with richer, whiter student bodies than Philadelphia's do not utilize metal detectors. By approving the amendments to Policy 805, this board would be fueling class and racial inequities in both opportunities and outcomes. High school students in Philadelphia would be denied the opportunity that students in richer, whiter districts routinely have of being educated in schools fortified by trust, not by metal detectors. Instead, they would be subjected to a District policy of mandatory metal detectors in all high schools that perpetuates the over-surveillance, over-criminalization, and pushout of Black and brown students, increasing their interaction with the criminal justice system.

Relatedly, amending Policy 805 to mandate that all high schools install metal detectors runs contrary to the District's stated commitment to utilizing evidence-based, positive approaches to school safety, climate, and discipline. The District has made strides in the early grades through initiatives such as banning the use of suspension in grades K-2 and in implementing programs such as Positive Behavioral Interventions and Supports ("PBIS") and restorative justice programs. To approve Policy 805 would create a troubling juxtaposition to the efforts made to ensure young learners benefit from affirming, supportive environments. Additionally, if these amendments to Policy 805 are adopted, it will make efforts to move towards more positive approaches to safety and discipline more difficult to establish at both a district and school level. If enacted, a new board would have to reverse the mandate on metal detectors before any school or district administrator could implement a less militarized, more effective, means of ensuring school and student safety. The effect of the proposed amendments is not simply to add metal detectors to the three high schools that have operated well without them. Policy 805 would prevent District administrators from taking measures to eliminate metal detectors from the majority of schools that currently have them.

Instead, the Board of Education should continue to explore evidence-based methods of ensuring school and student safety that address the root causes of school violence, create a culture of connectedness in school buildings, and do not further criminalize vulnerable student populations. For example, the Sandy Hook Promise Foundation offers a "start with hello" training program, which we believe the Board of Education should explore as an alternative to Policy 805. Because perpetrators of school violence often report that their actions were fueled by a feeling of social isolation and disconnectedness from the school community, "start with hello" programs are designed to foster connectedness and inclusion amongst all members of the school community by ensuring, simply, that in the morning a staff member is there to greet students, at lunch time that no one sits alone, and at the end of the day a staff member bids students farewell.¹⁴ The Sandy Hook Promise Foundation's Start With Hello program is evidence-based, free of cost, all of the resources are available online, and upon request the Sandy Hook Promise will pay for the cost of additional materials such as flyers and events.¹⁵ Prior to making investments in safety equipment and personnel, we encourage the District to think critically about whether such investments would be better spent in areas shown to improve school climate, such as ensuring schools have an adequate number of school counselors to sufficiently meet the needs of their student population.

¹² See National Center for Education Statistics, Table 233.60, https://nces.ed.gov/programs/digest/d17/tables/dt17_233.60.asp

¹³ See *id.*

¹⁴ See Sandy Hook Promise, *Start with Hello*, https://www.sandyhookpromise.org/prevention_programs.

¹⁵ *Id.*

Student safety is of the utmost importance, so we urge you to ensure that any policy enacted in the name of safety does not result in doing more harm to students than good. All Philadelphia students deserve to attend schools that treat them like scholars and valuable members of the community. Mandating the use of metal detectors and investing in the hardening of schools sends the opposite message while not making schools any safer. We urge you to heed the wishes of students and community members and vote against the proposed amendments to Policy 805.

Sincerely,

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