Marc Elrich
County Executive

Tiffany Ward
Director

MEMORANDUM

June 13, 2022

To: Jennifer Bryant, Director
         Office of Management and Budget

cc: Gabe Albornoz, President
         County Council

From: Tiffany Ward, Director
         Office of Racial Equity and Social Justice

Re: Racial Equity Impact Assessment (REIA) for Supplemental Appropriation (SA) #22-83
         for School Safety Grant Program

I.   **FINDING:** The Office of Racial Equity and Social Justice (ORESJ) finds that Supplemental Appropriation #22-83 *School Safety Grant Program* contains aspects that are likely to advance racial equity and social justice, but a lack of detail pertaining to the selection and distribution of technology and systems more generally hinders ORESJ's ability to determine whether the overall effect of Supplemental Appropriation #22-83 will support efforts to advance racial equity and social justice in the County while also improving school safety and security. ORESJ offers areas for consideration throughout the Background section of this racial equity impact assessment (REIA).

II.   **BACKGROUND:** The purpose of Supplemental Appropriation #22-83 is to utilize funding from the State of Maryland School Safety Grant Program (SSGP) to purchase automated external defibrillators, closed circuit video systems for elementary schools, two-way radios, and equipment to assist deaf and hard-of-hearing students during an emergency. The stated goal of these purchases is to improve the safety and emergency preparedness of schools across the County.

In April 2018, then Superintendent of Montgomery County Public Schools (MCPS), Dr. Jack R. Smith, released *Final Report School Safety & Security* which details seven key

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priority areas for enhancing systemwide school safety and security, a 45-day Action Plan, and a safety and security strategic plan. While much has happened since April 2018 that has likely accelerated or altered strategic priorities in the report, the comprehensive nature of the report allows ORESJ to understand the broader security and safety context in MCPS, analyze how Supplemental Appropriation #22-83 is aligned with MCPS strategic plans, and compare this alignment with available research on the intersection of racial equity and school safety and security.

First, it is important to note that the priority areas identified in the final report cover a range of factors (seven) that work together—each enhancing the efficacy of the other—to systemically respond to and address barriers to school safety and security. Supplemental Appropriation #22-83 does not provide funding across the seven priority areas, it instead is narrowly focused on technology equipment and systems which relate specifically to priority area #3. As a result, this is where ORESJ will focus its attention for this REIA. Importantly, ORESJ also recognizes that the full impact of this supplemental request is largely dependent on the effectiveness of other strategies identified in the final report, and the extent to which emerging trends and data around equity and school safety are taken into consideration.

Priority area #3 of the final report focuses on the need for enhanced communication systems and technology and security cameras; it concludes with the following recommendation: *"Develop a systemwide strategy for prioritization, placement, maintenance, upgrades, and most-effective use of security cameras and other technology in schools, led by DSSS."* ORESJ analyzes the potential impact of each proposed item in turn:

Two-radios and assistive technology: SA#22-83 will allow MCPS to purchase two-way radios and assistive technology specifically for deaf and hard of hearing students, which will enhance communication during emergency situations—a key strategy in the final report. For deaf and hard of hearing students in particular, this targeted resource is in line with both statutory requirements and equity best practices, as it helps to plan for and respond to the particular safety needs of deaf and hard of hearing students in emergency situations. The National Association of the Deaf (NAD) summarized a series of legal protections and minimum standards[1] for ensuring deaf and hard of hearing individuals are able to access disaster preparedness and relief.

While the policies and practices described by NAD are not specific to the school environment, they do demonstrate why and how technology solutions such as those described in this supplemental appropriation are critical for the safety and security of

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[1] National Association of the Deaf. Position Statement on Accessible Emergency Management for Deaf and Hard of Hearing People. Accessed in May 2022. Available at: https://www.nad.org/about-us/position-statements/position-statement-on-accessible-emergency-management-for-deaf-and-hard-of-hearing-people/

deaf and hard of hearing students. A 2019 article in *Electrical Contractor*[2] highlights the nuances of the challenges deaf and hard of hearing students (and other students with disabilities) face during a range of emergencies—fire, inclement weather, and active shooter situations. For example, commonly used strobing lights draw the attention of deaf and hard of hearing students but lack the contextual inputs necessary for the student to understand what kind of emergency is happening and what to do. While details about the devices and systems described in the supplemental appropriation are limited, it is clear that designating resources to identifying and purchasing technology that responds to the realities of deaf and hard of hearing students described here is a clear and pressing equity issue.

Closed-circuit video system: Related to the purchase of closed-circuit video system for elementary schools mentioned in SA#22-83, it is unclear which schools will receive this technology and how they were selected. As ORESJ has articulated in previous REIAs, the lack of transparency around these decisions is inherently inequitable as it presumes student opportunities and resources are equal across schools, which data[3] suggests is not true particularly in the case of school discipline[4] disparities[5]—which is often considered along with school safety. In addition, the final school safety and security report emphasizes the importance of considering evidence-based research (in addition to alternatives and selection criteria)[6] in the use of security cameras. A Principles for School Safety, Privacy, and Equity statement endorsed by 40 disability and gun safety advocates supports this type of continued attention. The statement calls for clear policies regarding[7]:

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[2] Claire Swedberg. Electrical Contractor. "Safety Without Sound: Emergency Alerts for Deaf and Hard-of-Hearing Students". June 14, 2019. Available at: https://www.ecmag.com/section/integrated-systems/safety-without-sound-emergency-alerts-deaf-and-hard-hearing-students

[3] Elaine Bonner-Tompkins, Ph.D. Office of Legislative Oversight. Montgomery County, MD. MCPS Performance and Opportunity Gaps. Report No. 2019-14. December 3, 2019. Available at: https://www.montgomerycountymd.gov/OLO/Resources/Files/2019%20Reports/OLOReport2019-14.pdf

[4] Elaine Bonner-Tompkins, Ph.D. and Theo Holt, Ph.D. Office of Legislative Oversight. Montgomery County, MD. Racial Equity and Social Justice Impact Statement. Bill 46-20. December 7, 2020. Available at: https://www.montgomerycountymd.gov/OLO/Resources/Files/resjis/2020/RESJ-Bill46-20.pdf

[5] Osher, D., Fisher, D., Amos, L., Katz, J., Dwyer, K., Duffey, T., & Colombi, G.D. (2015). Addressing the root causes of disparities in school discipline: An educator's action planning guide. Washington, DC: National Center on Safe Supportive Learning Environments. https://safesupportivelearning.ed.gov/sites/default/files/15-1547%20NCSSLE%20Root%20Causes%20Guide%20FINAL02%20mb.pdf

[6] Jack R. Smith, Ph.D. Montgomery County Public Schools. Final Report School Safety & Security. April 2018. Available at: https://www.montgomeryschoolsmd.org/uploadedFiles/departments/security/Security-Report/0900.18_SchoolSafetySecurity_FINALREPORT_totalweb.pdf

[7] Student Privacy Compass. Principles for School Safety, Privacy, and Equity. March 2019. Available at: https://studentprivacycompass.org/wp-content/uploads/2019/03/TO-POST-Principles-for-School-Safety-Privacy-Equity-Logos.pdf

- What data is collected, who has access, how the data will be used, and when it will be destroyed;
- How to act upon data collected through the surveillance of students;
- Sharing data, especially if data will be shared with law enforcement or others outside of school, with clear responsibilities and accountability as well as consequences for those who violate these data sharing protocols; and
- Transparency to educators, parents, and students.

Researchers and advocates also share the limitations and unintended consequences of certain security measures in schools, particularly on racial inequities and implicit racial bias[8]. According to the National Association of School Psychologists (NSAP) there's no clear evidence that the use of measures such as metal detectors, security cameras or security guards in schools is effective in preventing school violence[9]. NASP also raises concerns that surveillance cameras in schools may have the effect of simply moving incidents of misconduct to places in or outside schools that lack surveillance[10], thus doing little to curtail misbehavior or improve school safety.

Automated external defibrillator (AED): While the provision of automated external defibrillators (AEDs) is a necessary part of each school's emergency response system, it is unclear (as with the closed-circuit video system) how AEDs will be distributed or how the quantity distributed is determined. While not specifically related to this supplemental appropriation, it is important to critically consider the practices and guidance accompanying technology investments. This is also confirmed in the school, safety, and security final report[11].

cc: Ken Hartman, Director, Office of Strategic Partnership, Office of the County Executive
        Monifa McKnight, Superintendent, Montgomery County Public Schools
        Gail Roper, Director, Department of Technology and Enterprise Business Solutions

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[8] Jason P. Nance. Student Surveillance, Racial Inequalities, and Implicit Racial Bias. 66 Emory L.J. 765. Available at: https://scholarship.law.ufl.edu/cgi/viewcontent.cgi?article=1793&context=facultypub

[9] National Association of School Psychologists. (2018). *School security measures and their impact on students* [Research summary]. Bethesda, MD: Author. Available at: https://www.nasponline.org/Documents/Research%20and%20Policy/Research%20Center/School_Security_Measures_Impact.pdf

[10] National Association of School Psychologists.

[11] Jack R. Smith, Ph.D.