To: House Committee on Education
From: Falko Schilling, Advocacy Director, ACLU of Vermont
Re: S.138 Behavioral Threat Assessment Teams
Date: 5/3/2023

Dear Members of the House Education Committee,

Every child deserves to feel safe and included in school, and that happens
when students and staff are treated fairly and have access to the resources
they need. Behavioral threat assessment team models used in some Vermont
schools and advocated for by the Scott administration treat students with
suspicion, not support. They run a serious risk of violating students' due
process and privacy rights and perpetuating harmful biases, undermining the
very premise of protecting young people in our community.

That is why the ACLU of Vermont strongly opposes mandating behavioral
threat assessment teams in Vermont's schools, districts, and supervisory
unions. Instead, we urge leaders to advance trauma-informed, evidence-based
practices and support for young people in our community.

Behavioral threat assessment teams are at best a questionable approach to
advancing school safety because of the significant potential for due process
and privacy violations, the risk of discriminatory profiling as outlined by the
National Disability Rights Network, and the disparate harm marginalized
students face in unnecessary law enforcement interactions and existing
school discipline models. Although we appreciate the guardrails and
reporting requirements included in the latest draft of S.138, we are deeply
troubled by the decision to require every school in Vermont to implement this
model.

For these reasons, we urge the committee to reject any mandate for
behavioral threat assessment teams, delete section 5(b) of draft 2.1 of S.138,
and begin gathering data about their prevalence and efficacy in Vermont
schools as envisioned in the bill.

Sincerely,

Falko Schilling
Advocacy Director
ACLU of Vermont

PO Box 277
Montpelier, VT 05601
(802) 223-6304
acluvt.org

James Duff Lyall
Executive Director

Falko Schilling
Advocacy Director