

**To:** Vermont Senate  
**From:** Police out of Schools Coalition  
**Re:** Mandating Behavioral Threat Assessment Teams in S.138  
**Date:** May 10, 2023

Dear Legislators,

As the Police out of Schools Coalition we have voiced strong opposition to mandating behavioral threat assessment teams (BTATs) in Vermont, which would increase law enforcement presence across the state and their surveillance of students. **We urge you to not concur** with the House changes to S.138 requiring BTATs. We want to strike the balance between school safety and protecting the civil rights of our students. We struggle to see how mandating BTATs strikes this balance, as **there is a lack of evidence to support the idea that BTATs can accurately predict or prevent school violence.** Rather, there is evidence to show that threat assessment models can trigger a cascade of negative outcomes for students who have been misidentified, inappropriately labeled as threatening or dangerous, and denied access to necessary supports – or even wrongfully suspended, expelled, or referred to the juvenile justice system.

**Our kids are not threats:** We need to create a school culture of belonging, inclusion, and accessibility. Section 5(b) of S.138 effectively moves us further away from implementing inclusive solutions rooted in meaningful safety for *all* students and schools. We are alarmed to see that S.138 has moved with abundant urgency through both chambers of the legislature without adequately addressing the concerns of the use of behavioral threat assessment teams.

We ask that legislators consider our three concerns before committing to mandating BTATs in our schools:

**1. The mandate should not come before the policy or the data.**

The legislature should know what is in the model policy before determining whether to mandate the BTATs. **There have been legitimate concerns raised in both bodies about the potential impacts these teams will have on students' civil rights.** Section 5(b) of S.138 mandates the implementation of BTATs across the state without giving the legislature the opportunity to review the guidance that will be developed on the best use of these teams, or the data to better understand if these teams are disproportionately impacting traditionally and currently marginalized students. The legislature should not require BTATs in our schools until they have the information necessary to make an informed decision.

**2. We should not mandate BTATs before guidance can be developed on how to both create school safety and be trauma informed and inclusive.**

There was not adequate time given to assess the potentially harmful impacts of BTAT's or to identify other solutions that could give us better results in preventing school violence. There are proactive measures that address the challenges facing students, families, and our communities and we must invest in the tools that are trauma informed.

We must look at the root causes of a school culture that results in violent occurrences and start from there. **Implementing BTATs can undermine school safety by stigmatizing and further ostracizing students who are identified as potential threats.** Viewing students as a threat consequently creates more isolation rather than inclusion. Ultimately the lack of trusting relationships with adults and exposure to threat appraisals decreases the likelihood that youth will seek support for their own mental health challenges.

### **3. This mandate will have harmful impacts on marginalized students, the school to prison pipeline, and other civil rights protections.**

The requirement that BTATs be implemented in every school across the state will have impacts in our school environments beyond their interactions with students deemed to be threats. **Mandating BTATs is highly likely to result in an increased law enforcement presence in all our schools that we know can and does disproportionately harm students of color and students with disabilities.** What does this say about the culture we are creating in our schools? This will create unnecessary interactions between youth and law enforcement officers and will run the risk of further criminalizing our children at a time when they should be met with more robust community supports.

In S.138 there are guardrails for students with disabilities to protect them during these assessments, but those guardrails fail to protect BIPOC students and students from low-income families. If Vermont is set on implementing BTATs, it is necessary to create equity protections for these students during the assessments as well.

These are things that should be considered when creating a policy meant to prevent school violence.

In sum, **we urge legislators to reject the mandate of BTATs** until we have adequate guidance and data and true stakeholder engagement. These need to include considerations of alternatives that meaningfully strike the balance between school safety and protecting the civil rights of our students.

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Signed by the following Coalition members: Vermont Human Rights Commission, Outright Vermont, Neighbors for a Safer St. Albans, Rights and Democracy, Youth 4 Change at The Root Social Justice Center, ACLU of Vermont, Rutland County NAACP, Vermont Center for Independent Living, and The Education Justice Coalition of Vermont.