



# KEEPING OUR SCHOOLS SAFE: A PLAN TO STOP MASS SHOOTINGS AND END GUN VIOLENCE IN AMERICAN SCHOOLS

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## INTRODUCTION

For the last 20 years our students, teachers and parents have lived with the reality of school shootings. Meanwhile, America's gun violence epidemic, in the form of mass shootings, homicides, assaults, unintentional discharges, and firearm suicides, has been infecting America's schools. The failure of our leaders to address the root causes of school gun violence from all angles is having lasting consequences for millions of American children.

We need meaningful action to keep our schools safe — action that addresses what we know about gun violence in America's schools and prevents it from occurring in the first place. It's time for our leaders to adopt a multi-faceted approach that provides the school community with the tools it needs to intervene and prevent school-based gun violence. We can't let risky ideas, like arming teachers, dominate the debate. Put simply, an armed teacher cannot, in a moment of extreme duress and confusion, transform into a specially trained law enforcement officer. In reality, an armed teacher is much more likely to hit a student bystander or be shot by law enforcement than to be an effective solution to an active shooter in a school.

This report focuses on approaches that are proven most effective, such as addressing students' health, empowering teachers and law enforcement to intervene when students show signs they could be a danger to themselves or others, improving our schools' physical security, and keeping guns out of the hands of people who shouldn't have them in the first place.

## **OUR PLAN**

- 1. Pass Red Flag Laws**
- 2. Encourage Responsible Firearm Storage**
- 3. Raise the Age to Purchase Semiautomatic Firearms**
- 4. Require Background Checks on All Gun Sales**
- 5. Create Threat Assessment Programs in Schools**
- 6. Implement Expert-Endorsed School Security Upgrades**
- 7. Initiate Effective Emergency Planning**
- 8. Create Safe and Equitable Schools**

## **EXECUTIVE SUMMARY**

In this report, the nation's largest education unions and its largest gun safety organization are joining together to present a plan that combines carefully tailored gun safety policies with school-based intervention strategies. Using data to paint the full picture of what gun violence looks like on school grounds and drawing upon research and recommendations from school safety experts, Everytown for Gun Safety Support Fund, the American Federation of Teachers, and the National Education Association have crafted a plan focused on intervention that can prevent mass shooting incidents and help end gun violence in American schools.

The aim of this report is three-fold:

### **1. Demonstrate What Gun Violence in American Schools Looks Like**

First, Everytown for Gun Safety Support Fund, the American Federation of Teachers, and the National Education Association want to provide policymakers and the public with an understanding of how gun violence impacts America's schools. To accomplish this goal, Everytown has updated its study of gun violence on school grounds. Analyzing this information and supplementing our data with research from other respected organizations, we learned the following:

1. Those committing gun violence on school grounds often have a connection to the school;
2. Guns used in school-based violence generally come from home, or the homes of family or friends;
3. Shooters often exhibit warning signs of potential violence; and
4. Gun violence in American schools has a disproportionate impact on students of color.

### **2. Outline a Plan to Prevent Gun Violence in Schools**

Second, the report provides a proactive, research-informed intervention plan to prevent active shooter incidents and, more broadly, address gun violence in all its

forms in American schools. As representatives of educational professionals from across the country, parents of school-aged children who volunteer with Moms Demand Action for Gun Sense in America (part of Everytown), and student activists through Everytown's Students Demand Action chapters, the authors believe it is imperative to help keep our kids safe at school with approaches that are proven effective. Using what we know about school gun violence our organizations have put together a plan that focuses on intervening before violence occurs. The first part of this plan focuses on preventing shooters from getting their hands on guns by enacting sensible laws including:

1. Red Flag laws so that law enforcement and family members can act on warning signs of violence, like those that repeatedly occurred in Parkland, and temporarily prevent access to firearms;
2. Responsible firearm storage laws to address the most common source of guns used in school gun violence, including the guns that were used in the Santa Fe shooting;
3. Raising the age to purchase semiautomatic firearms to 21 to prevent minors, like the shooter in Parkland, from easily getting their hands on guns; and
4. Requiring background checks on all gun sales so people exhibiting warning signs, minors, and people with dangerous histories can't evade our gun laws and get their hands on guns.

The second part of the plan focuses on evidence-based and expert-endorsed actions that schools can take. These solutions empower educators and law enforcement to intervene to address warning signs of violence and to keep shooters out of schools. Schools can do this by:

1. Establishing threat assessment programs in schools to understand and intervene when a student is a risk to themselves or others;
2. Implementing basic security upgrades to prevent access to schools and classrooms;

3. Planning in advance for emergencies so staff can immediately lock out schools and law enforcement can respond quickly; and
4. Establishing safe and equitable schools to help reduce gun violence, especially in high-risk communities.

These solutions work hand in hand to help create safe schools, address violence at its earliest stages and block easy access to firearms by those who would do harm.

### **3. Stop Schools from Arming Teachers**

Third and finally, this report provides a thorough overview of why arming teachers and allowing more guns in our schools poses a risk to our children. The authors understand the strong desire for solutions, but this report carefully considers all of the arguments for arming teachers and explains why it is an ineffective solution to gun violence in our schools. Using a wealth of research that shows allowing teachers to carry guns in schools increase the risks to children, this report demonstrates that it is unrealistic to believe a teacher would be able to protect their students, neutralize a shooter, and not be a risk to themselves and to their students. Instead, the report urges our leaders to adopt proven solutions that address what we know about school gun violence.

## **WHO WE ARE**

### **Everytown for Gun Safety Support Fund**

Everytown for Gun Safety Support Fund (“Everytown”) seeks to improve our understanding of the causes of gun violence and the means to reduce it — by conducting groundbreaking original research, developing evidence-based policies, and communicating this knowledge in the courts and the court of public opinion.

### **Moms Demand Action for Gun Sense in America**

Moms Demand Action for Gun Sense in America (“Moms Demand Action”) is a grassroots movement of Americans fighting for public safety measures that can protect people from gun violence. Moms Demand Action has established a chapter in every state of the country.

### **Students Demand Action for Gun Sense in America**

Students Demand Action for Gun Sense in America (“Students Demand Action”) is a national initiative, created by and for teens and young adults, to channel the energy and passion of high school and college-aged students into the fight against gun violence. Students Demand Action volunteers work within their schools and communities to educate their peers, register voters and demand common-sense solutions to this national crisis.

### **American Federation of Teachers**

The American Federation of Teachers (AFT), represents more than 1.7 million educators, school professionals, government employees, and healthcare professionals. AFT has more than 3,000 affiliates nationwide and advocates across the country for high-quality public education, healthcare, and public-services for students, families, and communities.

### **National Education Association**

The National Education Association (NEA), the nation's largest professional employee organization, is committed to advancing the cause of public education. NEA's 3 million members work at every level of education from preschool to university graduate programs. NEA has affiliate organizations in every state and in more than 14,000 communities across the United States.

## GUN VIOLENCE IN AMERICA'S SCHOOLS

Everytown's database of gunfire on school grounds details the myriad ways in which gun violence manifests in American schools. Following the mass shooting at Sandy Hook School in 2012, Everytown began tracking all cases of gunfire on school grounds. The aim of this project was to build a detailed national database that included all scenarios involving gunfire on school grounds. As such, Everytown created a definition that was purposely broad, including incidents defined as follows:

***Any time a gun discharges a live round inside (or into) a school building, or on (or onto) a school campus or grounds, where "school" refers to elementary, middle, and high schools — K-12 — as well as colleges and universities.<sup>1</sup>***

From 2013 to 2018, Everytown identified 405 incidents of gunfire on school grounds. Of these, 260 occurred on the grounds of an elementary, middle, or high school, resulting in 109 deaths and 219 injuries.<sup>2</sup> While Everytown's database includes higher-education institutions, for the purposes of this report all numbers and analyses reflect only those incidents that occurred on the grounds of elementary, middle, or high schools.

This analysis shows that mass shootings like the incident at Sandy Hook — and, more recently, Parkland and Santa Fe — are not commonplace. They represent less than 1 percent of overall school gun violence incidents. However, these incidents account for a disproportionate share of the overall deaths and injuries from school gun violence. Mass shootings also are imposing an unknown amount of trauma on a generation of students. It is unfathomable that our leaders have not taken the steps necessary to address and help those with patterns of violent behavior and to block their easy access to guns.

The analysis also demonstrates that other incidents of gun violence are occurring in our schools with distressing frequency. These include homicide and assaults; unintentional

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<sup>1</sup> For six full years beginning in 2013, Everytown collected detailed information on all incidents that met this definition, including demographic details of shooters and victims, the shooter or shooters' intention, location, school population and racial demographic, and, where available, the original source of the firearm. To gather this material, Everytown relied on news reports by reputable media sources. Where necessary, inquiries were made to law enforcement and school officials. All incidents used in the final analyses — the data points underlying this report — were then confirmed by an independent research firm. In addition, where appropriate, Everytown used publicly available databases and studies from the Naval Postgraduate School and the New York Police Department, to supplement original analyses and findings.

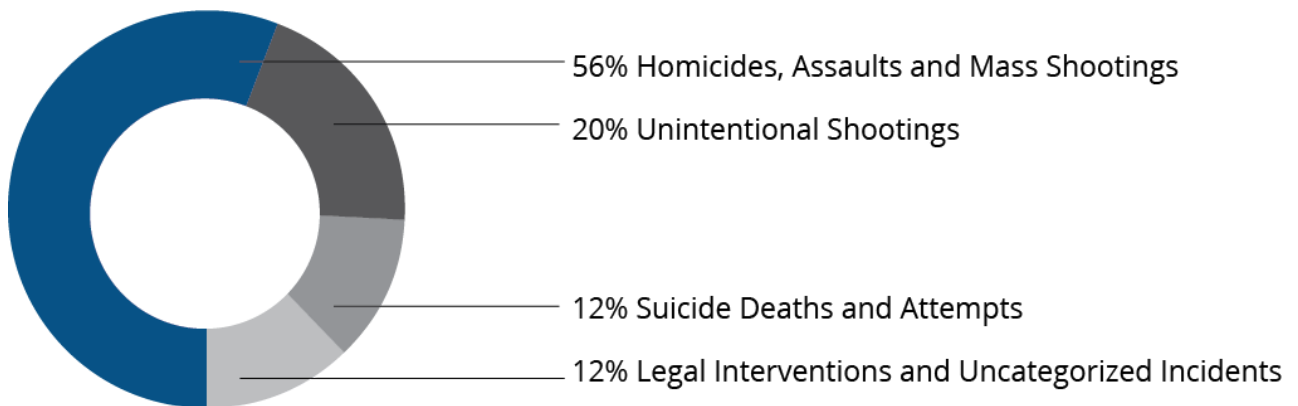
<sup>2</sup> Everytown's Gunfire on School Grounds database includes 145 incidents on colleges and universities. These incidents were excluded from analyses to focus on gunfire on K-12 school grounds.



discharges resulting in injury or death; and, to a slightly lesser extent, self-harm and suicide deaths using a firearm.

All of these incidents of gun violence, regardless of their intent or victim count, compromise the safety of our schools — safety that directly impacts learning outcomes and the emotional and social development of our students.<sup>3</sup> A growing body of research shows that the lingering trauma from exposure to gun violence affects everything from ability to maintain attention<sup>4</sup> to overall enrollment numbers and performance on standardized tests.<sup>5</sup> To address all of these incidents, a broader platform of solutions is required.

## WHAT DOES GUN VIOLENCE IN AMERICA'S SCHOOLS LOOK LIKE?<sup>6</sup>



### Homicides, Assaults and Mass Shootings

The majority of incidents of gun violence in elementary, middle, and high schools — 56 percent — are homicides, assaults, and mass shootings. Everytown identified only three mass shootings — incidents where a shooter killed four or more people — in an elementary, middle, or high school between 2013 and 2018.<sup>7</sup> Far more common were

<sup>3</sup> Cornell DG, Mayer MJ. Why do school order and safety matter? *Educational Researcher*. 2010; 39(1): 7-15.

<sup>4</sup> Sharkey PT, Tirado-Strayer N, Papachristos AV, Raver CC. The effect of local violence on children's attention and impulse control. *American Journal of Public Health*. 2012; 102(12): 2287-2293.

<sup>5</sup> Beland LP, Kim D. The effect of high school shootings on school and student performance. *Education Evaluation and Policy Analysis*. 2016; 38(1): 113-126.

<sup>6</sup> Everytown was able to determine the shooter's intent in 235 incidents, the breakdown and analysis for which is provided below.

<sup>7</sup> Everytown defines a mass shooting as an incident in which four or more people, not including the shooter, are killed with a firearm. These shootings occurred at: Marysville Pilchuck High School in Marysville, WA, Marjory Stoneman Douglas in Parkland, FL, and Santa Fe High School, in Santa Fe, TX.

incidents involving specific individuals, arguments that escalated, acts of domestic violence, parking lot altercations, and robberies where the school was an unfortunate backdrop.

While mass shootings in schools are rare,<sup>8</sup> comprising only 1 percent of school gun violence incidents, they account for more than a quarter (28 percent) of overall deaths in schools and 14 percent of overall injuries. And the statistics do not begin to capture the collective impact these shootings have on the schools in which they occur, their communities, and all students and parents.

Over the last six years, there were 131 homicides and assaults with a firearm that took place on the grounds of elementary, middle, and high schools. These incidents resulted in at least 248 victims: 74 deaths and 174 non-fatal gunshot injuries.<sup>9</sup> At least 130 of these victims were students at the time.

### **Unintentional Shootings**

Approximately 20 percent of gunfire incidents that occurred on the grounds of elementary, middle, and high schools were unintentional including those resulting in injury or death and incidents in which no one was shot. These 47 incidents resulted in at least one death and 32 non-fatal gunshot injuries.<sup>10</sup> At least 21 of these victims were students at the time.

### **Suicide Deaths and Attempts**

Twelve percent of elementary, middle, and high school gunfire incidents involved suicide deaths and attempts where the shooter had no intention of harming other people. These 28 incidents resulted in 24 deaths and four injuries.<sup>11</sup> At least 22 of the victims were students at the time.

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<sup>8</sup> This aligns with research from other organizations that have developed comparable databases of incidents in schools. The Center for Homeland Defense and Security (CHDS) at the Naval Postgraduate School, for example, maintains a public database of gun violence incidents in K-12 schools dating back to 1970. According to the CHDS database, 10 mass shootings that resulted in the deaths of four or more people not including the shooter occurred on school grounds. The CHDS database also includes more than 1,300 other incidents of school gun violence that occurred over the same time period. Center for Homeland Defense and Security. K-12 School Shooting Database. <https://www/chds.us/ssdb/>. Accessed February 4, 2019.

<sup>9</sup> The number of death and injuries for this category excludes the shooter.

<sup>10</sup> The number of deaths and injuries for this category includes injuries or death of the shooter.

<sup>11</sup> The number of deaths and injuries for this category includes injuries or death of the shooter only in the event that the shooter did not intend to harm another.

## **Legal Interventions and Uncategorized Incidents**

The remaining incidents of gunfire on the grounds of elementary, middle, and high schools — 12 percent — were legal interventions or other incidents in which the intention of the shooter falls outside of the categories listed here.

These 29 incidents resulted in eight deaths and four injuries.<sup>12</sup> Incidents involving legal intervention are those in which the shooter or potential shooter was shot or shot at by a law enforcement officer. Uncategorized incidents include, but are not limited to, those in which a firearm was discharged into the air, those in which a gun was discharged but harm was caused to others through other means, and those in which a gun was discharged with intent to damage buildings or other property.

## **WHAT DO WE KNOW ABOUT SCHOOL GUN VIOLENCE INCIDENTS?**

Understanding incidents of gun violence in schools is integral to effectively creating a comprehensive plan to address their threat and effects. Analyzing Everytown’s gunfire on school grounds dataset and relevant studies from other respected organizations, there are several common lessons that guide our school safety proposals.

### **Those Discharging Guns on School Grounds Often Have a Connection to the School**

Everytown’s analysis of gunfire on school grounds reveals that across all forms of gun violence in America’s schools, shooters often have a connection to the school. Overall, 56 percent were associated with the school — they were either current or former students, staff, faculty, or school resource officers.<sup>13</sup> Of the 109 shooters involved in homicides and assaults, 40 percent were current or former students. Of the 46 shooters involved in unintentional discharges, 67 percent were current or former students. Finally, of the 27 shooters involved in self-harm injuries and suicide deaths, 89 percent were current or former students.

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<sup>12</sup> The number of death and injuries for this category excludes the shooter.

<sup>13</sup> Everytown was able to determine both the shooter’s intent and relationship to the school in 218 incidents.

Considering only active shooters — those shooters who are actively engaged in killing or attempting to kill others in a school<sup>14</sup> — the numbers are higher. An analysis of the New York Police Department’s review of active shooter incidents found that in 75 percent of these incidents at schools, the shooter or shooters were school-aged and were current or former students.<sup>15</sup> This data suggests that school-based interventions, like threat assessment programs, can be an effective tool for addressing school gun violence.

### **The Guns Generally Come From Home, Family, or Friends**

Evidence suggests that most school shooters obtain their guns from family, relatives, or friends rather than purchasing them legally or illegally. Everytown was able to identify the gun source in 51 percent of the incidents that involved shooters under 18 years old (a total of 100 shooters).<sup>16</sup> Most of these shooters — 78 percent — obtained the gun(s) from their home or the homes of relatives or friends. This finding is consistent with other studies showing that 68 to 80 percent of school shooters under the age of 18 acquired the gun(s) used from their home or the homes of relatives or friends.<sup>17, 18, 19</sup> This data suggests that responsible storage laws can be an effective tool in addressing the source of guns used in school gun violence.

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<sup>14</sup> New York City Police Department. *Active shooters: Recommendation and analysis for risk mitigation*. 2016. <https://on.nyc.gov/2GIEbl1>. Everytown’s analysis doesn’t require a definition of “active shooter,” but as used in this report generally, we are referring to shooters actively engaged in killing or attempting to kill people at a school. Specifically, the New York Police Department (NYPD), adopting a definition created by the U.S. Department of Homeland Security defines he Department of Homeland Security (DHS) defines an active shooter as “a person(s) actively engaged in killing or attempting to kill people in a confined and populated area.” In its definition, DHS notes that, “in most cases, active shooters use firearm(s) and there is no pattern or method to their selection of victims.” The NYPD has limited this definition to include only cases that spill beyond an intended victim to involve others, including bystanders and collateral casualties.

<sup>15</sup> New York City Police Department. *Active shooters: Recommendation and analysis for risk mitigation*. 2016. <https://on.nyc.gov/2GIEbl1>. Everytown limited analysis to incidents that took place in K-12 schools and defined school-aged as under the age of 21.

<sup>16</sup> Everytown limited its analysis to “primary shooter” because of the unavailability of gun source data for additional shooters in multiple-shooter incidents. Everytown was able to identify the age of 182 of the 259 primary shooters. Of the remaining shooters, either the shooter was not identified in the media or police reports or demographic information was unavailable.

<sup>17</sup> United States Secret Service and United States Department of Education. *The final report and findings of the safe school initiative: Implications for the prevention of school attacks in the United States*. <https://bit.ly/2oFplwa>. Published May 2002. The study analyzed targeted school violence from 1974 through June 2000 finding that 68 percent of attackers acquired the gun(s) used in the incidents from their home or that of a relative.

<sup>18</sup> Centers for Disease Control and Prevention. *Source of firearms used by students in school-associated violent deaths, United States, 1992-1999*. *MMWR Weekly*. 2003; 52(09): 169-172. The study analyzed school-associated violent deaths between 1992 and 1999 finding that 79 percent of guns used were obtained from the shooter’s home or that of a friend or relative.

<sup>19</sup> Woodrow Cox J, Rich S. ‘The gun’s not in the closet.’ *The Washington Post*. August 1, 2018. <https://wapo.st/2TyDnTW>. The study analyzed acts of gun violence at primary and secondary schools involving shooters under the age of 18 since 1999 finding that of the 105 cases in which the gun’s source was identified, 80 percent were acquired from the child’s home or those of relatives or friends.

## There Are Often Warning Signs

Particularly for active shooter incidents, there are often warning signs. These warning signs, if appropriately identified, can offer an opportunity for intervention. The United States Secret Service and the United States Department of Education studied targeted school violence incidents and found that in 93 percent of cases there were behavioral warning signs that caused others to be concerned.<sup>20</sup> They also found that in 81 percent of incidents, other people, most often the shooter's peers, had some type of knowledge about the shooter's plans.<sup>21</sup> This data suggests that Red Flag laws, which enable family and law enforcement to temporarily restrict a person's access to guns when they are a risk to themselves or others, can be effective tools for keeping guns out of the hands of active shooters.

## Gun Violence in American Schools Has a Disproportionate Impact on Students of Color<sup>22</sup>

While perpetrators of mass shootings in schools have tended to be white, and the popular narrative around school shootings has focused on predominantly white schools, the larger context of gunfire on school grounds presents a very different picture. Among the 253 shooting incidents at K-12 schools where the racial demographic information of the student body was known, 64 percent occurred in majority-minority schools.<sup>23</sup> The burden of gun violence has a particularly outsized impact on Black students. Although Black students represent approximately 15 percent of the total K-12 school population in America,<sup>24</sup> they constitute 24 percent of K-12 student victims of gunfire (those who were killed or injured on school grounds where the race of the victim was known).<sup>25</sup> This

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<sup>20</sup> United States Secret Service and United States Department of Education. Prior knowledge of potential school-based violence: Information students learn may prevent a targeted attack. <https://bit.ly/2MPPrOoL>. Published May 2008.

<sup>21</sup> Id.

<sup>22</sup> Everytown also analyzed racial disparities in gunfire on college and university campuses and found similar results. Not only are students of color, especially Black students, disproportionately impacted by gun violence on campus, but Historically Black College and Universities (HBCUs) experience a particularly high number of incidents compared to other high education institutions: 26 of the approximately 102 HBCUs nationwide experienced incidents of gunfire on school grounds between 2013 and 2018 and some campuses experienced multiple incidents.

<sup>23</sup> Everytown gathered demographic information on the student population of each school included in the database for which data were available. A majority-minority school is defined as one in which one or more racial and/or ethnic minorities (relative to the U.S. population) comprise a majority of the student population.

<sup>24</sup> U.S. Department of Education, National Center for Education Statistics. Common Core of Data (CCD). "State nonfiscal survey of public elementary and secondary education," 1998-99 through 2015-16; National elementary and secondary enrollment by race/ethnicity projection model, 1972 through 2027. Everytown averaged the student population size, both total and Black student populations, for the years 2013 to 2018. February 2018. <https://bit.ly/2MTkw3C>.

<sup>25</sup> Everytown identified the race of 95 of the 177 student victims identified in the database. Of those, 23 were identified as Black, 54 as white, 13 as Hispanic or Latino, 1 as Asian-Pacific Islander, and 4 as other. The analysis includes both injuries and deaths resulting from homicides, assaults, unintentional shootings, and suicides and incidents of self-harm where no one else was hurt, in the count of these victims..

suggests that creating safe and equitable schools in communities with high rates of gun violence can help address these broader trends.

## **A COMPREHENSIVE PLAN FOR PREVENTING MASS SHOOTINGS AND OTHER GUN VIOLENCE IN OUR SCHOOLS**

### **TAILORED GUN VIOLENCE PREVENTION POLICIES AND INTERVENTIONS**

In order to effectively address gun violence in our schools, it must first be acknowledged that it is, in fact, a gun violence problem. There have been many “comprehensive” school safety plans proposed over the last 20 years. Few have effectively and thoroughly addressed the issue common in all school shootings: easy access to guns by those at risk of committing harm. Everytown, AFT, and NEA firmly believe that any effective school safety plan must involve a proactive effort to enact meaningful gun violence prevention policies that enable intervention before a prospective shooter can get his or her hands on a gun. These gun violence prevention solutions work hand in hand with school-based intervention policies to intervene before a shooter ever gets to the school.

#### **Act on Warning Signs by Passing Red Flag Laws**

As with most active shooter incidents in schools, there were warning signs prior to the Parkland shooting. Nearly 30 people knew about the shooter’s violent behavior<sup>26</sup> and law enforcement had been called to incidents involving the shooter on more than 20 occasions.<sup>27</sup> However, the shooter legally bought the gun he used. He had never been convicted of a crime and his mental health history did not legally prohibit him from buying or having guns. Accounts of the shooting show that law enforcement and the shooter’s family had no legal mechanism to address the shooter’s easy access to guns.

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<sup>26</sup> Marjory Stoneman Douglas High School Public Safety Commission. Initial report submitted to the Governor, Speaker of the House of Representatives and Senate President. See page 264. <https://bit.ly/2t4NFIY>. Published January 2, 2019.

<sup>27</sup> Id. See pages 234-39.

To fill this critical gap in our laws, Everytown, AFT, and NEA recommend that states enact Red Flag laws. Red Flag laws create a legal process by which law enforcement and family members can petition a court to prevent a person from having access to firearms when there is evidence that they are a risk of harming themselves or others.

Red Flag laws are a critical intervention tool that can be used to prevent violent situations. When family or law enforcement is made aware that a student or another person is a risk to themselves or others, and that the person has access to guns, they can go to a court and ask a judge for a civil restraining order. These Red Flag orders, commonly known as extreme risk protection orders, can only be issued only after a specific legal determination is made that a person poses a threat to him or herself or others. They also contain strong due process protections to ensure that a person's rights are balanced with public safety. Once an order is issued, a person is required to relinquish any guns they have and is prohibited from buying new guns. This prohibition is temporary, generally lasting one year.

Given that most active shooters show warning signs, Red Flag laws are a critical tool for intervening before a violent student acts on their threats. There is strong evidence that these laws can prevent acts of violence before they happen. In Maryland, according to leaders of the Maryland Sheriffs' Association, a recently passed Red Flag law has been invoked in at least four cases involving "significant threats" against schools.<sup>28</sup> In Florida, a Red Flag law passed in 2018 has been invoked in multiple cases of potential school violence, including in the case of a student who was accused of stalking an ex-girlfriend and threatening to kill himself,<sup>29</sup> and in another in which a potential school shooter said killing people would be "fun and addicting."<sup>30</sup>

Red Flag laws can also be used to help address firearm suicide in schools. One study found that following Connecticut's increased enforcement of its Red Flag law, the firearm suicide

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<sup>28</sup> Broadwater L. Sheriff: Maryland's 'red flag' law prompted gun seizures after four 'significant threats' against schools. *The Baltimore Sun*. January 15, 2019. <https://bit.ly/2Gdf6Qj>.

<sup>29</sup> Kennedy E. Tate student's AR-15, father's 54 guns removed under new red flag law. *Pensacola News Journal*. July 9, 2018. <https://bit.ly/2UHmaba>.

<sup>30</sup> Lipscomb J. Florida's post-Parkland "Red Flag" law has taken guns from dozens of dangerous people. *Miami New Times*. August 7, 2018. <https://bit.ly/2QRW56U>.

rate decreased by 14 percent.<sup>31</sup> The same study found that in the 10 years following the passage of Indiana’s Red Flag law, the firearm suicide rate decreased by 7.5 percent.<sup>32</sup>

Because Red Flag laws are a proven tool, and because they are drafted with strong due process protections, they enjoy strong bipartisan support. The Federal Commission on School Safety, which was convened by President Trump following the shootings at Parkland and Santa Fe, recently endorsed Red Flag laws as an effective tool to prevent school gun violence.<sup>33</sup> Ten states, including Florida, as well as Washington, D.C., have passed Red Flag laws since the Parkland shooting; five of them were signed by Republican governors.<sup>34</sup> In all, 15 states and D.C. now have Red Flag laws on the books.<sup>35</sup>

For states that have already enacted Red Flag laws, public awareness is a key component for successful implementation. The authors recommend that these states train law enforcement on the availability and effective use of these laws. States and community members should also initiate public awareness campaigns to make the public aware of the option to get a Red Flag order. Overall, these laws are a common-sense method for acting on the warning signs commonly found in active shooter incidents and they can be an effective tool for reducing firearm suicide.

### **Enact Responsible Firearm Storage Laws, Enforce Them, and Raise Awareness**

In Santa Fe, TX, on May 18th, 2018, a student walked into Santa Fe High School and shot and killed 10 students and staff members and injured 13 others. He had taken the firearms he used in the shooting from his father who had failed to store them responsibly.<sup>36</sup> The most common source of guns used in school shootings and across all school gun violence is from the shooter’s home, the homes of friends, or the homes of relatives. This is unsurprising, as nearly 4.6 million American children live in homes with at least one gun

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<sup>31</sup> Kivisto AJ, Phalen PL. Effects of risk-based firearm seizure laws in Connecticut and Indiana on suicide rates, 1981-2015. *Psychiatric Services*. 2018; 69(8): 855-862.

<sup>32</sup> Id.

<sup>33</sup> Federal Commission on School Safety. Final report of the Federal Commission on School Safety. <https://bit.ly/2SVPqK6>. Published December 18, 2018.

<sup>34</sup> CO, DE, FL, IL, MA, MD, NY, NJ, RI, VT. FL, IL, MA, MD, VT had Republican governors at the time of signing.

<sup>35</sup> The 15 states are: CA, CO, CT, DE, FL, IL, IN, MA, MD, NJ, NY, OR, RI, VT, WA.

<sup>36</sup> Platoff E. The Santa Fe shooter used his father’s guns. But his parents aren’t liable under Texas law. *The Texas Tribune*. May 21, 2018. <https://bit.ly/2x8zD4C>.



that is loaded and unlocked.<sup>37</sup> Everytown, AFT, and NEA recommend that states enact and enforce responsible firearm storage laws, often known as child access prevention laws. In addition, policymakers should promote public awareness programs that can encourage responsible storage and induce behavior change.

These laws require that people store firearms responsibly when they are not in their possession in order to prevent unauthorized access. Under these laws generally, if and when a person accesses a firearm and does harm with it, the person who failed to adequately store the firearm is liable. A common form of responsible storage laws, child access prevention laws, are more narrowly tailored and they hold individuals liable only when minors access irresponsibly stored firearms. Nineteen states and D.C. currently have some form of responsible storage law.<sup>38</sup> In addition, several cities, including New York City; San Francisco; Seattle; and Edmonds, Washington, have passed responsible storage laws.<sup>39</sup>

Studies show that these laws can have a positive impact on preventing gun violence, particularly on unintentional shootings and firearm suicide. One study found that households that locked both firearms and ammunition were associated with a 78 percent lower risk of self-inflicted firearm injuries and an 85 percent lower risk of unintentional firearm injuries among children and teenagers, than those that locked neither.<sup>40</sup> Given what is known about the source of guns in school gun violence, evidence suggests these laws can help prevent underage shooters from accessing irresponsibly stored guns in homes and prevent mass shootings and other violent incidents.

Enforcement and public awareness are essential components in making sure that these laws work to create a culture of responsible gun storage. To facilitate effective enforcement, state legislatures need to make sure their laws are precisely written to cover access by all minors under the age of 18. Local officials also need to ensure that they are enforcing these laws in appropriate situations.

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<sup>37</sup> Azrael D, Cohen J, Salhi C, Miller M. Firearm storage in gun-owning households with children: Results of a 2015 national survey. *Journal of Urban Health*. 2018; 95(3): 295-304. Study defined children as under the age of 18.

<sup>38</sup> CA, CT, DC, DE, FL, IL, IA, HI, MA, MN, MD, NV, NH, NJ, NC, RI, TX, VA, WA, WI.

<sup>39</sup> New York City Administrative Code 10-312; San Francisco Police Code 4512; Seattle, Wash. Mun. Code Section 10.79.010, et seq (Effective Feb. 2019) Edmonds, Wash. Mun. Code Section 5.26.010, et seq. (Effective March 2019).

<sup>40</sup> Grossman DC, Mueller BA, Riedy C, et al. Gun storage practices and risk of youth suicide and unintentional injuries. *JAMA: The Journal of the American Medical Association*. 2005; 293(6): 707-714.

In addition to enacting responsible storage laws, policymakers should encourage a culture of responsible gun storage by increasing awareness of responsible storage practices. For years, Moms Demand Action has run a program called Be SMART.<sup>41</sup> This program focuses on fostering conversations about responsible storage among parents and children to help facilitate behavior change and address the hundreds of unintentional shootings committed and experienced by children every year. The acronym SMART encourages: Secure Guns in Homes and Vehicles, Model Responsible Behavior, Ask About Unsecured Guns in Homes, Recognize the Role of Guns in Suicide, Tell Your Peers to Be Smart. The Be SMART model can be used to encourage responsible storage practices. State legislatures, non-profit organizations, and local officials should also work together to develop and fund programs that increase awareness of the need to store firearms responsibly in order to prevent unauthorized access.

Passing responsible storage laws, enforcing them, and encouraging responsible storage practices will help reduce gun violence in schools and directly intervene to address the most common source of firearms used in school gun violence incidents.

### **Raise the Minimum Age to Purchase Semi-Automatic Firearms to 21**

Despite the research that suggests most active shooters are school-aged and have a connection to the school and data that show that 18 to 20-year-olds commit gun homicides at a rate four times higher than adults 21 and older,<sup>42</sup> few states have stepped in to close gaps that allow minors to legally purchase high-powered firearms. Everytown, AFT, and NEA believe states and the federal government should raise the minimum age to purchase or possess handguns and semi-automatic rifles and shotguns to 21 in order to prevent school-aged shooters from easily obtaining firearms.

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<sup>41</sup> For more information, visit <http://besmartforkids.org/>.

<sup>42</sup> Everytown for Gun Safety analysis; Uniform Crime Reporting Program: Supplementary Homicide Reports (SHR), 2013-2017. Washington, DC: Department of Justice, Federal Bureau of Investigation. While the FBI SHR does not include data from the state of Florida for the years 2013-2017, Everytown obtained data directly from the Florida Department of Law Enforcement (FDLE) and included the reported homicides in the analysis. Rates calculated using age-specific US Census Population Data, 2013-2017. Persons aged 18 to 20 made up 4 percent of the US population and represented 18 percent of all offenders in gun homicides. Adults aged 21 and over made up 73 percent of the population and 74 percent of all offenders in gun homicides. Analysis includes all offenders in single and multiple offender incidents.

To purchase a handgun from a licensed gun dealer under federal law, a person must be 21.<sup>43</sup> Yet, to purchase that same handgun in an unlicensed sale, or to purchase a rifle or shotgun from a licensed dealer, a person only has to be 18.<sup>44</sup> Only a few states have acted to close these gaps.<sup>45</sup>

These deficiencies in the law leave an easy path for active shooters to obtain firearms. Because he was under 21, the Parkland shooter could not have gone into a gun store and bought a handgun, but he was able to legally buy the AR-15 he used in the shooting. Following the shooting, Florida changed its law to raise the age to purchase firearms to 21.<sup>46</sup> Minimum age laws can work in tandem with responsible storage and Red Flag laws to cut off an easy way for shooters to obtain firearms.

### **Require Background Checks on All Gun Sales**

Background checks are the key to enforcing our gun laws and are an effective tool for keeping guns out of the hands of people with dangerous histories. As part of a comprehensive plan to prevent gun violence in schools, Everytown, AFT, and NEA recommend that states and the federal government act to pass laws that require background checks on all gun sales so that shooters cannot easily purchase firearms.

Current federal law requires that background checks be conducted whenever a person attempts to purchase a firearm from a licensed gun dealer, to ensure that the prospective buyer is not legally prohibited from possessing guns.<sup>47</sup> For example, when a person becomes subject to a Red Flag order, that record is entered into the federal background check database, and a background check at the point of sale prevents that person from buying a firearm at a gun store. However, current federal law does not require background checks on sales between unlicensed parties. This means that people with dangerous histories can easily circumvent the background check system simply by purchasing their firearm online or at a gun show.

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<sup>43</sup> 18 U.S.C. § 922(b)(1).

<sup>44</sup> 18 U.S.C. § 922(b)(1); 18 U.S.C. § 922(x)(2).

<sup>45</sup> Only five states and D.C. require a person to be 21 to possess a handgun: D.C., IL, MA, MD, NJ, NY. Only IL and D.C. require a person to be 21 to possess a rifle or shotgun and only six states require a person to be 21 to purchase a rifle or shotgun from a licensed gun dealer: CA, DC, FL, HI, IL, VT, WA.

<sup>46</sup> Fla. Stat. § 790.065(13).

<sup>47</sup> 18 U.S.C. § 922(t).

A recent Everytown investigation showed that as many as 1 in 9 people arranging to buy a firearm on Armslist.com, the nation’s largest online gun marketplace, are people who cannot legally have firearms, including because they are minors under 18.<sup>48</sup> And the unlicensed sale marketplace is large: the same investigation found that in 2018 there were 1.2 million ads for the sale of a firearm that would not be subject to a background check.<sup>49</sup> A 2015 survey found that nearly a quarter of Americans — 22 percent — who acquired a firearm within the past two years did so without a background check.<sup>50</sup>

Background checks are an important part of any school safety plan because they are our most comprehensive strategy to prevent minors, people subject to Red Flag orders, and other people who shouldn’t have guns from accessing them. Without background checks, guns are easily accessible in the online and gun show markets without any questions asked, making it difficult for law enforcement to detect violations of the law and undermining the other strategies to keep guns out of the hands of shooters.

Background checks are proven to reduce gun violence. State laws requiring background checks for all handgun sales — by point-of-sale check and/or permit — are associated with lower firearm homicide rates, lower firearm suicide rates, and lower firearm trafficking.<sup>51</sup> When Connecticut passed a law requiring background checks for a handgun purchase permit and at the point of sale, its firearm homicide rate decreased by 40 percent<sup>52</sup> and its firearm suicide rate decreased by 15 percent.<sup>53</sup> Background checks reduce gun violence and are a crucial backbone for any school gun violence prevention strategy.

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<sup>48</sup> Everytown for Gun Safety. UNCHECKED: OVER 1 MILLION ONLINE FIREARM ADS, NO BACKGROUND CHECKS REQUIRED. <https://everytownresearch.org/unchecked/>. February 2019.

<sup>49</sup> Id.

<sup>50</sup> Miller M, Hepburn L, Azrael D. Firearm acquisition without background checks: Results of a national survey. *Annals of Internal Medicine*. 2017; 166(4): 233-239.

<sup>51</sup> Fleegler EW, Lee LK, Monuteaux MC, Hemenway D, Mannix R. Firearm legislation and firearm-related fatalities in the United States. *JAMA Internal Medicine*. 2013; 173(9): 732-740.

<sup>52</sup> Rudolph KE, Stuart EA, Vernick JS, Webster DW. Association Between Connecticut’s Permit-to-Purchase Handgun Law and Homicides. *American Journal of Public Health*. 2015; 105(8): e49-e54.

<sup>53</sup> Crifasi CK, Meyers JS, Vernick JS, Webster DW. Effects of changes in permit-to-purchase handgun laws in Connecticut and Missouri on suicide rates. *Preventive Medicine*. 2015; 79: 43-49.

## PROTECTING SCHOOLS THROUGH THREAT IDENTIFICATION, SECURITY UPGRADES, EMERGENCY PLANNING AND SAFE SCHOOL ENVIRONMENTS

### ESTABLISH THREAT ASSESSMENT PROGRAMS

The most important thing that schools can do to prevent active shooter incidents — and gun violence overall — is to intervene before a person commits an act of violence. Early intervention is key to addressing potential violent behavior and to providing students appropriate treatment. To do this, Everytown, AFT, and NEA recommend that schools create threat assessment programs and establish threat assessment teams in their schools. State legislatures should also make funding available for schools to establish threat assessment programs.

Threat assessment programs help schools identify students who are at a risk of committing violence in order to resolve student threat incidents by getting them the help they need.<sup>54</sup> The programs generally consist of multi-disciplinary teams that are specifically trained to intervene at the earliest warning signs of potential violence and divert those who would do harm to themselves or others to appropriate treatment.

Threat assessment teams are unanimously recommended by school safety experts. The theory of the program is rooted in the groundbreaking study on “targeted school violence” by the U.S. Secret Service<sup>55</sup> and Department of Education.<sup>56</sup> A 2002 F.B.I. report states that *“By far the most valuable prevention strategy identified was the threat assessment and management team,”*<sup>57</sup> and a 2018 Department of Homeland Security report (ostensibly about improving physical security of schools) stated that *“preventing violence by detecting and addressing these [behavioral] red flags is more effective than any physical security measure.”*<sup>58</sup> In addition, reports from federal agencies under the Bush and Trump

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<sup>54</sup> Cornell DG, Sheras P. Guidelines for responding to student threats of violence. *Sopris West*. 2006.

<sup>55</sup> The Secret Service was assigned to the project because school shootings were seen to be as rare as political assassinations, and this definition and the analysis evolved from the Secret Service's five year study of the behavior of political assassins.

<sup>56</sup> United States Secret Service and United States Department of Education. The final report and findings of the safe school initiative: Implications for the prevention of school attacks in the United States. <https://bit.ly/2oFplwa>. Published May 2002. Defined as any incident where (i) a current or recent former student attacked someone at his or her school with lethal means (including weapons other than a firearm); and (ii) where the student attacker purposefully chose his or her school as the location of the attack.

<sup>57</sup> U.S. Department of Justice, Federal Bureau of Investigation. Making prevention a reality: Identifying, assessing, and managing the threat of targeted effects. *Behavioral Analysis Unit - National Center for the Analysis of Violent Crime*. <https://bit.ly/2Bllckf>.

<sup>58</sup> U.S. Department of Homeland Security. K-12 School Security: A Guide for Prevention and Protecting Against Gun Violence. <https://bit.ly/2DXzVge>. Second Edition Published 2018.

administrations, including the recent Federal Commission on School Safety report, recommend schools implement school threat assessment programs.<sup>59,60</sup>

## Effective Models

As a model, Everytown, AFT, and NEA endorse the Virginia Student Threat Assessment Guidelines (VSTAG) which was created by Dr. Dewey Cornell at the University of Virginia. VSTAG is a national leader in school-based threat assessment. The program is also listed on the National Registry of Evidence-based Programs and Practices, an evidence-based repository and review system designed to provide the public with reliable information on mental health and substance use interventions.

## Research Shows Threat Assessment Programs Are Effective

Several studies have found that schools that have used threat assessment programs see as few as 0.5 to 3.5 percent of students attempt or carry out their threat of violence, with none of the threats that were carried out being serious threats to kill, shoot, or seriously injure someone.<sup>61,62,63</sup> Schools with VSTAG threat assessment programs also see fewer expulsions, suspensions, and fewer arrests.<sup>64</sup> Importantly, studies have shown that VSTAG threat assessment programs generally do not have a disproportionate impact on students of color.<sup>65</sup> Of course, schools should monitor and collect their own data to ensure that communities of color and students with disabilities are not disproportionately impacted in local threat assessment programs.

## Key Features of a Successful Threat Assessment Program

There are several keys to establishing a successful threat assessment program that schools should consider when they establish these programs.

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<sup>59</sup> United States Secret Service and United States Department of Education. Threat assessment in schools: A guide to managing threatening situations and to creating safe school climates. <https://bit.ly/2o1nWG8>. Published May 2002.

<sup>60</sup> National Threat Assessment Center. Enhancing school safety using a threat assessment model: An operational guide for preventing targeted school violence. United States Secret Service and U.S. Department of Homeland Security. <https://bit.ly/2NKlwqD>. Published July 2018.

<sup>61</sup> Cornell D, Maeng J, Burnette AG, et al. Student threat assessment as a standard school safety practice: Results from a statewide implementation study. *School Psychology Quarterly*. 2018; 33(2): 213-222.

<sup>62</sup> Cornell D, Maeng J, Burnette AG, Datta P, Huang F, Jia Y. Threat assessment in Virginia Schools: Technical report of the threat assessment survey for 2014-2015. Curry School of Education, University of Virginia. <https://at.virginia.edu/2UzNpEm>. Published 2016.

<sup>63</sup> Cornell DG, Korrie A, Xitao F. A randomized controlled study of the Virginia Student Threat Assessment Guidelines in kindergarten through grade 12. *School Psychology Review*. 2012; 41(1): 100-115.

<sup>64</sup> Id.

<sup>65</sup> Id.

### ***Identify Threats***

Effective threat assessment programs must have a mechanism to identify and collect information about threats of violence. The U.S. Secret Service recommends schools establish tip-lines that can be used to promote the sharing and collection of information about threats.<sup>66</sup> Schools may also consider using a program like Sandy Hook Promise's "Know The Signs" and "Say Something" campaigns, which train students on warning signs and encourage them to report potentially violent behavior.<sup>67</sup> Where appropriate, social media monitoring software can be used to scan social media sites for threats and potential warning signs. Having a mechanism to identify threats is key to ensuring those threats can be successfully addressed by a threat assessment team.

### ***Determine If a Student Has Access to Guns***

Since the most common sources of guns used in school gun violence are the home or the homes of family or friends, threat assessment teams must work to identify whether students at risk of violence have access to firearms. This practice is recommended by the U.S. Secret Service.<sup>68</sup> Threat assessment teams can build this practice into their standard procedures for gathering information when investigating a threat. There are several non-intrusive ways that this information can be gathered including: talking to parents and students and examining social media posts to determine if a student has access to firearms.

### ***Ensure That Sufficient Counselors Are Provided to Assist Students***

As part of an effective threat assessment strategy, and to ensure successful student outcomes and violence reduction overall, schools need to ensure that students have sufficient access to counselors.

Counselors help guide our children in some of their most important decisions. They can serve as a critical resource for them as they navigate the education system and the

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<sup>66</sup> National Threat Assessment Center. Enhancing school safety using a threat assessment model: An operational guide for preventing targeted school violence. United States Secret Service and U.S. Department of Homeland Security. <https://bit.ly/2NKlwqD>. Published July 2018.

<sup>67</sup> Sandy Hook Promise. Know the signs programs. <https://bit.ly/2S9fgPa>.

<sup>68</sup> National Threat Assessment Center. Enhancing school safety using a threat assessment model: An operational guide for preventing targeted school violence. United States Secret Service and U.S. Department of Homeland Security. <https://bit.ly/2NKlwqD>. Published July 2018.

challenges of emotional and social development. Counselors may also be among the first to know when students are experiencing problems or when they are at a risk for violence. Counselors can guide students through emotional or behavioral problems and can serve as a key point of intervention and information gathering for threat assessment programs.

Yet data compiled by the National Association for College Admissions Counseling and the American School Counselor Association show that the national student-to-counselor ratio is much higher than best practices dictate. Currently, on average, each counselor handles about 482 students.<sup>69</sup> The recommended best practice is that each counselor be responsible for no more than 250 students.<sup>70</sup> To protect our schools and ensure that threat assessment programs are effective, legislatures need to fund — and schools need to prioritize — an appropriate number of counselors in schools.

## **IMPLEMENT BASIC SECURITY UPGRADES**

In 2017, as the sound of gunshots echoed across campus, school administrators at Rancho Tehama Elementary School in Tehama County, CA made a critical decision. They immediately put their campus on lockdown, ushering students and teachers inside, locking internal doors, and locking out anyone who would try to enter.<sup>71</sup> As a shooter approached, crashing through an external gate, he was unable to access the school building. Frustrated, he gave up and left school grounds before ultimately being stopped by law enforcement.<sup>72</sup>

Physical security is a critical intervention point to keep guns out of schools. The most effective physical security measures — the ones that are agreed on by most experts — are access control measures that keep shooters out of schools in the first place. As a secondary measure, internal door locks, which enable teachers to lock doors from the inside, can work to deter active shooters who do achieve access, protecting students and allowing law enforcement time to neutralize any potential threat.

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<sup>69</sup> National Association for College Admission Counseling, American School Counselor Association. State-by-state student-to-counselor ratio report: 10-year trends. <https://bit.ly/2lpw77Y>.

<sup>70</sup> Id.

<sup>71</sup> Thulin L. School lockdown saved students' lives during Northern California shooting rampage. Slate. November 15, 2017. <https://bit.ly/2GbvEZ>.

<sup>72</sup> Id.



Of course, one of the biggest challenges with security upgrades is maintaining a welcoming school environment. Schools cannot become prisons. Everytown, AFT, and NEA endorse basic security measures universally recommended by school safety experts, like access control and internal door locks, while recommending that schools also consider other expert-endorsed security measures based on local conditions.

### **Access Control**

As the shooter arrived on the campus of Marjory Stoneman Douglas High School, in Parkland, FL, several critical access control failures gave him easy access to the school. He was dropped off outside of a perimeter fence. This fence had a gate that was open and left unstaffed.<sup>73</sup> The shooter took advantage of this and entered the school campus. As he entered Building 12, where the fatal shooting happened, he exploited another critical safety failure as the door was left unlocked and accessible by all.<sup>74</sup> In fact the Marjory Stoneman Douglas Public Safety Commission found that “[t]he overall lack of uniform and mandated physical site security requirements resulted in voids that allowed [the shooter] initial access to MSDHS and is a system failure.”<sup>75</sup>

Most experts, including the Marjory Stoneman Douglas High School Public Safety Commission and the Sandy Hook Advisory Commission, agree that access control should be a component of any school security plan.<sup>76,77</sup> Preventing unauthorized access to schools through fencing, single access points, and by simply ensuring doors are locked can keep shooters out of schools. State legislatures should provide funding for access control measures for schools to make sure that would-be shooters cannot have easy access to schools.

### **Interior Door Locks**

In both Sandy Hook and Parkland, teachers had to step outside of their classrooms while the shooting was underway in order to lock their doors. This exposed the educators and

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<sup>73</sup> Marjory Stoneman Douglas High School Public Safety Commission. Initial report submitted to the Governor, Speaker of the House of Representatives and Senate President. See page 42. <https://bit.ly/2t4NFiY>. Published January 2, 2019.

<sup>74</sup> Id. See page 43.

<sup>75</sup> Id. See page 42.

<sup>76</sup> Marjory Stoneman Douglas High School Public Safety Commission. Initial report submitted to the Governor, Speaker of the House of Representatives and Senate President. See page 42. <https://bit.ly/2t4NFiY>. Published January 2, 2019.

<sup>77</sup> Sandy Hook Advisory Commission. Final report of the Sandy Hook Advisory Commission presented to Governor Dannel P. Malloy, State of Connecticut. <https://bit.ly/1C5aeU3>. Published March 6, 2015.

students to danger. Doors that were left unlocked were unsecured and vulnerable. That is why school safety experts, like the Sandy Hook Advisory Commission, agree that schools should make sure that classroom doors lock from the inside as well as the outside.<sup>78</sup>

Interior door locks can mean the difference between life and death in an active shooter situation. Everytown, AFT, and NEA recommend that all schools equip doors with interior door locks to help prevent shooters from gaining access to classrooms and to add an additional layer of protection from an active shooter.

## **ESTABLISH EMERGENCY PLANNING AND PREPARATION**

When an incident of gun violence does occur on school grounds, planning and preparation are key to ensuring an effective response. Everytown, AFT, and NEA recommend that schools, in collaboration with law enforcement, plan for the unlikely event of a gun violence emergency or active shooter incident.

Security experts universally agree that schools need to have an effective emergency plan in place. Emergency plans can serve as an additional point of intervention by enabling law enforcement, students, or staff to respond quickly to and neutralize any threat. The Federal Emergency Management Agency maintains a six-point guide for developing high-quality emergency response plans for schools. This guide stresses collaboration and advance planning to help mitigate emergency incidents.<sup>79</sup>

For active shooter incidents, the guide notes that “...it is critical that schools work with first responders, emergency management staff, and all community partners to identify, prepare, prevent, and effectively respond to an active shooter situation in a coordinated fashion.”<sup>80</sup> Doing so can help save lives. Recommendations for effective planning include efforts to ensure that schools work with law enforcement and first responders to provide information about the school’s layout and security measures, that staff and law enforcement work together to ensure that they can identify the nature of a threat, and that schools plan out their lockdown and evacuation procedures.<sup>81</sup>

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<sup>78</sup> Sandy Hook Advisory Commission. Final report of the Sandy Hook Advisory Commission presented to Governor Dannel P. Malloy, State of Connecticut. <https://bit.ly/1C5aeU3>. Published March 6, 2015.

<sup>79</sup> U.S. Department of Education, Office of Elementary and Secondary Education, Office of Safe and Healthy Students. Guide for developing high-quality school emergency operations plans. <https://bit.ly/2Gnz764>. Published June 2013.

<sup>80</sup> Id. See page 56.

<sup>81</sup> Id. See page 57.

Many experts also encourage training for students and staff on how to respond to an active shooter incident. Currently, Everytown, AFT, and NEA endorse training for adult staff on how to respond to active shooter situations. This training might include training on lockout procedures, evacuation procedures, and emergency medical training. However, given the concerns raised by parents, students, and medical professionals about the impact that lockdown and active shooter drills can have on student development, including the risk for depression and anxiety and the risk for lasting symptoms,<sup>82</sup> our organizations refrain from endorsing training for students and believe schools should consider this impact before conducting live drills with children.

## **CREATE SAFE AND EQUITABLE SCHOOLS**

Creating safe schools also requires that schools foster healthy schools and communities. This requires schools to look externally and internally to build strong partnerships inside of schools and in the community as a whole. As schools implement school-based intervention strategies, including the ones outlined above, schools need to make sure they are helping students resolve problems, rather than overly relying on punishment or using methods meant for intervention as punishment. It will also be critically important for schools and school districts to monitor and evaluate how threat assessment implementation is impacting school discipline practices.

Zero-tolerance policies are an attempt to make schools safe and orderly, but that approach has not worked. In that connection, schools need to review their discipline policies to make sure they are not unduly punishing students and to make sure that staff are trained on appropriate ways to manage their classrooms and implicit biases. As part of a comprehensive strategy Everytown, AFT, and NEA recommend that school communities look inside their schools to make sure they are encouraging effective partnerships between students and adults while also looking externally to ensure that they are a key community resource.

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<sup>82</sup> Rich S. Cox JW. School lockdowns: How many American children have hidden from gun violence? *Washington Post*. December 26, 2018. <https://wapo.st/2Sb0bML>.

## **Community Schools**

A key means of creating safe schools is to keep neighborhood schools intact and make them “community schools” — the focal point and heart of their communities. Everytown, AFT, and NEA recommend that schools utilize state, district and federal support and fund programs that help them partner with community members to move beyond the normal confines of a school and become a true community school, particularly in communities that experience high rates of gun violence.

To accomplish this schools should work in partnership with local governments, labor, management and the community, to help become places that provide valuable services that help lift students and their families. By moving beyond the normal confines of the school and partnering with local stakeholders, community schools provide real solutions to the unique problems of the students and families they serve. Community schools aren’t just centers of education; they’re the new heart of the community itself that help create better conditions for both teaching and learning. They’re a place where teachers, families, community members and service providers can come together in coordinated, purposeful and results-focused partnerships.

These schools can become the centers of their communities by providing the services to students, families and neighbors that best serve their needs, while at the same time promoting stable, healthy neighborhoods. In schools facing high levels of violence in and outside of the school building a community school might utilize district, state, and federal support to fund programs that do things like: provide alternatives to out-of-school suspensions that offer meaningful educational opportunities for students; reduce suspension rates and break the school-to-prison pipeline; increase access to mentoring and counseling services both inside and outside school, starting in preschool; and incorporate inclusive restorative justice into discipline policies.

## **School Resource Officers**

Whether schools should employ trained law enforcement professionals as armed school resource officers (SROs) is a decision that must be made on the local level in consideration of the unique social and cultural needs of a school and a determination that an SRO will meet school public safety needs. However, schools that are going to employ SROs should

ensure that they are trained and utilized in a way that encourages greater transparency and accountability.

Actions that districts and communities can take in this regard include supporting community policing and using cultural competency training as a way to rebuild relationships between law enforcement/SROs and the communities and students they serve. Schools can also consider using the following rubric which was developed by the federal government to guide their employment of SROs.

The Safe School-based Enforcement Through Collaboration, Understanding, and Respect (SECURE) rubric suggests schools should do the following when employing a SRO:

1. Create sustainable partnerships and formalize memorandums of understandings (MOU) that outline clear roles and responsibilities among school districts, local law enforcement agencies, juvenile justice entities, and civil rights and community stakeholders;
2. Ensure that MOUs meet constitutional and statutory civil rights requirements;
3. Recruit and hire effective SROs and school personnel;
4. Keep SROs and school personnel well trained;
5. Continually evaluate SROs and school personnel, and recognize good performance.<sup>83</sup>

Following this rubric can help mitigate concerns about impacts that placing law enforcement officers in schools can have on school climate and students of color.

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<sup>83</sup> U.S. Department of Education, U.S. Department of Justice. Safe school-based enforcement through collaboration, understanding, and respect (SECURE) local implementation rubric. <https://bit.ly/2BlkBZ2>.

## ARMING TEACHERS IS DANGEROUS

The most dangerous idea in the American education system is that arming teachers or school staff is an effective solution to an active shooter incident. Everytown, AFT, and NEA strongly urge, as a matter of student safety, that schools reject attempts to arm teachers and instead focus on proven solutions that intervene to prevent shootings.

Arming teachers puts our children at greater risk and does nothing to stop active shooters or other forms of school gun violence. While the desire for action is understandable, the popular notion of a well-trained teacher acting as a last line of defense is not based in any experience, or research.

Is an armed teacher supposed to protect their children in their classroom? Will they be able to identify and shoot one of their own students? How will they react in a crisis situation? Will they be able to shoot accurately? In a crisis, how will law enforcement be able to distinguish between a lawfully carrying teacher and a bad guy? While those who implement the idea may be sincere in their search for a solution, arming teachers raises more questions than answers, and evidence suggests that arming teachers will do nothing to keep our kids safe. It is argued that armed teachers are cost-effective replacements for law enforcement, but arming teachers would cost billions of dollars for salaries, training, and equipment and armed teachers are never acceptable replacements for trained law enforcement.

### **Arming Teachers Is Opposed by Law Enforcement, Parents and Teachers**

Most parents, teachers, and law enforcement oppose arming teachers. Law enforcement, those we charge with protecting our schools, strongly oppose arming teachers. The National Association of School Resource Officers and the president and chief executive officer of the Major Cities Police Chiefs Association have all indicated their opposition to arming teachers.<sup>84,85,86</sup>

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<sup>84</sup> National Association of School Resource Officers. NASRO opposes arming teachers. February 22, 2018. <https://bit.ly/2K7iAq3>.

<sup>85</sup> Toppo G. 132 hours to train teachers on guns: Is it enough? *USA Today*. March 8th, 2018. <https://bit.ly/2SvCdes>.

<sup>86</sup> Paterson BE. America's police chiefs call BS on arming teachers. *Mother Jones*. March 8, 2018. <https://bit.ly/2HjsDT3>.

Parents and teachers also oppose arming teachers. A March 2018 survey of almost 500 U.S. teachers found that 73 percent oppose proposals to arm school staff.<sup>87</sup> Another survey found that 63 percent of parents of elementary, middle, and high school students oppose arming teachers.<sup>88</sup>

However, there is evidence that the message about “well-trained” teachers is catching on with policymakers and some schools. The Federal School Safety Commission recently became the first federal entity to endorse arming teachers and school staff.<sup>89</sup> A number of state legislatures are considering the idea of armed teachers and many schools have looked to arming teachers or school staff as a solution to school gun violence. A recent report from Vice News found at least 466 school districts have chosen to arm school staff, 215 of them since February 2018, the month of the Parkland shooting.<sup>90</sup> Everytown, AFT, and NEA believe schools should reject this risky practice.

### **The Notion of a Highly Trained Teacher Carrying a Gun Is a Myth**

The notion that only highly trained teachers will be carrying guns in schools is a myth. Law enforcement personnel who carry guns on a daily basis receive hundreds of hours of initial training and are generally required to continue their training throughout their careers. The average number of initial training hours that a law enforcement officer receives at a basic training academy is 840.<sup>91</sup> On average recruits receive 168 hours of training on weapons, self-defense, and the use of force.<sup>92</sup>

In the ten states that have laws that are designed to allow for armed school personnel, those armed personnel receive significantly less training. The laws vary widely, but not a single one of them requires teachers or school staff to undergo training that is akin to that completed by a full-time law enforcement officer. In fact, some of the states don’t have any minimum hourly training requirement at all. For example, in Kansas, school districts are

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<sup>87</sup> Brenan M. Most U.S. teachers oppose carrying guns in schools. *Gallup*. March 16, 2018. <https://bit.ly/2MPTRV5>.

<sup>88</sup> PDK Poll. School security: Is your child safe at school? September 2018. <https://bit.ly/2P6HXux>.

<sup>89</sup> Federal Commission on School Safety. Final report of the Federal Commission on School Safety. <https://bit.ly/2SVPqK6>. Published December 18, 2018.

<sup>90</sup> Owen T. Exclusive: How Parkland created a rush to arm teachers and school staff across the country. *Vice News*. January 9, 2019. <https://bit.ly/2UB90fy>.

<sup>91</sup> Reaves BA. State and local law enforcement training academies, 2013. U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics. <https://bit.ly/2pg0whl>. Published July 2016.

<sup>92</sup> Id.

free to set their own policy to allow staff to carry guns.<sup>93</sup> There is no required minimum training. The same is true in Georgia, where the law provides that armed personnel must be trained in specific subject-matter areas but does not require them to meet any minimum number of training hours.<sup>94</sup> Several school districts are exploiting vagaries in the law to arm teachers, with no state oversight. A gap in Texas law led to the establishment of programs commonly known as the “Guardian” program. These programs let school districts set their own policy, without any required minimum training.<sup>95</sup>

The fact is that even some of the most highly trained law enforcement officers in the country, those of the New York City Police Department, see their ability to shoot accurately decrease significantly when engaged in gunfights with perpetrators.<sup>96</sup> To have a teacher make split-second, life-or-death decisions to protect children and themselves or try to take down an active shooter is unrealistic. Given this, the notion that a teacher or school staff member will be able to effectively respond to an active shooter incident is extremely doubtful.

### **Students Will Access Teachers’ Guns**

The simple fact is that more access to firearms is strongly correlated with additional risk. When more guns are placed into schools, children will be more likely to access them.

Research strongly supports the idea that if guns are carried into schools by teachers, children are more likely to access teachers’ guns. One study showed that the majority of children are aware of where their parents store their guns and that more than one third reported handling their parents’ guns, many doing so without the knowledge of their parents.<sup>97</sup> Nearly a quarter of parents did not know that their children had handled the gun in their house.<sup>98</sup> It is likely that when guns carried by teachers and staff are put into schools, children will know where they are and will access them. And we know that when children access guns, the risks of death or harm significantly increase. In fact, irrespective

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<sup>93</sup> K.S.A. § 75-7c10(d)(1).

<sup>94</sup> O.C.G.A. § 16-11-130.1.

<sup>95</sup> Samuels A. Texas schools that want to arm their employees have two choices. *Star-Telegram*. July 14, 2018. <https://bit.ly/2Mnh2PT>.

<sup>96</sup> Rostker B. D, Hanser L. M, Hix W. M, Jensen C, & Morral A. R. Evaluation of the New York City Police Department firearm training and firearm-discharge review process. Rand Corporation. 2008.

<sup>97</sup> Baxley F, Miller M. Parental misperceptions about children and firearms. *Archives of Pediatrics & Adolescent Medicine*. 2006; 160(5): 542-547.

<sup>98</sup> Id.



of age, access to a firearm, triples the risk of death by suicide and doubles the risk of death by homicide.<sup>99</sup>

Access is not only a risk, it is a reality. There have been several incidents where guns carried into schools were misplaced or children accessed them — guns left in bathrooms<sup>100</sup> or locker rooms,<sup>101</sup> even guns that fell out while a teacher did a backflip.<sup>102</sup> There are also multiple cases where guns were stolen from teachers by students or misplaced and later found in the hands of students.<sup>103,104</sup> The fact is that more guns in schools increases the chances a child will access them.

### **The Risk of Shootings Increases**

Child access is not the only risk. The risk of an unintentional or intentional shooting increases when civilians are allowed to carry guns in schools. There have been several incidents of guns intentionally or unintentionally discharged on school grounds by school staff. This includes intentional shootings, such as a janitor who killed two of his colleagues at a performing arts school in Florida,<sup>105</sup> and firearm suicides by faculty or staff at schools.<sup>106</sup> It also includes a number of unintentional incidents, by both school resource officers in schools<sup>107</sup> and teachers who accidentally discharged their firearms.<sup>108</sup>

### **Armed Staff Will Complicate Law Enforcement's Response**

Responding to an active shooter incident can be complex. Reports and analysis of mass shootings continuously show communication errors, narrowly avoided friendly-fire

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<sup>99</sup> Anglemeyer A, Horvath T, Rutherford G. The Accessibility of Firearms and Risk for Suicide and Homicide Victimization Among Household Members: A Systematic Review and Meta-analysis. *Annals of Internal Medicine*. 2014; 160: 101–110.

<sup>100</sup> Metrick B. Ex-teacher charged for leaving gun in school bathroom, police say. *USA Today*. September 13, 2016. <https://bit.ly/2G9jlfE>.

<sup>101</sup> Associated Press. No charges after Isabella Co. sheriff accidentally leaves gun at school. *Detroit Free Press*. April 3, 2018. <https://bit.ly/2GtNfeb>.

<sup>102</sup> Rojas J. Student: Substitute teacher was doing back flip when gun fell out. *Bay News 9*. October 24, 2018. <https://bit.ly/2t4SIFE>.

<sup>103</sup> Harten D. Police: Jacksonville High student steals gun from teacher. *Arkansas Democrat Gazette*. January 17, 2012. <https://bit.ly/2V3psWX>.

<sup>104</sup> Madden R. Police find teacher's stolen gun with student. *Fox 2 Now*. October 25, 2018. <https://bit.ly/2S9hqy7>.

<sup>105</sup> Seltzer A. BREAKING: Man arrested in 2013 murder of Dreyfoos school janitors. *The Palm Beach Post*. May 25, 2017. <https://pbpo.st/2RE4R8V>.

<sup>106</sup> McCray V. Lithia Springs shooting intentional, teacher ID'd. *Atlanta Journal Constitution*. August 21, 2017. <https://on-ajc.com/2M6D42h>.

<sup>107</sup> Schrott M. Officer accidentally discharges weapon at George Washington Middle School. *Alexandria Times*. March 13, 2018. <https://bit.ly/2BnC8zT>.

<sup>108</sup> Larson A. Seaside High teacher accidentally fires gun in class, students injured. *KSBW*. March 14, 2018. <https://bit.ly/2Be9cub>.

incidents, and a lack of coordination during responses to active shooter incidents. To introduce a new variable into this equation — an armed teacher — into this equation will only serve to further complicate law enforcement’s response to an active shooter incident. As former Dallas Police Chief David Brown said following the shooting of five law enforcement officers in Dallas where the response was complicated by people openly carrying firearms: “We don’t know who the good guy is versus the bad guy when everyone starts shooting.”<sup>109</sup>

### **Liability and Insurance**

Insurance companies are hesitant to insure schools that arm teachers or staff because they understand the financial and legal risks associated with doing so. When several districts in Kansas sought to arm teachers, the insurance companies informed them that they would not insure such a dangerous practice. Even where schools are able to obtain insurance, it is often at a higher premium.<sup>110</sup> This is because insurance companies realize that guns carried by teachers pose numerous safety risks.

Schools that have or are considering arming teachers and staff continue to put remarkably little thought into the legal liability they incur by doing so. These policies, which are often developed behind closed doors, are frequently poorly drafted and inadequately vetted. This leaves teachers and school districts legally exposed. Not only may they be civilly liable, but teachers who carry guns on the basis of a school policy may also expose themselves to criminal liability if the policy is in any way inconsistent with state law. Assuming there is an inconsistency, it is also unlikely that a school’s insurance policy would indemnify the school from monetary claims. Further, even if the policy is crafted with legal precision, the likelihood that a school district, school, or teacher will be sued if a student or another person is hurt by an armed teacher is high.

Some states have sought to address this by specifically immunizing armed teachers or staff from liability claims or by arguing that existing school immunity provisions bar claims against them or cap the amount of damages that they would be liable for. In fact, these

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<sup>109</sup> Hennessy-Fiske M. Dallas police chief: Open carry makes things confusing during mass shootings. *Los Angeles Times*. July 11, 2016. <https://lat.ms/2GpxGUw>.

<sup>110</sup> Hiltzik M. One big problem with the idea of arming teachers: Insurance companies won't play along, and for good reason. *Los Angeles Times*. February 26, 2018. <https://lat.ms/2BkRxBb>.

provisions do not operate as a complete bar to lawsuits. States also cannot exempt schools from federal civil rights liability. Schools can and will be sued in federal court and they will not be able to use state immunity provisions to protect themselves from claims.

## **CONCLUSION**

Using the comprehensive plan outlined in this report, policymakers and schools can prevent active shooter incidents — and gun violence more broadly — in their classrooms. These solutions are proven effective and form a thorough strategy that works by providing a point of intervention at all levels of a shooter’s escalation to violence and by creating a system where people with dangerous histories can’t easily access guns. Targeted gun violence prevention policies can intervene when a shooter is intent on getting their hands on a gun. The school-based strategies work to intervene when a shooter is showing warning signs that they may become violent. Finally, the planning and security strategies present a last opportunity for intervention and ensure that a school is prepared to quickly respond to and neutralize any incident.

Unlike reactive solutions focused on armed staff and teachers, which serve only to put our children in more danger, these strategies are widely supported by experts and backed by evidence. Our leaders must take responsible action to keep our schools safe — and this report offers them a framework for doing so.

## APPENDIX: GUNS IN SCHOOLS LEGAL OVERVIEW

As a general matter, the vast majority of states prohibit civilians from carrying guns in elementary, middle, and high schools.

While the laws involving firearms and other weapons on K-12 school campuses, are incredibly nuanced, there are two general categories of laws that enable people to carry guns in schools:

Ten states have laws explicitly aimed at arming school personnel: **Florida, Georgia, Kansas, Missouri, North Dakota, Oklahoma, South Dakota, Tennessee, Texas, Wyoming.**

In all of these states, there are optional programs that schools can use to arm teachers and school staff. Generally, these individuals must have a handgun carry permit, undergo some form of training, and be approved by the school district and/or the school.

Eight states generally allow permit holders to carry guns in public schools: **Delaware, Hawaii, Kansas, Mississippi, New Hampshire, Oregon, Rhode Island, Utah.**

In these states, permit holders can carry in schools as a general matter of law, although, there may be individual school policies that prevent them from doing so.

There are an additional number of states where a small number of schools have used exceptions in the law to arm teachers or other school staff. These states include: **Alabama, Arkansas, Colorado, Idaho, Indiana, Minnesota, Montana, Ohio,<sup>111</sup> Texas, Washington.<sup>112</sup>**

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<sup>111</sup> The authority of Ohio school districts to arm teachers without full peace officer training is currently the subject of litigation.

<sup>112</sup> There is no comprehensive information available on which states have school districts that have armed teachers. This information is gathered from media reports and other publicly available sources and it is not intended to be an exhaustive list.