# Keeping our Schools Safe

A Plan for Preventing Mass Shootings and Ending All Gun Violence in American Schools







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# Introduction

For the last 20 years, our students, educators, and parents have lived with the reality of school shootings. Meanwhile, America's gun violence epidemic, in the form of mass shootings, gun homicides, non-fatal 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 school communities with the tools they need to intervene and prevent school-based gun violence. This report focuses on approaches that have been 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.

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 untrained armed teacher introduces risk to student safety on a daily basis.

# **Our Plan**

- 1 Pass Extreme Risk Laws
- 2 Encourage Secure Firearm Storage
- 3 Raise the Age to Purchase Semiautomatic Firearms
- 4 Require Background Checks on All Gun Sales
- 5 Create Evidence-Based Threat Assessment Programs in Schools
- 6 Implement Expert-Endorsed School Security Upgrades
- 7 Initiate Effective, Trauma-Informed 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 (Everytown), the American Federation of Teachers (AFT), and the National Education Association (NEA) have crafted a comprehensive plan focused on interventions that can prevent mass shooting incidents and help end all gun violence in American schools.

The aim of this report is threefold:

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

First, Everytown, AFT, and NEA want to provide policymakers and the public with an understanding of how gun violence impacts America's schools. To accomplish this goal, we analyzed information Everytown has collected on gun violence on school grounds, and supplementing this data with research from other respected organizations, we learned the following:

- Those committing gun violence on school grounds, especially active shooters, often have a connection to the school;
- Guns used in school-based violence generally come from the shooter's home or the homes of family or friends;
- Shooters often exhibit warning signs of potential violence that concern those around them; and
- 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, researchinformed intervention plan to prevent active shooter incidents and, more broadly, address gun violence in all its forms in American schools. As representatives of education professionals across the country, parents of school-age children who volunteer with Moms Demand Action for Gun Sense in America (part of Everytown), and student activists through Everytown's Students Demand Action for Gun Sense in America chapters, the authors believe it is imperative to help keep our kids safe at school with proven effective approaches. Using what we know about school gun violence, our organizations have put together a plan that focuses on intervening before violence occurs. 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.

The first part of this plan focuses on preventing shooters from getting their hands on guns by enacting sensible laws, including:

- Extreme Risk laws so that law enforcement and family members can act on warning signs of violence and temporarily prevent access to firearms;
- Secure firearm storage laws to address the primary source of guns used in school gun violence—the shooter's home or the homes of family or friends and educational programs to raise awareness about the importance of secure storage;
- Raising the age to purchase semiautomatic firearms to 21; and
- Requiring background checks on all gun sales so that minors and people with dangerous histories can't evade our gun laws.

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. These actions must be taken with due consideration for potential racial disparities and ensure that students of color or with disabilities are not disproportionately affected. Schools can do this by:

- Establishing evidence-based threat assessment programs in schools to identify students who may be in crisis, assess the risk, and appropriately intervene without overly relying on discipline or the criminal justice system but by expanding access to mental health services in schools;
- Implementing basic security upgrades to prevent shooters' access to schools and classrooms;
- Responsibly planning in advance for emergencies so staff can immediately lock out schools and law enforcement can respond quickly, including taking a trauma-informed approach to any drills that involve students; and
- Establishing safe and equitable schools to help reduce gun violence, especially in high-risk communities.

### 3. Stop Schools from Arming Teachers

Third, this report provides a thorough overview of why arming teachers and allowing more guns in our schools poses a risk to our children. We share the desire to respond to unthinkable tragedy with strong solutions, but as this report thoroughly details, arming teachers is an ineffective and risky approach to stopping gun violence in our schools. A wealth of research shows allowing teachers to carry guns in schools increases the everyday risks to students. This report demonstrates that it is unrealistic to believe that a teacher would be able to protect their students, neutralize a shooter, and not be a risk to themselves and to their students. Everytown, AFT, and NEA urge our leaders to instead 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) is the education, research and litigation arm of Everytown for Gun Safety, the largest gun violence prevention organization in the country with nearly six million supporters. The Everytown Support Fund seeks to improve our understanding of the causes of gun violence and help to reduce it by conducting groundbreaking original research, developing evidence-based policies, communicating this knowledge to the American public, and advancing gun safety and gun violence prevention in communities and the courts.

### Moms Demand Action for Gun Sense in America

Moms Demand Action for Gun Sense in America (Moms Demand Action), a part of Everytown for Gun Safety, is the nation's largest grassroots volunteer network working to end gun violence. Moms Demand Action campaigns for new and stronger solutions to lax gun laws and loopholes that jeopardize the safety of our families. There is a Moms Demand Action chapter in every state of the country and more than 700 local groups across the country.

### Students Demand Action for Gun Sense in America

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Students Demand Action for Gun Sense in America (Students Demand Action), a part of Everytown for Gun Safety, is a national movement of high school and college-aged volunteers working to end gun violence. Students Demand Action volunteers organize within their schools and communities to educate their peers, register voters and demand common-sense solutions to this national crisis. Students Demand Action has active volunteers in every state and nearly 400 groups across the country.

#### **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**

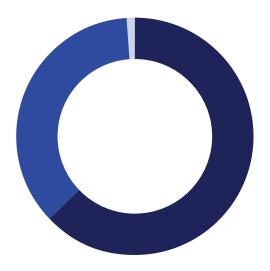
The National Education Association (NEA), the nation's largest labor union, is committed to advancing the cause of public education. NEA's 3 million members work at every level of education, from preschool to university graduate programs. NEA has affiliate organizations in every state and in more than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

# Gun Violence in America's Schools

Everytown's database of <u>Gunfire on School Grounds</u> details the myriad ways in which gun violence manifests in American schools. Following the mass shooting at Sandy Hook Elementary 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 at schools. To this end, 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>

### **Gunfire on School Grounds Incidents**



- **63%** K-12
- 37% Colleges and Universities
- <1% Daycare

From 2013 to 2019, Everytown identified 549 incidents of gunfire on school grounds. Of these, 347 occurred on the grounds of an elementary, middle, or high school,² resulting in 129 deaths and 270 people wounded.³ At least 208 of the victims were students.⁴ This represents a small proportion of the nearly 2,900 children and teens (ages 0 to 19) shot and killed, and nearly 15,600 shot and wounded, annually.⁵ While Everytown's database includes gunfire on the grounds of 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, and high schools.

# At least 208 of the gunfire on school grounds incidents were students.

This analysis shows that mass shootings on school grounds—like the incident at Sandy Hook Elementary School and, more recently, Marjory Stoneman Douglas High School and Santa Fe High School—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 people wounded from school gun violence. Mass shootings also are imposing an unknown amount of trauma on a generation of students and communities. It is unfathomable that our leaders have not taken the steps necessary to intervene 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 gun homicides and non-fatal gun assaults, unintentional discharges resulting in gunshot wounds or death, and, to a slightly lesser extent, self-harm and suicide deaths using a firearm.

### Incidents by Intent9



- **54%** Gun Homicides and Non-Fatal Assaults
- <1% Mass Shootings
- **21%** Unintentional Shootings
- **10%** Gun Suicide Deaths and Attempts
- 14% Legal Interventions and Uncategorized Incidents

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>6</sup> A growing body of research shows that the lingering trauma from exposure to gun violence affects everything from the ability to maintain attention<sup>7</sup> to overall enrollment numbers and performance on standardized tests.<sup>8</sup> To address all incidents of gun violence at schools and their detrimental effects, a broader platform of solutions is required.

### **Gun Homicides, Non-Fatal Assaults, and Mass Shootings**

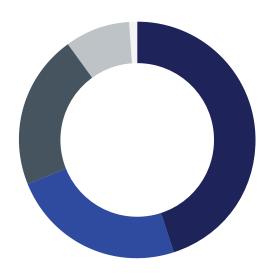
The majority of incidents of gun violence in elementary, middle, and high schools—55 percent—are homicides, non-fatal assaults, and mass shootings. Everytown identified only three mass shootings—incidents where a shooter killed four or more people—in an elementary, middle, or high school between 2013 and 2019. Far more common were 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, 11 comprising less than 1 percent of school gunfire incidents, they account for a quarter (24 percent) of overall gun deaths and 12 percent of all people shot and wounded in schools. 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 seven years, there were 167 homicides and non-fatal assaults with a firearm, including three mass shootings, that took place on the grounds of elementary, middle, and high schools. These incidents resulted in at least 301 victims: 88 deaths and 213 shot and wounded. Thirty-five percent of those deaths and 15 percent of those shot and wounded occurred during mass shootings. At least 150 of the victims of gun homicides and non-fatal assaults were students at the time, and 37 percent of those students were shot during mass shootings.

Homicide is the second leading cause of death among youths ages 5 to 18, and research from the School-Associated Violent Death Surveillance System found that less than 2 percent of these homicides occur on school grounds, on the way to or from school, or at or on the way to or from a school-sponsored event.<sup>13</sup>

### **Gun Deaths by Intent**



- 45% Gun Homicides
- 24% Mass Shootings
- 21% Gun Suicide Deaths
- 9% Legal Interventions and Uncategorized Incidents
- **1%** Unintentional Shootings

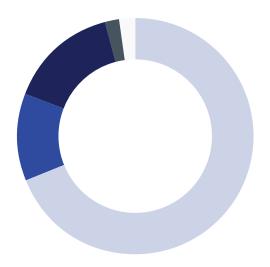
### **Unintentional Shootings**

Approximately 21 percent of gunfire incidents that occurred on the grounds of elementary, middle, and high schools were unintentional, including those resulting in gunshot wounds or death and incidents in which no one was shot. These 64 incidents resulted in at least one death and 39 people wounded. At least 25 of those victims were students at the time.

### **Suicide Deaths and Attempts**

Ten 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 31 incidents resulted in 27 deaths and four people wounded. At least 25 of those victims were students at the time.

### **Gun Injuries by Intent**



- **69%** Gun Assaults
- **12%** Mass Shootings
- **2%** Gun Suicide Attempts
- 2% Legal Interventions and Uncategorized Incidents
- **15%** Unintentional Shootings

### Legal Interventions and Uncategorized Incidents

The remaining incidents of gunfire on the grounds of elementary, middle, and high schools—14 percent—were legal interventions or other incidents in which the intention of the shooter falls outside of the categories listed here.

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. These 43 incidents resulted in 11 deaths and six people wounded.<sup>16</sup>

# 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 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, 58 percent were associated with the school—they were either current or former students, staff, faculty, or school resource officers.<sup>17</sup> Of the 128 shooters involved in gun homicides and non-fatal assaults, 38 percent were current or former students. Of the three shooters involved in mass shooting incidents, all (100 percent) were current or former students. Of the 62 shooters involved in unintentional discharges, 55 percent were current or former students. Finally, of the 30 shooters involved in self-harm injuries and suicide deaths, 90 percent were current or former students.

Considering only active school shooters—those shooters who were actively engaged in killing or attempting to kill others in a school<sup>18</sup>—the numbers are higher. An analysis of the New York City Police Department's review of 57 active shooter incidents in K-12 schools in the US from 1966 to 2016 found that in 75 percent of these incidents, the shooter or shooters were school-age and were current or former students.<sup>19</sup>

Similarly, an analysis by researchers who received funding from the National Institute of Justice found that in the six mass school shootings (Columbine High School, Red Lake Senior High School, West Nickel Mines School, Sandy Hook Elementary School, Marjory Stoneman Douglas High School, and Santa Fe High School) and 39 attempted mass school shootings<sup>20</sup> in the US between April 1999 and May 2019, the majority of shooters (70 percent) were white males, and nearly all (91 percent) were current or former students at the school.<sup>21</sup>

This data suggests that school-based interventions, like threat assessment programs, comprehensive counseling, and student support programs, can be effective tools for addressing school gun violence. And school safety drills with students may be ineffective because the preparedness protocols and procedures are being shared with the very individuals most likely to perpetrate a school shooting.

58%

of shooters were associated with the school—they were either current or former students, staff, faculty, or school resource officers.

100%

of mass school shooters were current or former students.

70%

of mass school shooters and attempted mass school shooters were white males.

# Gun(s) Used in School Shootings



• 48% Guns not securely stored

### 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 45 percent of the incidents that involved shooters under 18 years old (a total of 126 shooters). Most of these shooters—74 percent—obtained the gun(s) from their home or the homes of relatives or friends. This finding is consistent with other studies showing that 73 to 80 percent of school shooters under age 18 acquired the gun(s) they used from their home or the homes of relatives or friends. Shooters under age 18 acquired the gun(s) they used from their home or the homes of relatives or friends.

The US Secret Service with partners have undertaken two significant studies of targeted school violence that encompassed incidents from 1974 through June 2000 in one study and incidents from 2008 through 2017 in another. In both periods, approximately three-quarters of school shooters acquired the firearm from the home of a parent or close relative (73 percent in the first study and 76 percent in the second study). The study of incidents from 2008 through 2017 found that in nearly half of the shootings, the evidence indicates the firearm was easily accessible or was not stored securely. The study of securely.

This data suggests that secure storage laws and raising awareness about secure storage responsibilities can be effective tools in addressing the source of guns used in school gun violence. And school safety drills with students may be ineffective because the preparedness protocols and procedures are being shared with the very individuals most likely to perpetrate a school shooting.

73-80%

of school shooters obtained the gun(s) from their home or the homes of relatives or friends.

100%

of school attackers exhbited warning signs.

77%

of school shooting incidents, at least 1 person knew about the attacker's plan.

# School Racial Demographics



- **64%** Majority-Minority Schools
- **36%** Majority-White Schools

### **There Are Often Warning Signs**

Particularly with school violence incidents, there are often warning signs. These warning signs, if appropriately identified, can offer an opportunity for intervention. The Secret Service and the US Department of Education studied all targeted school violence incidents during two different time periods and found overwhelming evidence about warning signs. From 1974 through June 2000, in 93 percent of cases there were behavioral warning signs that caused others to be concerned.26 The study 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>27</sup> A follow-up study on incidents from 2008 through 2017 found that 100 percent of the perpetrators showed concerning behaviors, and 77 percent of the time at least one person, most often a peer, knew about their plan.<sup>28</sup>

This data suggests that anonymous reporting systems, coupled with evidence-based threat assessment programs that 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 prevention, especially when utilizing Extreme Risk laws as appropriate. In addition, improvements to school climate that foster trust between students and adults are needed to ensure that students are willing to report warning signs.

### Gun Violence in American Schools Has a Disproportionate Impact on Students of Color<sup>29</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 335 shooting incidents at K-12 schools where the racial demographic information of the student body was known, 64 percent occurred in majorityminority schools.30 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>31</sup> they constitute 25 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).32 This suggests that creating safe and equitable schools and supporting community-oriented intervention programs in communities with high rates of gun violence can help address these broader trends.

# A Comprehensive Plan for Preventing Mass Shootings and Ending All Gun Violence in American Schools

# Tailored Gun Violence Prevention Policies and Interventions

In order to effectively address 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 create safe climates, provide sufficient counseling and mental health services, and intervene before a student becomes a shooter.

### Act on Warning Signs with Extreme Risk Laws

As with most active shooter incidents in schools, there were warning signs prior to the shooting at Marjory Stoneman Douglas High School. Nearly 30 people knew about the shooter's previous violent behavior,<sup>33</sup> and law enforcement had been called to incidents involving the shooter on more than 20 occasions.<sup>34</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.

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

Extreme Risk laws are a critical intervention tool that can be used to prevent violent situations. When family, educators, or law enforcement are 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 use a court process and ask a judge for a civil restraining order. These extreme risk protection orders, sometimes known as red flag orders or gun violence restraining orders, can be issued only after a specific legal determination is made that a person poses a serious threat to themselves 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, Extreme Risk laws are a critical tool for intervening before a violent student acts on their threats. In cases where a student poses a threat, these orders can be used to prevent a student from buying a firearm even if otherwise they would legally be allowed to do so. These orders can also be used with minors, who may not be legally allowed to buy or have guns, but may still have access to them at home. Extreme risk protection orders can prevent this access and put family members on notice that they need to store firearms securely.

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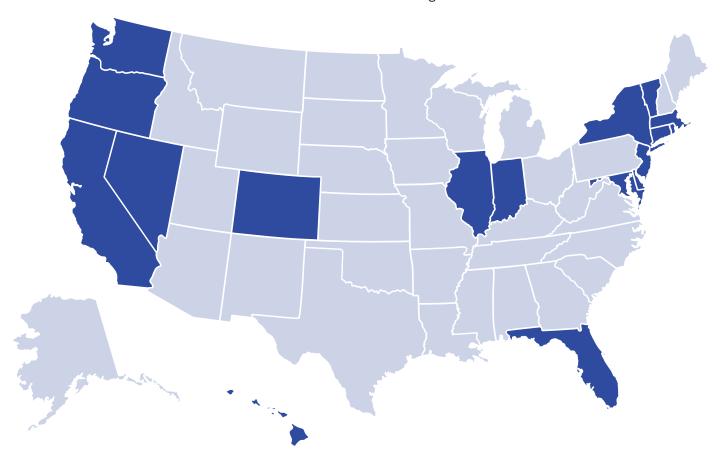
There is strong evidence that these laws can prevent acts of violence before they happen. In Maryland, according to leaders of the Maryland Sheriffs' Association, a recently passed Extreme Risk law has been invoked in at least four cases involving "significant threats" against schools.35 In Florida, 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>36</sup> and in another in which a potential school shooter said killing people would be "fun and addicting." A study in California details 21 cases in which a gun violence restraining order, California's name for an extreme risk protection order, was used in efforts to prevent mass shootings, including five instances where schools or children were targeted.38

Extreme Risk laws can also be used to help address firearm suicide in schools. One study found that following Connecticut's increased enforcement of its law, the firearm suicide rate decreased by 14 percent.<sup>39</sup> The same study found that in the 10 years following the passage of Indiana's law, the firearm suicide rate decreased by 7.5 percent.<sup>40</sup>

### States with Extreme Risk Laws

Because Extreme Risk 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 Marjory Stoneman Douglas High School and Santa Fe High School, endorsed Extreme Risk laws as an effective tool to prevent school gun violence. Twelve states, including Florida, as well as Washington, DC, have passed Extreme Risk laws since the shooting at Marjory Stoneman Douglas High School in 2018; five of them were signed by Republican governors In all, 17 states and DC now have Extreme Risk laws on the books.

For states that have already enacted Extreme Risk laws, public awareness is a key component for successful implementation. Everytown, AFT, and NEA 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 an extreme risk protection order. School officials also need to know that this is a toolavailable to them as part of a comprehensive intervention with a student who is at serious risk to themselves or others. 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 Secure Firearm Storage Laws, Enforce Them, and Raise Awareness**

In Santa Fe, Texas, on May 18, 2018, a student walked into Santa Fe High School and shot and killed 10 students and staff members and wounded 13 others. He had taken the firearms he used in the shooting from his father, who had failed to store them securely.44 The most common sources of guns used in school shootings and across all school gun violence are the shooter's home, the homes of friends, and the homes of relatives. This is unsurprising, as nearly 4.6 million American children live in homes with at least one gun that is loaded and unlocked. 45 Everytown, AFT, and NEA recommend that states enact and enforce secure firearm storage laws. In addition, policymakers should promote public awareness programs that can encourage secure storage and induce behavior change.

### 4.6 million

# American children live in homes with at least one gun that is **loaded and unlocked**.

These laws require that people store firearms securely when they are not in their possession in order to prevent unauthorized access. Under these laws, generally, when a person accesses a firearm and does harm with it, the person who failed to securely store the firearm is liable. A common form of secure storage laws, child access prevention laws, are more narrowly tailored, and they hold individuals liable only when minors access firearms that are not securely stored. Twenty states and DC currently have some form of secure storage law.<sup>46</sup> In addition, several cities, including New York City, San Francisco, Seattle, and Edmonds, Washington, have passed secure storage laws.<sup>47</sup>

**20 states and DC** have some form of secure storage law.

Studies show that these laws can have a positive impact on preventing gun violence, particularly 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 selfinflicted firearm injuries and an 85 percent lower risk of unintentional firearm injuries among children and teenagers than those that locked neither. 48 Another study estimated that if half of households with children that contain at least one unlocked gun switched to locking all of their guns, one-third of youth gun suicides and unintentional deaths could be prevented, saving an estimated 251 lives in a single year. 49 Given what is known about the source of guns in school gun violence, evidence suggests these laws can help prevent underage shooters from accessing unsecured guns in homes and prevent mass shootings and other violent incidents.

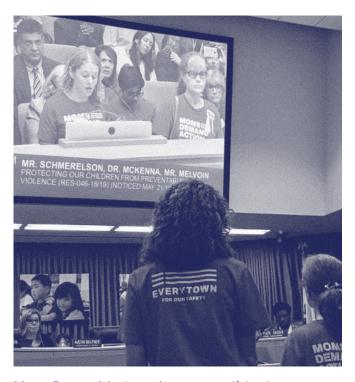
Enforcement and public awareness are essential components in making sure that these laws work to create a culture of secure gun storage. To facilitate effective enforcement, state legislatures need to make sure their laws are precisely written to cover access by anyone under 18. Local officials also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

In addition to enacting secure storage laws, policymakers should encourage a culture of secure gun storage by increasing awareness of secure storage practices. For years, Moms Demand Action has run a program called Be SMART.50 This program focuses on fostering conversations about secure 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 stands for: 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 secure 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 securely in order to prevent unauthorized access. Schools should distribute information to parents about the importance of secure storage, as is being done by school officials in Los Angeles, Denver, and throughout Tennessee.

Passing secure storage laws, enforcing them, and encouraging secure 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.



Moms Demand Action volunteers presenting the Be SMART program.



Moms Demand Action volunteers testifying in support of the secure storage resolution that passed the Los Angeles Unified School District (LAUSD) Board of Education in June 2019.

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

Despite research that suggests most active shooters are school-age 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 do,<sup>51</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 schoolage shooters from easily obtaining firearms.

Under federal law, to purchase a handgun from a licensed gun dealer, a person must be 21.<sup>52</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>53</sup> Only a few states have acted to close these gaps.<sup>54</sup>

These deficiencies in the law leave an easy path for active shooters to obtain firearms. Because he was under 21, the Marjory Stoneman Douglas High School shooter could not have gone into a gun store and bought a handgun, but he was able to legally buy the AR-15 assault-style rifle he used in the shooting. Following the shooting, Florida changed its law to raise the age to purchase all firearms to 21.55 Minimum age laws can work in tandem with secure storage and Extreme Risk laws to cut off an easy way for shooters to obtain firearms.

# Minimum age laws can work in tandem with secure storage and Extreme Risk laws to restrict access to 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.



Nearly 1 in 9 people looking to buy a firearm on Armslist.com are people who cannot legally have firearms.

21 states and DC require a background check on all handgun sales.

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. For example, when a person becomes subject to an extreme risk protection 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, including those at gun shows or online. 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.

A recent Everytown investigation showed that as many as 1 in 9 people looking 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>57</sup> And the unlicensed-sales 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>58</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 extreme risk protection 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 other strategies to keep guns out of the hands of shooters.

Background checks are proven to reduce gun violence. Twenty-one states and DC already require a background check on all handgun sales. 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. After 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. and its firearm suicide rate decreased by 15 percent. Background checks reduce gun violence and are a crucial backbone for any school gun violence prevention strategy.

### 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 with appropriate treatment.

To do this, Everytown, AFT, and NEA recommend that schools, concurrent with other site-based interventions, create evidence-based 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 risk of committing violence and resolve student threat incidents by getting the students the help they need.<sup>63</sup> The programs generally consist of multidisciplinary 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. These evidence-based programs are not designed to rely on discipline or the criminal justice system, and proper implementation is key to prevent undue harm to students of color or students with disabilities. Schools should ensure that sufficient professionals are available to provide all students, especially those who are identified to be in crisis, with mental health services.

# Threat assessment teams are unanimously recommended by school safety experts.

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 US Secret Service<sup>64</sup> and Department of Education.65 A 2002 FBI report states that "By far the most valuable prevention strategy identified was the threat assessment and management team,"66 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."67 In addition, reports from federal agencies under the Bush and Trump administrations, including the recent Federal Commission on School Safety report, recommend that schools implement school threat assessment programs.<sup>68</sup>

#### **Effective Models**

The Comprehensive Student Threat Assessment Guidelines (CSTAG), formerly known as the Virginia Student Threat Assessment Guidelines, which were created by Dr. Dewey Cornell at the University of Virginia, are a model program. CSTAG 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 carry out a threat of violence or attempt to, with none of the threats that were carried out being serious threats to kill, shoot, or seriously injure someone. 69 Schools with CSTAG threat assessment programs also see fewer expulsions, suspensions, and arrests, and improved school climate.70 This is critically important because suspension or expulsion has been cited as the crisis that set off some school shooters.71 Importantly, studies have shown that CSTAG threat assessment programs generally do not have a disproportionate impact on students of color.<sup>72</sup> Districts and 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.

### **Identify Threats**

Effective threat assessment programs must have a mechanism to identify and collect information about threats of violence, including a means to anonymously report threats. The US Secret Service recommends schools establish tip lines to promote the sharing and collection of information about threats.73 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>74</sup> Where appropriate, and with due care, 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 that 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 US Secret Service. 75 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. In states with an Extreme Risk law, the school can work with family or law enforcement and consider whether utilizing an extreme risk protection order is appropriate to ensure the student does not have access to guns in his house.

# **Ensure That Sufficient Professionals Are Available to Provide Students with Mental Health Services**

As part of an effective threat assessment and management strategy, and to promote successful student outcomes and violence reduction overall, schools need to ensure that students have sufficient access to professionals who can provide mental health services, including school psychologists, school social workers, school nurses, and school counselors.

School-employed mental health professionals serve as a critical resource for them as students navigate the education system and the challenges of emotional and social development. These professionals may also be among the first to know when students are experiencing problems or when they are at a risk for violence. They can guide students through emotional or behavioral problems and can serve as a key point of intervention and information gathering for threat assessment programs. Most importantly, these professionals foster positive school climates and student wellness, which is essential to preventing violence.

Yet data compiled by the National Center for Education Statistics shows that the national studentto-counselor ratio is much higher than best practices dictate. Currently, on average, each counselor handles about 442 students.76 The American School Counselor Association best practice recommendation is that each counselor be responsible for no more than 250 students.<sup>77</sup> The National Association of School Psychologists similarly found the studentto-psychologist ratio to be 1,381 students to 1 school psychologist—2 to 3 times higher than the recommended 500-700 students.78 To protect our schools and ensure that threat assessment programs are effective, legislatures need to fund—and schools need to prioritize hiring—an appropriate number of mental health professionals in schools.

# Implement Basic Security Upgrades

In 2017, as the sound of gunshots echoed across campus, school administrators at Rancho Tehama Elementary School in Rancho Tehama Reserve located in Tehama County, California, 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. 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.

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.

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**

In 2018, a the shooter arrived on the campus of Marjory Stoneman Douglas High School in Parkland, Florida, 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. The shooter took advantage of this and entered the school campus. As he entered Building 12, where the shooting happened, he exploited another critical safety failure, as the door was left unlocked and accessible to all. In fact, the Marjory Stoneman Douglas Public Safety Commission found that "The 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."

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. 84 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.

#### **Interior Door Locks**

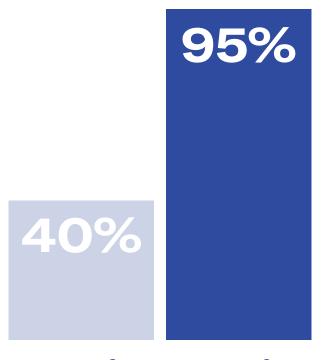
In the shootings at both Sandy Hook Elementary School and Marjory Stoneman Douglas High School, teachers had to step outside of their classrooms while the shooting was underway in order to lock their doors. This exposed the educators and students to danger. Doors that were left unlocked were unsecured 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. \$5 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.

# **Establish Emergency Planning And Preparation**

Planning and preparation are key to ensuring an effective response if an incident of gun violence does occur on school grounds. 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, and 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>86</sup>

### Schools with Lockdown Drills



2005-06 School Year

2015-16 School Year

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 effectivelyrespond to an active shooter situation in a coordinated fashion."<sup>87</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>88</sup>

Drills to prepare students and staff to respond in the unlikely event of a shooting have become a near-universal practice in American schools today, starting in preschool and continuing through high school. Beginning largely after the shooting at Columbine High School in 1999, schools began implementing drills in an effort to protect students from active shooters, and the practice has steadily increased since. In the 2005–06 school year, only 40 percent of American public schools drilled students on lockdown procedures in the event of a shooting;<sup>89</sup> by the 2015–16 school year, 95 percent did.<sup>90</sup>

Lockdown drills refer to procedures in which students and staff in a school building are directed to remain confined to an area, with specific procedures to follow. Active shooter drills are a type of lockdown drill tailored specifically to address active shootings.91 Though there is scant evidence that they are effective at preventing deaths in school shooting situations, school-based drills are required in at least 40 states.92 But state statutes on this type of drill are often vague and leave the nature, content, and identification of who participates in these drills up to school administrators. As a result, students are required to participate in drills that vary dramatically across America's schools, from some that involve advance parental notification of trauma-sensitive, developmentally appropriate exercises, to others that deploy "masked gunmen" actors, require students as young as 3 and 4 years old to be confined within a space for extended periods and fail to inform children that they are in a drill until it is over.93

Everytown, AFT, and NEA support trauma-informed training for school staff on how to respond to active **shooter situations.** This might include training on lockout procedures, evacuation procedures, and emergency medical training. Parents, students, educators, and medical professionals have raised many concerns about the possible impact that active shooter drills can have on student development, including the risk for depression and anxiety and the risk for lasting symptoms.94 Therefore, our organizations do not recommend training for students as a preventative measure. We firmly believe that schools must be very mindful of the impact of active shooter drills that involve students and take that into consideration when designing such programs and determining whether to include students.95

If a school does choose to include students in these exercises about active shooters, Everytown, AFT, and NEA support the following guidelines, which are aligned with those of the National Association of School Psychologists and the National Association of School Resource Officers, 66 to protect student well-being:

- Drills should not include simulations that mimic or appear to be an actual shooting incident;
- Sufficient information and notification should be provided to parents or guardians in advance about the dates, content, and tone of any drills for students;
- Drills should be announced to students and educators prior to the start of any drill;
- Drill content must be created by a multidisciplinary team including administrators, educators, schoolbased mental health professionals, and law enforcement, and be age- and developmentallyappropriate. The content should also incorporate student input;
- Drills should be coupled with trauma-informed approaches to directly address student well-being as standard practice; and
- Information about the efficacy and effects of the drills should be tracked by schools, including symptoms and indications of trauma (e.g., bad dreams, fear of coming to school, asthma attacks, increased antidepressant prescriptions) so drill content can be re-evaluated if students and/or educators are exhibiting signs of trauma.

### 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, they 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 and has had an acute negative effect on students of color. In that connection, schools need to review their discipline policies to make sure they are not unduly punishing students and 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.

"I was genuinely not sure if I would finish the day alive,"

said an eighth-grade student in South Orange, New Jersey, about her experience during an active shooter drill.

### **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 to 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, their families, community members, and school staff. By 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 helps create better conditions for both teaching and learning. They're a place where educators, students, 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: create safe passages to and from school, provide alternatives to out-of-school suspensions that offer meaningful educational opportunities for students; reduce suspension rates and break the school-toprison pipeline; increase access to mentoring and counseling services both inside and outside of 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. Any such decision should be informed by the unique social and cultural needs of a school and the potential collateral consequences that come with having an SRO on campus, especially to students of color and students with disabilities. There is no research indicating that SROs prevent mass school shootings, but if a school decides to have an SRO program, it should be guided by the best practices in selection, scope of responsibilities, training, and oversight.

The Safe School-based Enforcement Through Collaboration, Understanding, and Respect (SECURe) rubric developed by the US Department of Justice Office of Community Oriented Policing Services in partnership with the US Department of Education to address concerns about SROs in schools suggests schools should do the following when employing an SRO:

- Create sustainable partnerships and formalize memorandums of understanding (MOUs) that outline clear roles and responsibilities among school districts, local law enforcement agencies, juvenile justice entities, and civil rights and community stakeholders;
- Ensure that MOUs meet constitutional and statutory civil rights requirements;
- · Recruit and hire effective SROs and school personnel;
- Keep SROs and school personnel well trained;
- Continually evaluate SROs and school personnel and recognize good performance.<sup>98</sup>

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

# 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 on 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 costeffective replacements for law enforcement, but arming teachers would cost billions of dollars for salaries, training, equipment, and insurance, 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 officials, 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 Chiefs Association have each indicated their opposition to arming teachers.<sup>99</sup>

Parents and teachers also oppose arming teachers. A March 2018 survey of almost 500 US teachers found that 73 percent oppose proposals to arm school staff.<sup>100</sup> Another survey found that 63 percent of parents of elementary, middle, and high school students oppose arming teachers.<sup>101</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. 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 January 2019 report from Vice News found that at least 466 school districts across the county have chosen to arm school staff, 215 of them since February 2018, the month of the Marjory Stoneman Douglas High School shooting. Everytown, AFT, and NEA believe schools should reject this risky practice.

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?

### 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>104</sup> On average, recruits receive 168 hours of training on weapons, self-defense, and the use of force.<sup>105</sup>

In the 10 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 free to set their own policy to allow staff to carry guns. 106 There is no required minimum training. The same is true in Georgia, where the law provides that armed school personnel must be trained but does not require them to meet any minimum number of training hours. 107 Several school districts across the country are exploiting vagaries in the law to arm teachers, with no state oversight. For example, a gap in Texas law led to the establishment of programs commonly known as "Guardian" programs. These programs let school districts set their own policy on what qualifications and training is required for armed teachers and staff, without any required minimum training. 108 (See Appendix B. to learn more about Florida's failed experiment with the Guardian program.)

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>109</sup> To expect a teacher to make split-second, life-or-death decisions to protect children and themselves or try to take down an active shooter is unrealistic.

### **Students Will Access Teachers' Guns**

More access to firearms is strongly correlated with additional risk of gun violence. 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 those 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. To Nearly a quarter of parents did not know that their children had handled the gun in their house. He had the guns are put into schools by teachers and staff, 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 of age, access to a firearm triples the risk of death by suicide and doubles the risk of death by homicide.

Access to a firearm triples the risk of death by suicide and doubles the risk of death by homicide. Access is not only a risk, it is a reality.

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>113</sup> or locker rooms,<sup>114</sup> even a gun that fell out when a teacher did a backflip.<sup>115</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>116</sup> The fact is that more guns in schools increases the chance 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>117</sup> and firearm suicides by faculty or staff at schools. <sup>118</sup> It also includes a number of unintentional incidents by both school resource officers <sup>119</sup> and teachers who accidentally discharged their firearms in schools. <sup>120</sup>

### Armed Staff Could Disproportionately Affect Students of Color

Arming teachers would create a culture of fear for students of color, who are already subject to harsher discipline than their white classmates. The US Department of Education Office for Civil Rights found that during the 2015–16 school year, Black students comprised 15 percent of the total students enrolled in public school but accounted for 31 percent of students referred to or arrested by police.<sup>121</sup>

Research has also found that increasing armed presence in schools is associated with an increase in middle school discipline rates, a decrease in high school graduation rates, and a decrease in college enrollment. There were marked increases in disciplinary actions among all races of students, and the effects were largest for students who were Black. These findings suggest that students of color could be severely disadvantaged if more guns were brought into schools.

Armed presence in schools can also have academic ramifications for students of color. A program which increased exposure to police in high crime areas in New York City was associated with lowered educational performance of Black male students during the years in which it was in effect.<sup>123</sup>

"We don't know who the good guy is versus who the bad guy is if everyone starts shooting," said former Dallas Police Chief David Brown.

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

Responding to an active shooter incident can be complex. Reports and analysis of mass shootings continually show communication errors, narrowly avoided friendly-fire incidents, and a lack of coordination during responses to active shooter incidents. To introduce a new variable—armed teachers—into this equation would serve only to further complicate law enforcement's response to active shooter incidents. 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 who the bad guy is if everyone starts shooting." 124

### **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. 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 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 threat.

Unlike misguided, reactive solutions focused on arming staff and teachers, which serves only to put our children in more danger, the strategies recommended in this report 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.

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# Appendix A: 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:

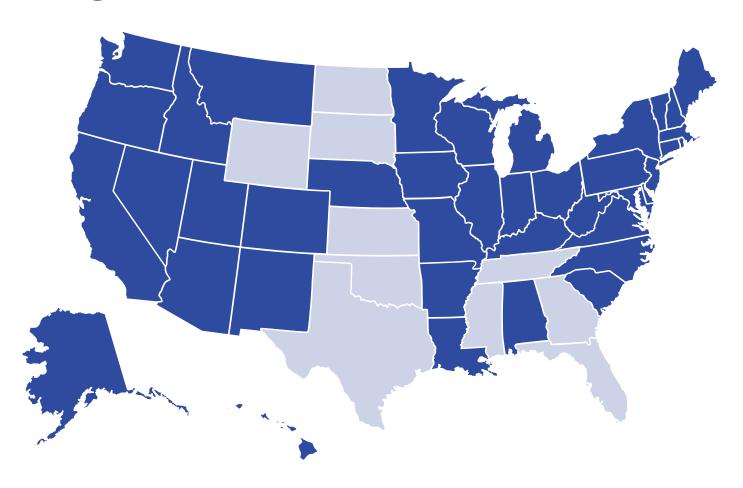
Ten states have laws explicitly aimed at arming school personnel: Florida, Georgia, Kansas, Missouri, North Dakota, Oklahoma, South Dakota, Tennessee, Texas, and Wyoming.

States with Laws Explicitly Aimed at Arming School Personnel 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, and 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, 126 Texas, and Washington. 127



# Appendix B: The Failed Florida Experiment

Following the 2018 shooting at Marjory Stoneman Douglas High School in Parkland, Florida, lawmakers implemented the Guardian program which allows schools to arm teachers and staff.

Despite a widespread rejection of arming teachers or staff by the majority of schools, and a documented history of problems, some states are pointing to Florida as a model for school safety without fully understanding the Florida experience. Legislators and school officials should heed the lessons learned in Florida and reject arming teachers.

### The Florida Law Has Been Widely Rejected by Florida Schools and Education Groups

Since its implementation, school districts have overwhelmingly rejected armed teachers and staff as part of school safety plans.<sup>128</sup> They are joined in their opposition from groups across the state, including the Florida Education Association,<sup>129</sup> the Florida PTA,<sup>130</sup> and the Florida Association of School Resource Officers.<sup>131</sup>

### The Guardian Program Has Been Plagued by Controversy and Failures

The Guardian program is emblematic of the problems that are associated with attempts to arm teachers and the effort demonstrates why resources are better aimed at enacting evidence-based solutions that can intervene before shootings happen.

Since its creation, the program has struggled to recruit and retain eligible people to serve as Guardians. Some of the people that have been recruited into the program have dangerous histories or have shown serious lapses in judgement. For example:

- In September 2019, a school Guardian was arrested for domestic battery and false imprisonment after he held a woman against her will in an apartment and pushed her as she attempted to leave. During the investigation, it was discovered that he had pawned the gun, body armor, and magazines he was issued by the Guardian program.<sup>133</sup>
- In 2018, a Guardian was arrested after he pawned his issued firearm multiple times.<sup>134</sup>
- Another school Guardian was fired after a series of conspiracy-laden social media posts surfaced, including one that included a depiction of a law enforcement officer's SWAT helmet with a bullet hole.<sup>135</sup>

Many who argue in favor of the program talk about the training Guardians receive. Yet even that process has been plagued by failures. For example, a school board retained a training company that used unqualified instructors, passed Guardians who failed shooting tests and committed several other violations, according to a report by the Palm Beach County Sheriff's Office. 136

The Florida experience highlights what we already know: Rather than make schools safer, armed teachers and staff introduce new risks into schools.

- 1. For seven 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 City Police Department to supplement original analyses and findings.
- Everytown's Gunfire on School Grounds database includes 201 incidents on colleges and universities and one incident at a daycare. These incidents were excluded from analyses to focus on gunfire on K-12 school grounds.
- The number of victim deaths and people wounded includes shooters shot during unintentional discharge and self-harm incidents.
- The number of student victims includes shooters shot during unintentional discharge and self-harm incidents.
- 5. Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, Web-based Injury Statistics Query and Reporting System (WISQARS) Fatal Injury Reports and Nonfatal Injury Reports. A yearly average was developed using five years of most recent available data: 2013 to 2017. Children and teens are defined as ages 0 to 19.
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- Louis-Philippe Beland and Dongwoo Kim, "The Effect of High School Shootings on Schools and Student Performance," Educational Evaluation and Policy Analysis 38, no. 1 (March 2016): 113–26, https://doi. org/10.3102/0162373715590683.
- 9. Everytown was able to determine the shooter's intent in 305 incidents, the breakdown and analysis for which is provided.
- 10. 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, Washington, Marjory Stoneman Douglas in Parkland, Florida, and Santa Fe High School, in Santa Fe, Texas.
- 11. 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 1,500 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/.
- For this category, the number of deaths and people wounded excludes the shooter.
- Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, Division of Violence Prevention, "School-Associated Violent Death Study," accessed February 1, 2020, https://bit.ly/316veKU.
- For this category, the number of deaths and people wounded includes the non-fatal wounds or death of the shooter.
- 15. For this category, the number of deaths and people wounded includes the non-fatal wounds or death of the shooter only in the event that the shooter did not intend to harm another.
- For this category, the number of deaths and people wounded excludes the shooter.
- 17. Everytown was able to determine both the primary shooter's intent and the primary and additional shooter's relationship to the school for 269 of the 395 shooters, this number includes shooters that returned gunfire (e.g., law enforcement, school resource officers, and targeted individuals who were armed).

- 18. New York City Police Department, "Active Shooter: Recommendations and Analysis for Risk Mitigation," 2016, https://on.nyc.gov/2nWHM4O 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 City Police Department (NYPD), adopting a definition created by the US Department of Homeland Security 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.
- New York City Police Department. Everytown limited analysis to incidents that took place in K-12 schools and defined school-aged as under the age of 21
- 20. Defined as incidents where a person came to a school heavily armed and fired indiscriminately at numerous people.
- Jillian Peterson and James Densley, "School Shooters Usually Show These Signs of Distress Long before They Open Fire, Our Database Shows," The Conversation, February 8, 2019, https://bit.ly/2vBTA3J.
- 22. Everytown limited its analysis to primary shooters because of the unavailability of gun source data for additional shooters in multiple-shooter incidents. Everytown was able to identify the age of 235 of the 347 primary shooters. Of the remaining shooters, either the shooter was not identified in the media or police reports, or demographic information was unavailable.
- National Threat Assessment Center, "Protecting America's Schools: A US Secret Service Analysis of Targeted School Violence" (US Secret Service. Department of Homeland Security, 2019), https://bit.ly/2U7vnwa The study analyzed 41 incidents of targeted school violence from 2008 through 2017 finding that of the 25 incidents that involved firearms, 76 percent of shooters acquired the gun(s) used in the incidents from their home or that of a relative. This report also included a summary of a previous analysis of 37 incidents of targeted school violence from 1974 through June 2000 finding that of the 36 incidents that involved firearms, 73 percent of shooters acquired the gun(s) used in the incidents from their home or that of a relative. John Woodrow Cox and Steven Rich, "'The Gun's Not in the Closet," Washington Post, August 1, 2018, https://wapo.st/2TyDnTW The study analyzed 145 acts of gun violence at primary and secondary schools involving shooters under the age of 18 from 1999 through mid-2018 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: Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, Division of Violence Prevention, "Source of Firearms Used by Students in School-Associated Violent Deaths, United States, 1992-1999," MMWR Weekly 52, no. 9 (March 7, 2003): 169-72, https://bit.ly/2RGthlo The study analyzed school-associated firearm violent deaths committed by students between July 1992 and June 1999 finding that of the 99 cases in which the gun's source was identified, 79 percent of guns used were obtained from the shooter's home or that of a friend or relative.
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- William S. Pollack, William Modzeleski, and Georgeann Rooney, "Prior Knowledge of Potential School-Based Violence: Information Students Learn May Prevent a Targeted Attack" (US Secret Service and US Department of Education, May 2008), https://bit.ly/2MPrOoL.
- 27. Pollack, Modzeleski, and Rooney.
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- 29. 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 Colleges and Universities (HBCUs) experience a particularly high number of incidents compared to other higher education institutions: 31 of the more than 100 HBCUs nationwide experienced incidents of gunfire on school grounds between 2013 and 2019 and some campuses experienced multiple incidents.
- 30. Everytown gathered demographic information on the student population of each school included in the database for which data was available. A majority-minority school is defined as one in which one or more racial and/ or ethnic minorities comprise a majority of the student population (relative to the US population).

- 31. US Department of Education, National Center for Education Statistics, "State Nonfiscal Survey of Public Elementary and Secondary Education, 1998-99 through 2016-17; National Elementary and Secondary Enrollment by Race/Ethnicity Projection Model, 1972 through 2028," Common Core Data (CCD), March 2019, https://bit.ly/2GI05d3 Everytown averaged the student population size, both total and Black student populations, for the years 2013 to 2019.
- 32. Everytown identified the race of 102 of the 208 student victims identified in the database. Of those, 25 were identified as Black, 57 as white, 23 as Hispanic or Latino, 3 as Asian-Pacific Islander, and 4 as other. The analysis includes in the count of these victims both people shot and wounded and deaths resulting from homicides, non-fatal assaults, unintentional shootings, and suicides and incidents of self-harm where no one else was hurt.
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- 53. 18 U.S.C.§ 922(b)(1); 18 U.S.C.§ 922(x)(2).
- 54. Only five states and DC require a person to be 21 to possess a handgun: DC, IL, MA, MD, NJ, and NY. Only IL and DC 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, and WA.
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