

School Safety—Legal Obligations and Effective Practices



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In Light of the Newtown Connecticut, Parkland, Florida and Santa Fe, Texas Tragedies, Should the State Alter the Strategies and Methods School Districts are Required to follow to Protect their Staff and Students?



Parkland School Shooting– 208th Since Columbine: the Tragic List

- April 24, 2003- Red Lion, Pennsylvania
- April 14, 2003- New Orleans, Louisiana
- October 29, 2002- Jersey City, New Jersey
- October 28, 2002- Tucson, Arizona
- October 7, 2002- Bowie, Maryland
- June 11, 2002- Conception, Missouri
- February 20, 2002- Milwaukee, Wisconsin
- January 16, 2002- Grundy, Virginia
- January 15, 2002- New York City, New York
- March 30, 2001, Gary, Indiana
- March 22, 2001- El Cajon, California
- May 16, 2001- Parkland, Washington
- March 7, 2001- Williamsport, Pennsylvania
- March 5, 2001 -Santee, California
- December 1, 2000-San Diego, California
- September 26, 2000 -New Orleans, Louisiana
- August 28, 2000-Fayetteville, Arkansas
- May 26, 2000-Lake Worth-Florida
- February 29,2000- Flint Michigan
- December 6, 1999-Fort Gibson, Oklahoma
- November 19, 1999-Deming, New Mexico
- May 20, 1999- Conyers, Georgia
- **April 20, 1999- Littleton, Colorado**

Our Shared Reality: Listing of School Shootings

- March 7, 2007- Compton, California
- January 3, 2007- Tacoma, Washington
- October 9, 2006- Joplin, Missouri
- October 2, 2006- Nickel Mines, Pennsylvania
- September 29, 2006- Cazenovia, Wisconsin
- September 27, 2006- Bailey, Colorado
- September 17, 2006- Pittsburgh, Pennsylvania
- September 2, 2006- Shepherdstown, West Virginia
- August 30, 2006- Hillsborough, North Carolina
- August 24, 2006- Essex Junction, Vermont
- March 14, 2006-Revo, Nevada
- February 23, 2006- Roseburg, Oregon
- January 13, 2006-Longwood, Florida
- September 13, 2005- Chicago, Illinois
- March 21, 2005- Red Lake, Minnesota
- March 2, 2005- Dover, Tennessee
- February 8, 2005- Chicago, Illinois
- May 7, 2004- Randallstown, Maryland
- February 9, 2004-East Greenbush, New York
- February 2, 2004- Washington, D.C.
- September 24, 2003-Cold Spring, Minnesota
- May 9, 2003-Cleveland, Ohio

Our Shared Reality: Listing of School Shootings

- February 19, 2010-DeKalb, Illinois
- February 12, 2010- Huntsville, Alabama
- February 5, 2010- Madison, Alabama
- October 16, 2009- Conway, South Carolina
- September 3, 2009- San Bruno, California
- June 16, 2009- San Francisco, California
- May 18, 2009- Larose, Louisiana
- April 26, 2009- Hampton, Virginia
- January 9, 2009- Chicago, Illinois
- November 13, 2008- Fort Lauderdale, Florida
- October 26, 2008- Conway, Arkansas
- October 16, 2008- Detroit, Michigan
- September 2, 2008- Willoughby, Ohio
- August 21, 2008- Knoxville, Tennessee
- August 14, 2008- Federal Way, Washington
- February 14, 2008- DeKalb, Illinois
- February 12, 2008- Oxnard, California
- February 11, 2008- Memphis, Tennessee
- February 8, 2008- Baton Rouge, Louisiana
- February 4, 2008- Memphis, Tennessee
- November 6, 2007- Miami Gardens, Florida
- October 10, 2007- Cleveland, Ohio
- April 16, 2007- Blacksburg, Virginia

Our Shared Reality: Listing of School Shootings

- January 10, 2013-Taft, California
- **December 14, 2012-Newtown, Connecticut**
- October 31, 2012-Los Angeles, California
- October 9, 2012-Chicago, Illinois
- October 6, 2012- Mobile, Alabama
- September 7, 2012- Normal, Illinois
- August 27, 2012-Perry Hall, Maryland
- August 16, 2012-Memphis, Tennessee
- April 2, 2012- Oakland, California
- March 6, 2012- Jacksonville, Florida
- February 27, 2012- Chardon, Ohio
- January 10, 2012- Houston, Texas
- December 9, 2011- Edinburg, Texas
- December 8, 2011- Blacksburg, Virginia
- October 24, 2011- Fayetteville, North Carolina
- May 23, 2011- Pearl City, Hawaii
- March 31, 2011- Houston, Texas
- March 25, 2011-Martinsville, Indiana
- January 5, 2011- Omaha Nebraska
- December 6, 2010- Aurora, Colorado
- November 29, 2010- Marinette, Wisconsin
- October 8, 2010- Carlsbad, California
- October 1, 2010- Salinas, California
- September 8, 2010- Austin, Texas
- March 9, 2010- Columbus, Ohio
- February 23, 2010- Littleton, Colorado

Our Shared Reality: Listing of School Shootings

- January 13, 2014-New Haven, Connecticut
- January 9, 2014-Jackson, Tennessee
- December 19, 2013-Fresno, California
- December 13, 2013-Centennial, Colorado
- December 4, 2013-Winter Garden, Florida
- November 13, 2013-Pittsburgh, Pennsylvania
- November 3, 2013-Lithonia, Georgia
- November 2, 2013-Greensboro, North Carolina
- October 21, 2013-Sparks, Nevada
- October 4, 2013-Pine Hills, Florida
- August 30, 2013-Winston-Salem, North Carolina
- August 23, 2013-Sardis, Mississippi
- August 20, 2013-Decatur, Georgia
- June 7, 2013-Santa Monica, California
- May 14, 2013-Birmingham, Alabama
- April 18, 2013-Cambridge, Massachusetts
- April 16, 2013-Gambling, Louisiana
- April 12, 2013-Dublin, Virginia
- March 18, 2013-Orlando, Florida
- January 31, 2013-Atlanta, Georgia
- January 31, 2013-Phoenix, Arizona
- January 22, 2013-Houston, Texas
- January 16, 2013-Chicago, Illinois
- January 15, 2013-Hazard, Kentucky
- January 15, 2013-St. Louis, Missouri
- January 12, 2013-Detroit, Michigan

Our Shared Reality: Listing of School Shootings

- May 14, 2014-Richmond, California
- May 8, 2014-Lawrenceville, Georgia
- May 5, 2014-Augusta, Georgia
- May 4, 2014-Augusta, Georgia
- April 11, 2014-Detroit, Michigan
- April 9, 2014-Greenville, North Carolina
- March 25, 2014-College Park, Georgia
- March 12, 2014-Miami, Florida
- February 22, 2014-Augusta, Georgia
- February 12, 2014-Los Angeles, California
- February 10, 2014-Lyndhurst, Ohio
- February 10, 2014-Salisbury, North Carolina
- January 31, 2014-Des Moines, Iowa
- January 30, 2014-Palm Bay, Florida
- January 28, 2014-Nashville, Tennessee
- January 27, 2014-Carbondale, Illinois
- January 25, 2014-Los Angeles, California
- January 24, 2014-Orangeburg, South Carolina
- January 21, 2014-West Lafayette, Indiana
- January 20, 2014-Chester, Pennsylvania
- January 17, 2014-Philadelphia, Pennsylvania
- January 14, 2014-Roswell, New Mexico

Our Shared Reality: Listing of School Shootings

- May 24, 2015-Flint, Michigan
- May 12, 2015-Jacksonville, Florida
- April 27, 2015-Lacey, Washington
- April 16, 2015-Paradis, Louisiana
- April 13, 2015-Goldsboro, North Carolina
- March 30, 2015-University City, Missouri
- February 23, 2015-Daytona Beach, Florida
- February 14, 2015-Merced, California
- February 4, 2015-Frederick, Maryland
- January 16, 2015-Ocala, Florida
- January 15, 2015-Milwaukee, Wisconsin
- December 12, 2014-Portland, Ore
- December 5, 2014-Claremore, Oklahoma
- November 20, 2014-Miami, Florida
- November 20, 2014-Tallahassee, Florida
- October 24, 2014-Marysville, Washington
- October 3, 2014-Fairburn, Georgia
- September 30, 2014-Louisville, Kentucky
- September 30, 2014, Albemarle, North Carolina
- September 27, 2014-Terre Haute, Indiana
- September 9, 2014-Miami, Florida
- June 10, 2014-Troutdale, Oregon
- June 5, 2014-Seattle, Washington

Our Shared Reality: Listing of School Shootings

- December 1, 2016-Bountiful, Utah
- October 25, 2016-Sandy, Utah
- October 18, 2016-San Francisco, California
- October 13, 2016-Columbus, Ohio
- October 11, 2016-Mobile, Alabama
- September 28, 2016-Townville, South Carolina
- September 9, 2016-Alpine, Texas
- June 8, 2016-Dorchester, Massachusetts
- June 1, 2016-Los Angeles, California
- April 23, 2016-Antigo, Wisconsin
- February 29, 2016-Middletown, Ohio
- February 12, 2016-Glendale, Arizona
- February 9, 2016-Muskegon Heights, Michigan
- January 29, 2016-Philadelphia, Pennsylvania
- January 22, 2016-Indianapolis, Indiana
- November 20, 2015-North Las Vegas, Nevada
- November 1, 2015-Winston-Salem, North Carolina
- October 22, 2015-Nashville, Tennessee
- October 9, 2015-Houston, Texas
- October 9, 2015-Flagstaff, Arizona
- October 1, 2015-Roseburg, Oregon
- September 30, 2015-Harrisburg, South Dakota
- September 14, 2015-Cleveland, Mississippi
- August 27, 2015-Savannah, Georgia

Parkland School Shooting—208th Since Columbine—The Tragic List

- **February 14, 2018-Parkland, Florida**
- February 9: Nashville, Tennessee
- February 5: Oxon Hill, Maryland
- February 1, 2018-Los Angeles, California
- January 23, 2018-Marshall County, Kentucky
- January 22, 2018-New Orleans, Louisiana
- January 22, 2018-Italy, Texas
- January 20, 2018-Winston-Salem, North Carolina
- January 9, 2018-Forest City, Iowa
- December 7, 2017-Aztec, New Mexico
- November 14, 2017-Rancho Tehama Reserve, California
- September 20, 2017-Mattoon, Illinois
- September 13, 2017-Rockford, Washington
- May 4, 2017-Irving Texas
- April 10, 2017-San Bernardino, California
- March 21, 2017-King City, California
- January 20, 2017-Seattle, Washington
- January 20, 2017-West Liberty, Ohio
- December 1, 2016-Bountiful, Utah

There has been, on average, 1 school shooting every week this year

- May 25, 2018-Noblesville, Indiana
- **May 18, 2018-Santa Fe, Texas**
- May 11, 2018-Palmdale, California
- April 20, 2018-Ocala, Florida
- April 12, 2018-Raytown, Missouri
- April 9, 2018-Gloversville, New York
- March 20, 2018-Lexington, Park, Maryland
- March 13, 2018-Seaside, California
- March 8, 2018-Mobile, Alabama
- March 7, 2018-Birmingham, Alabama
- March 7, 2018- Jackson, Mississippi
- March 2, 2018-Mount Pleasant, Michigan
- February 27, 2018-Norfolk, Virginia
- February 27, 2018-Ita Bena, Mississippi
- February 24, 2018- Savannah, Georgia

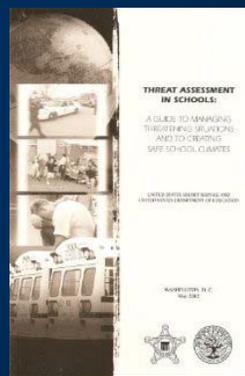
Introduction and Overview

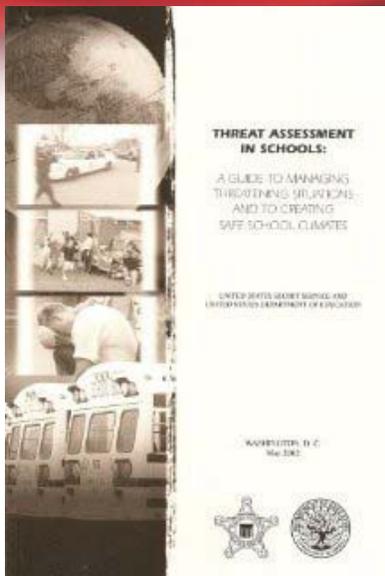
- ◆ A Review of Federal School Safety Studies and Publications
- ◆ New York State School Safety Requirements
 - District Wide School Safety Plans
 - Building Level School Safety Plans
 - Codes of Conduct
 - Violence and Disruptive Incident Reporting (VADIR)
 - Dignity for All Students Act (DASA)
 - Instruction in Civility, Character Ed. etc.
- ◆ Lessons Learned from school tragedies
- ◆ Crisis Communication and Information Sharing - A Delicate Balance
- ◆ Emotional and Psychological Support Services
- ◆ Weighing in on the Debate Over Armed Guards and Redesigning School Facilities
- ◆ New Ruling from the NYS Commissioner of Education



A Review of Federal School Safety Studies and Publications

- In May 2002, the U.S. Secret Service and U.S. Department of Education Issued Two Important Publications:





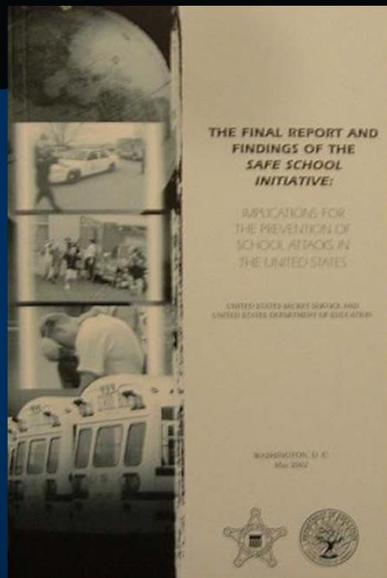
Threat Assessment in Schools:

*A Guide to Managing
Threatening Situations
and to Creating Safe
School Climates*



The Final Report of the Safe School Initiative

*U.S. Secret Service and U.S.
Department of Education
study of 41 school
shooters involved in 37
school attacks between
1974-2000*



10 Key Findings of the Safe School Initiative

- Incidents of targeted violence at school are rarely sudden, impulsive acts.
- Prior to most incidents, other people knew about the attacker's idea and/or plan to attack.
- Most attackers did not threaten their targets directly prior to advancing the attack.



10 Key Findings of the Safe School Initiative (cont.)

- There is no accurate or useful “profile” of students who engage in targeted school violence.
- Most attackers were known to have difficulty coping with significant losses or personal failures. Many had considered or attempted suicide.
- Most attackers engaged in some behavior, prior to the incident, that caused concern or indicated a need for help.



10 Key Findings of the Safe School Initiative (cont.)

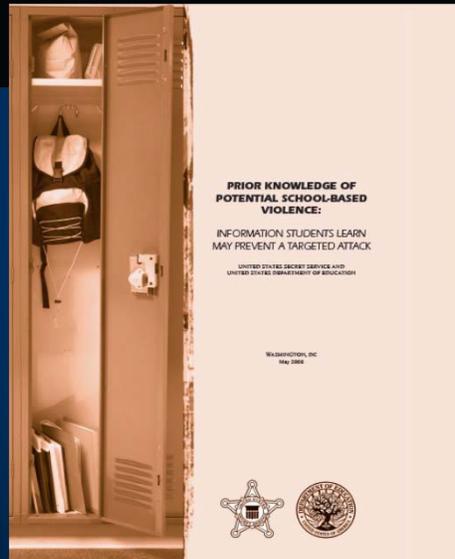
- Many attackers felt bullied, persecuted, or injured by others prior to the attack.
- Most attackers had access to and had used weapons prior to the attack.
- In many cases, other students were involved in some capacity.
- Despite prompt law enforcement responses, most shooting incidents were stopped by means other than law enforcement intervention.



Bystander Study

Prior Knowledge of Potential School-Based Violence: Information Students Learn May Prevent a Targeted Attack.

U.S. Secret Service
and U.S. Department
of Education
May 2008



Bystander Study

- Of the shooting incidents in the Safe Schools Initiative, 93% of the perpetrators exhibited concerning behavior prior to the attack, suggesting attacks might have been avoided with proper observation techniques and more open sharing of information.
- In 81% of the shooting incidents at least one other person had some type of knowledge of the attacker's plan, and in 59% of the incidents more than one person had such knowledge.
- 93% of those individuals who had prior knowledge were peers of the perpetrators – friends, schoolmates, or siblings



Bystander Study

- Schools should ensure a climate in which students feel comfortable sharing information they have regarding a potentially threatening situation with a responsible adult.
- Decisions on the part of bystanders to share knowledge of planned school violence results from the student's positive emotional connection to the school and to its staff. Bystanders who did not share information related to the planned attack reported no connection to the school or a negative perception of the school climate.



Sinking into bed

Homicidal thoughts filling my head

Suicidal thoughts not gone, but fleeing

Because it's other people's death I'm seeing

suicide or homicide

Homicide and suicide

Into sleep I'm sinking

Why me I'm thinking?

Homicidal and suicidal thoughts intermixing

I know my life's not worth fixing



Information Sharing for Safety

- Information sharing is a vital component of safety
- Federal and state statutes protecting records allow disclosure under several exceptions
- Personal observations can be disclosed (e.g., overheard threat)
- Requires dialogue between community partners to include plans for information sharing in your emergency planning
- Work Together as Partners



The Safe Schools Against Violence in Education (SAVE) Act

- History of Safe Schools Against Violence in Education (SAVE)
- On the heels of the Columbine shooting, in January 1999, Governor Pataki created the Task Force on School Violence.
- A Task Force Report, *Safer Schools for the 21st Century: A Common Sense Approach to Keep New York's Students and Schools Safe*, was issued in October 1999.



The Safe Schools Against Violence in Education (SAVE) Act

- The Task Force Report led to the Safe Schools Against Violence in Education (SAVE) Act.
- The SAVE Act was passed by the New York State Legislature and signed into law by Governor Pataki as Chapter 181 of the Laws of 2000 to address issues of school safety and violence prevention.
- **Regents established School Safety Work Group, that produced SAVE implementation guidance in 2001.**



New York's Safety Plan Requirements

- Among other things, the SAVE legislation added a new Section 2801-a to the Education Law requiring districts, BOCES and county vocational education and extension boards to:
- establish district-wide school safety and building-level school safety teams to develop district-wide and building-level school safety plans; and
- address crisis intervention, emergency response and management at the district level through comprehensive, multi-hazard school safety plans and training.



New York's Safety Plan Requirements

- These plans must be designed to prevent or minimize the effects of serious violent incidents and emergencies and to facilitate the coordination of schools and school districts with local and county resources in the event of such incidents or emergencies.



New York's Safety Plan Requirements

- In 2001 and 2011, the Regents amended regulations to require that :
 - district-wide and building level plans must be reviewed at least annually and updated as needed, such as when a district takes on a new construction project.
 - district-wide plans and amendments (**which are public**) must be filed with the Commissioner.
 - building-level plans and amendments (**which are confidential**) must be filed with the state police and local law enforcement.



New York State School Safety Plans

- Superintendents and building principals are required to provide written information to all students and staff regarding emergency procedures by October 1 of each year.



New York State School Safety Plans

- A district-wide school safety plan consists of a comprehensive, multi-hazard school safety plan that covers all school buildings and addresses crisis intervention, emergency response and management at the district level and such plans, must include policies and procedures for implementing all aspects of the plan.



New York State School Safety Plans

- Building-level School Safety Plans must consist of policies and procedures for the safe evacuation of students, teachers, other school personnel and visitors to the school in the event of a serious violent incident or other emergency as specified in Commissioner's regulations. (Must be adopted by the school board and filed with the state police and local law enforcement within 30 days of adoption or amendment but no later than October 15 each year.)



New York State School Safety Plans

- Building-level School Safety Plans, in part, require districts to:
 - Designate an emergency response team, other appropriate response teams and a post-incident response team.
 - Establish internal and external communication systems in emergencies
 - Define the chain of command consistent with the National Incident Management System (NIMS)/Incident Command System (ICS)



New York State School Safety Plans

- District-Wide School Safety team must be appointed by the school board (or Chancellor in NYC) and include board representatives, representatives of teacher, administrator and parent organization; school safety personnel; and other school personnel.



The New York Secure Ammunition and Firearms Enforcement Act of 2013 (NY SAFE Act)

- The governor shall establish New York state school safety improvement teams, which may be composed of representatives from the division of homeland security and emergency services, the division of state police, the division of criminal justice services, and the State Education Department. Such New York State School Safety Improvement Teams shall review and assess school safety plans submitted, on a voluntary basis, by school districts having a population of less than one hundred twenty-five thousand inhabitants, boards of cooperative educational services, and county vocational education and extension boards, and may make recommendations to improve such school safety plans.
– N.Y. Educ. Law § 2801-b (McKinney)



The New York Secure Ammunition and Firearms Enforcement Act of 2013 (NY SAFE Act)

- **Safety Plans in Place**
- **Coordination with First Responders and Law Enforcement**
- **Employee First Amendment Rights to Speak to Press**



Amendments to School Safety Laws at a Glance

- Significant amendments to requirements for school district safety plans
 - Procedures to respond to implied or direct threats by student of self harm/suicide including parent notification
 - Annually certify staff received training including components on school violence prevention and mental health
 - Designate chief emergency officer
- Building level plans completely confidential
- Revised conduct of emergency drills- 12 drills (8 evacuation drills & 4 lockdown drills)



Amendments to School Safety Laws-In Depth

Chapter 54 Part B of the laws of 2016 amends the education law with respect to the requirements for school safety plans. The Board of Regents has also adopted conforming amendments to the regulations on an emergency basis (8 NYCRR § 155.17).

The district-wide school safety plan must now include the following additional elements (§ 2801-a(2)):

- Policies and procedures for responding to implied or direct threats by students against themselves, including threats of suicide.
- Policies and procedures for contacting parents or guardians when a student makes a direct or implied threat of self-harm, including suicide.



School Safety

- Annual certification to the commissioner that all staff have undergone training on the emergency response plan including training components on violence prevention, and mental health. The training may be provided as part of existing professional development and new employees hired after the start of the school year must receive the training within 30 days. Pursuant to emergency regulations adopted by the Board of Regents the training certification is required to be filed with the Department by September 15 each year (8 NYCRR § 155.17(c)(1)(xiii)).



School Safety

- Designate a chief emergency officer who may be the superintendent or the superintendent's designee. The chief emergency officer is responsible for coordinating communication between staff, first responders and law enforcement and for ensuring that the annual review of the district and building level plans is undertaken and updates made as necessary. Pursuant to emergency regulations adopted by the Board of Regents, the annual review of district wide safety plans and building level emergency plans must be completed by September 1 each year (8 NYCRR § 155.17(a)).
- A student representative is no longer required to be part of the district wide school safety team. However, the board of education may choose to include a student representative provided the student is not given access to and is not present for discussions of any building level emergency response plans.



School Safety

- The law removes the requirement to share a summary of any building level emergency response plan prior to its adoption. Building level emergency response plans (including any floor plans, blueprint, schematics or other maps of the school and surrounding roads) must now be kept completely confidential and shared only with law enforcement (§ 2801-a(3), (6), (7)).
- The law also amends §807 of the Education Law to adjust how school districts conduct fire and emergency drills. School districts must now conduct 12 drills, 8 of which must be conducted prior to December 31st each year. Eight of the 12 drills must be evacuation drills and four lock-down drills must be conducted. Drills must be conducted at different times throughout the school day.



School Safety

- The law also allows a school district that was in session less than the required 180 days to excuse up to 5 days if the school was not in session due to a credible threat to student safety as reasonably determined by a lead school official (§ 3604(7)).



Safe and Supportive Schools ~ Positive School Climate

Policy Support

- **Federal:** \$38.8 million in U.S DOE S3 grants; ASEL Act of 2013 (HR 1875);
- **State:** SEL standards (NY in 2011); Bully prevention, school climate policies

Positive School Climate:

- **Relationships:** Strong and supportive relationships between teachers and students, among students, among teachers, and between teachers and administration; Respect for individual differences
- **Teaching and Learning:** Supportive, engaging, and rigorous teaching practices; Support for the development of social and civic knowledge
- **Safety:** Clearly communicated and consistently enforced rules re. bullying, violence; Students and adults feel safe from emotional / physical harm
- **Environment:** Organized and well-managed spaces; Engagement across students, staff, and families



Safe and Supportive Schools ~ Positive School Climate (DASA)

The Dignity for All Students Act seeks to “afford all students in public schools an environment free of discrimination and harassment,” to “foster civility” and “prevent and prohibit conduct inconsistent with a school’s educational mission”(§10). The Act protects all students attending public schools in New York state, including charter schools, by prohibiting harassment and bullying by employees or students on school property or at a school function (§ 12). It further bars discrimination based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex



Safe and Supportive Schools ~ Positive School Climate (DASA)

School boards and boards of cooperative educational services (BOCES) must adopt policies and procedures intended to create a school environment free from harassment, bullying and discrimination which include, in part, the obligation to designate an employee to receive and investigate reports of harassment, bullying and discrimination and to take appropriate corrective action when a report is verified. Districts are also required to file a report consisting of all material incidents with the commissioner of education on an annual basis.



Implementing School Strategies: Feasible, Effective, and Efficient

- Assess specific school / district needs
- Choose intervention approach that *matches* needs (begin with universal tier)
- *Integrate* intervention into fabric of schooling (regular meetings, daily practices, curriculum)
- *Engage* and *activate* internal school resources (students, teachers, mental health staff, parents, aides)
- Consider *training, coaching, and supervision* (incorporate into daily routines)
- Implement approach *consistently* over time and *monitor* change (adjust as needed)



Improving School Safety

- Building a cohesive and nurturing school climate
- Providing necessary mental and emotional support services to students.
- Properly designing and implementing school district threat assessment teams.



Improving School Safety

With respect to school district obligations to provide necessary mental and emotional support services to students, the Legislature adopted Chapter 390 of the Laws of 2016 and Chapter 1 of the Laws of the Laws 201 which amended Section 804 of the Education Law to require health education programs to include a component regarding mental health and the “relation of physical and mental health so as to enhance student understanding, attitudes and behaviors that promote human dignity.”



Emerging Issues



- Armed Guards in Schools or Armed Teachers and Staff
- Altering the Structure of School Facilities Such as School Entrances in Light of Newtown or more recent school shootings.
- Legal Implications about new school district policies which would hold students and parents responsible for reporting suspected future acts of violence—First Amendment implications
- Employee First Amendment Rights to Speak to Press



Emerging Issues Student Discipline



Appeal of D.B and A.B. (Decision 17,395, May 2018)

The Commissioner upheld a school district's permanent suspension of a student who had emailed two terrorist threats to his school district.



Appeal of D.B and A.B.



On or about November 18, 2016, the student obtained login information from another student's email address.

On Monday November 21, 2016 the student sent an email (bomb threat) using the other student's email account to the high school assistant principal.



Appeal of D.B and A.B.



The first email read:

I am going to bomb the school on Tuesday the 22nd[.] I am giving warning to you as a caution to my fellow student [sic] but just want to destroy the place that makes me the most unhappy and suicidal. Do not attempt to disarm the bomb, as it is remotely controlled and if someone touches it, it will go off. I assure you that you will not be able to fine [sic]the device or the bomb as it is already in the school. The quad area is your only clue.

The assistant principal, other administrators and police swept the building and found nothing.



Appeal of D.B and A.B.



The school arranged to have 2 members of law enforcement guard the school during the school day on November 22, 2016.

On November 29, 2016 another email was received from another email account.



Appeal of D.B and A.B.



The second email read:

"Me and my team have secured plenty of firearms to massacre [sic] the students at GHS. We know you will not take this email seriously but we figured it would add quite a bit of emotional damage to you, the administrators to find out you could have prevented a tragedy that makes comparable disasters look like a fight on the schoolyard. Honestly, the lack of security and initiative at this school is incredible and I am confident that two police officers will not be sufficient to prevent the smuggling in of weapons and explosives."



Appeal of D.B and A.B.



"They claim to do these so called 'K-9 sweeps' but honestly, a long term timed detonation device paired with some vaccum sealed mylar will be perfectly concealed within the school. The cowards will run and die, the few who try to stop us will go down as heros[sic] but still, die. We will make our bloody mark in history today, and I am completely confident in your idiocy that you will not prevent our wrath.

Eric and Dylan will have nothing on us, and I hope they look down upon us in favor as we commit this act of cleansing."



Appeal of D.B and A.B.



The police interviewed the student in question at his home. The student admitted that he wrote both of the emails and indicated that he "wanted to see a bigger response" when asked why he wrote the emails.

Student was permanently suspended.



Appeal of D.B and A.B.



The commissioner acknowledged that a **permanent suspension** is an extreme penalty that is

“generally educationally unsound except under extraordinary circumstances, such as where the student exhibits ‘an alarming disregard for the safety of others’ and where it is necessary to safeguard the well-being of other students.”



Appeal of D.B and A.B.



The Commissioner noted two prior incidents in the student’s record one involving his admitting to generating a fake Twitter account that contained harassing pictures of another 8th grade student and his attempting to place blame on another student. According to the summary of the incident:

“The pictures have the Nazi symbol over the face of the student, ‘mocks’ the Jewish religion and had the KKK hood over the faces of some people.” The student was also suspended for receiving a teacher’s password, sharing the password with another student and logging into the teacher’s account without authorization.





Appeal of D.B and A.B.

In her decision, the Commissioner stated:

“Tragically, school shootings are far from theoretical events; our nation is beset by an epidemic of such shootings. Armed assailants continue to commit mass murders in public schools. Simply put, the district has no choice but to treat this situation seriously, and it is imperative that school officials retain the ability to protect their students and staff. . . . I agree with respondent that the need to protect the well-being of other students of the district is of paramount and overriding importance.”



Resources

- National Center on Safe & Supportive Learning Environments (NCSSLE) <http://safesupportiveschools.ed.gov/>
- Center for Academic, Social, and Emotional Learning (CASEL) www.casel.org
- National School Climate Center (NSCC) www.schoolclimate.org
- School Mental Health Alliance www.kidsmentalhealth.org
- Blueprints: Center for the Study and Prevention of Violence www.colorado.edu/cspv/blueprints
- What Works Clearinghouse www.ies.ed.gov/ncee/wwc
- UCLA School Mental Health Project <http://smhp.psych.ucla.edu>
- Centers for Disease Control (CDC) www.cdc.gov
- Child Trends www.childtrends.org
- Office of Juvenile Justice and Delinquency Prevention Model Programs Guide www.ojjdp.gov/mpg
- FindYouthInfo.gov Evidence Based Directory <http://www.findyouthinfo.gov/ProgramSearch.aspx>



Safe Schools & Safe Students

Protecting our Students-
Our Number 1 Priority



Safe Schools & Safe Students

Protecting our Students-
Our Number 1 Priority

