



**EDUCATION  
LAW CENTER**

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To: All Members, Pennsylvania Senate  
From: Deborah Gordon Klehr, Executive Director  
Yvelisse B. Pelotte, Staff Attorney  
Re: SB 383  
Date: June 28, 2017

The Education Law Center is a non-profit legal advocacy and educational organization dedicated to ensuring that all of Pennsylvania's children have access to a quality public education.

Our work on school climate focuses on engaging the whole school community — teachers, parents, students, administrators, and community members — in the creation of safe, positive environments. With forty-one years of experience working on school climate issues, we write to **oppose SB 383**, the bill permitting school personnel to carry concealed firearms in schools. While we share your desire to protect students and ensure schools are safe places, arming teachers and other school personnel is not the appropriate way to do so.

There is no evidence that arming school personnel increases school safety, and nationally, arming school personnel is not a recommended practice. National School Safety and Security Services, a national school safety-consulting firm, advises against arming teachers and school staff. According to NSSSS president Kenneth Trump, "School districts considering arming teachers and school staff with guns would take on significant responsibility and potential liabilities that I firmly believe are beyond the expertise, knowledge-base, experience, and professional capabilities of most school boards and administrators...Suggesting that by providing teachers, principals, custodians, or other school staff with 8, 16, 40, or even 60 hours of firearms training on firing, handling, and holstering a gun somehow makes a non-law enforcement officer suddenly qualified to provide public safety services is an insult to our highly trained police professionals and a high-risk to the safety of students, teachers, and other school staff."<sup>i</sup>

The Pennsylvania legislature and various branches of our government have had occasion to commission studies into school climate and safety matters and have consistently *not* recommended an increase in the number of guns in schools. For instance, in 2014, the Pennsylvania House Select Committee on School Safety issued recommendations for improving school safety and explicitly stated that it did not recommend arming general school personnel.<sup>ii</sup> Similarly, in 2016, the Joint State Government Commission Advisory Committee issued a report on best practices in school discipline. The report discusses best practices to improve school climate and does not suggest, among its 126 pages, that allowing school personnel to carry concealed firearms would accomplish that goal.<sup>iii</sup>

In fact, there is reason to believe arming school personnel is more dangerous than the harm it seeks to avoid. Children are far more likely to be injured by self-inflicted gunshot wounds or in an accidental shooting resulting from another person's handling of an improperly stored or unsecured firearm than they are to be injured in an intentional act of gun violence while at school. On August 25, 2016, an elementary school teacher in Chambersburg, PA removed the pistol she was carrying to use the restroom and, upon exiting the single stall bathroom, forgot it on top of the toilet. At least four children ages 6 through 8 used the bathroom during the 3 hours in which the teacher's gun was left unattended.<sup>iv</sup> In 2014, a Utah elementary school teacher carrying a concealed firearm in class shot herself in the leg when the handgun accidentally went off.<sup>v</sup> These incidents are not anomalies and aptly illustrate the dangerous situations created when teachers and school personnel bring firearms into schools.

Additionally, school districts ought to be aware of the impact of arming personnel on their insurance premiums. Some insurance companies are declining coverage to schools that allow employees to carry handguns, or are raising their premiums. In Kansas, for instance, the liability insurance provider for about 90 percent of Kansas school districts said it would not cover schools that permit employees to carry concealed handguns. The Oregon School Boards Association, which manages liability coverage for most of the state's school districts, now requires districts to pay an extra \$2,500 annually for every school personnel who carries a weapon at work.<sup>vi</sup>

While we share your desire to increase school safety, we believe that there are better, safer measures than arming school personnel. We oppose allowing school personnel to carry firearms. We also note that obtaining a license to carry a concealed firearm and maintain basic certification in the use of a firearm – the only qualifications required under SB 383 – are very minor safety precautions. Each county has different policies governing a conceal-carry permit, but none of them requires that a person have undergone any firearms or weapon training, and even the most intensive firearms safety classes would not adequately prepare a teacher to assess, manage, or respond appropriately in an emergency.

Lastly, to the extent SB 383 applies to situations where a student attacks the school they attend, we believe it would be more prudent for you to focus on preventing the violence before it happens. Attacks perpetuated by students are often the result of unaddressed bullying, trauma, or mental health issues, and we support evidence-based school safety prevention measures that deal directly with those root causes such as School-Wide Positive Behavior Supports, Restorative Practices, increased mental health services, peer mediation, social and emotional learning, and Trauma Sensitive Schools.<sup>vii</sup>

In managing the threat of fires, schools do not equip teachers with turnout pants, coats, helmets, boots, and a water hose – instead they hold frequent fire drills and establish safety protocols for effectively managing and escaping unsafe situations. Schools should prepare for the threat of a violent attack in a similar way, with clear safety protocols and training for staff and students, and we encourage you to support those types of proven school safety methods.

Thank you for your consideration. Please let us know if you have any questions or if we may be of assistance to you. We can be reached at [dklehr@elc-pa.org](mailto:dklehr@elc-pa.org), (215) 346-6920, or [yelotte@elc-pa.org](mailto:yelotte@elc-pa.org), (215) 346-6930.

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<sup>i</sup> “Implementation issues present school boards and administrators with significant responsibility and potential liability,” National School Safety and Security Services. Available at [http://www.schoolsecurity.org/trends/arming\\_teachers.html](http://www.schoolsecurity.org/trends/arming_teachers.html).

<sup>ii</sup> House Select Committee for School Safety Final Report, page 53, available at <http://www.repgrove.com/Display/SiteFiles/103/OtherDocuments/SelectCommitteeSchoolSafetyFinalReport.pdf.pdf>

<sup>iii</sup> See <http://jsg.legis.state.pa.us/resources/documents/ftp/publications/2016-10-27%20Final%20REPORT%20for%20WEBSITE%20updated%2011.16.16%20%20WB.pdf>

<sup>iv</sup> See <http://www.publicopiniononline.com/story/news/2016/09/12/teacher-resigns-after-child-finds-her-loaded-gun-school/90280916/>

<sup>v</sup> See <http://www.reuters.com/article/us-usa-teacher-shooting-utah-idUSKBN0H62HL20140911>

<sup>vi</sup> Steven Yavvino, “Schools seeking to arm employees hit hurdle on insurance,” *The New York Times*, July 7, 2013. Available at <http://www.nytimes.com/2013/07/08/us/schools-seeking-to-arm-employees-hit-hurdle-on-insurance.html?pagewanted=all&r=1&>.

<sup>vii</sup> See Collaborative for Academic, Social and Emotional Learning, Program Implementation: A Key to Success. Available at [http://casel.org/wp-content/uploads/CS\\_Implementation.pdf](http://casel.org/wp-content/uploads/CS_Implementation.pdf). And see Massachusetts Advocates for Children, Helping Traumatized Children Learn, A Report and Policy Agenda (2005). Available at <http://www.massadvocates.org/order-book.php>. See also Interdisciplinary Group on Preventing School and Community Violence’s December 2012 Connecticut School Shooting Position Statement, which advocates for an approach to safer schools, guided by four key elements: Balance, Communication, Connectedness, and Support, along with strengthened attention to mental health needs in the community, structured threat assessment approaches, revised policies on youth exposure to violent media, and increased efforts to limit inappropriate access to guns. Available at [http://curry.virginia.edu/uploads/resourceLibrary/Updated\\_Lists\\_1-8-13-OFFICIAL\\_FOR\\_DISSEMINATION-Connecticut\\_School\\_Shooting\\_Position\\_Statement\\_12-19-2012-2\\_pm\\_ET.pdf](http://curry.virginia.edu/uploads/resourceLibrary/Updated_Lists_1-8-13-OFFICIAL_FOR_DISSEMINATION-Connecticut_School_Shooting_Position_Statement_12-19-2012-2_pm_ET.pdf).