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**Safety Assessments of Educational Institutions:
A Study of Findings and Practices**

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ABSTRACT

All schools, whether publicly or privately funded, deserve to be safe havens for all those who attend class and for those who are employed as educators, as well as those who provide support services for schools. The reality is that all school employees, and often the actual teachers, are tasked with more than the education of a community. In recent years, the responsibility of providing for the safety of students, coworkers, and often themselves has become part of a teacher's daily task. Teachers are trained to be academic experts and generally do not become part of the academic community to be tasked as safety and security experts during their employment. However, the harsh truth is that they are the first line of defense in schools.

Responding to school violence or other crises normally depends on the response by law enforcement and emergency services agencies. Often, when tragic incidents have occurred at schools, the media generally reports on the response and results of the emergency responders. Shortly after the smoke has cleared, the public hears about what actually occurred behind the scenes and how persons actually reacted during the crisis. Typically, when a school implements an effective or appropriate response to a school tragedy or crisis it is generally viewed as a job well done.

Normally, the public does not know the painstaking efforts and difficulties that are addressed by schools in order to be minimally prepared for a school crisis. An unknown denominator in preparing for a school crisis is that a school needs to have legislative authority to request and implement some of the resources that are needed for an effective crisis plan and response. Unfortunately, this can, at times, be hampered by

the lack of cooperation and communication from other entities within the local, state and federal communities.

The research methods will include a review of government websites, research documents, books, educational institutions' research, and magazines discussing views and practices in school safety assessments. In addition, the research will show that the ability for schools to be effectively prepared to respond to a crisis is founded on the willingness and authority of legislatures to implement lawful requirements of collaboration and communication among all entities within an academic community. The recommendation will require government mandated collaboration that places the emphasis on effective, corroborated school assessments with the results being a well-balanced crisis plan with appropriate community-based resources.

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INTRODUCTION

On May 18, 1927, in a quiet Midwestern township named Bath, Michigan, the basement of the Bath Elementary Consolidated School exploded in a massive violent eruption, killing 39 elementary students and teachers. Additionally, over 85 other persons in the building were injured. During the rescue efforts, when teachers, law enforcement, and parents were who looking for their own children in the rubble, a secondary explosion erupted from a nearby parked vehicle, killing the superintendent of schools, another student, and two bystanders. The attack came from within; a school board member named Andrew Kehoe had placed large amounts of dynamite on timers. Later, over 500 pounds of dynamite were found in the undamaged wing of the school building (Johnson, n.d.).

Throughout the United States, since 1899, there have been over 370-recorded schools deaths by gunfire and one school death was caused by a major explosion; several were recorded as mass murders, school shootings, or suicide. Twenty-five of those shootings occurred in Texas, and the shootings have been have been committed by a variety of persons, students, non-students, to school employees or other adults (<http://www.schoolshooting.org>). These acts of violence certainly have left a permanent impression in society, as well as in educational institutions. In most cases, a cause and effect syndrome emerges among schools and the community. This includes the need to conduct safety and security assessments of schools. Unfortunately, these assessments all have one thing in common: they generally occur after a tragic event.

However, an assessment is supposed to be implemented with the purpose of creating a crisis plan, which would indicate that a school is prepared before a crisis

occurs. The need for these assessments is continuously recognized by security experts, law enforcement, governments, and often educators, but there exists an inherent weakness in the process and philosophy. Currently, there is a lack of mandates for conducting and implementing safety and security assessments. The common approach is that state and federal legislation recommends that schools conduct assessments or develop crisis plans.

Unfortunately, in most cases, there is no mandate and there are no consequences for failing to comply. Often, the attention to school safety and security assessments occurs after a tragic event, through the common consequences that emerge in the form of civil or liable suits brought forward by victims or victims' families, and, at times, by employees. Such suits often present that schools are not the only institutions that have failed to be prepared; emergency services often have been indicated as lacking preparedness. Normally, this is due to the lack of effective communication and cooperation.

This study examines and provides the benefits of why school safety and security assessments should be conducted and effectively implemented through mandated collaboration between all educational institutions and local, state, and federal emergency services. These mandated collaborations should emphasize the creation of a collaborative and effective crisis plan among schools as well as local and federal entities within the community. For the purposes of research, the cases studied and referred to will focus on the states of Michigan, Texas, Colorado, Minnesota, and Virginia. The commonality of these states is that major school attacks have occurred in these locations more than once.

POSITION

State and federal governments should legislate that all educational institutions and emergency management agency's collaborate in conducting and implementing safety and security assessments of educational institutions. This approach would create several needed scenarios in the American educational systems. Such scenarios would allow for the appropriate and educated preparatory responses to emergency management situations of natural and fabricated disasters, such as chemical spills, major fires, school violence, and medical emergencies. In addition, this approach would support those schools and emergency organizations that actively practice school safety and security. It would create or enhance areas where there is a lack of active support from key organizations and emergency agencies. Most importantly, it would develop a strong ownership of a community's schools and universities rather than simply being a place where students exist.

A memorandum that supports this position has been issued by the United States Department of Education. It states that federal law enforcement agencies have conducted an analysis of acts of terrorism, where terrorist are willing to target schools. Listed in the memorandum are resources that guide schools to US government websites such as www.ed.gov/emergencyplan/, www.edfacilities.org/, www.redcross.org/services/disstaer/keepsafe/terrorism.pdf. In addition, it mentions short-term measures that educational institutions may take to enhance school security. The information that related to possible terrorist activities near schools was also provided to local law enforcement. Obviously, this information is of importance within the memorandum since it advises schools to collaborate with local law enforcement and

other first responders when developing a crisis plan. This memorandum clearly lays out the federal government's recognition of the necessity for schools to assess their current safety and security practices in order to develop or enhance their security measures (Hickok, 2004).

Ultimately, for a collaboration to be effective, all parties involved must recognize that safe schools are not only a school-based effort. School administrators should be willing to invite external experts, such as police chiefs, health departments, and county officials as well as other local school districts' administrators. A community-based collaboration would allow all parties a voice in creating goals and planning strategies. The partnerships should maintain a goal to oppose an only school-based function (Elizondo, Feske, Edugull, & Walsh, 2003).

Currently, the state of Texas, under Education Code Section 37.108, Multi-hazard Emergency Operations Plan; Safety And Security Audit, requires schools and universities to comply with training all employees to respond with an emergency, conduct drills, and exercises that also train students and employees on how to respond in an emergency. It also requires schools to coordinate their efforts with local emergency management services, local law enforcement, and the local community. The implementation of an assessment is required once every three years (Texas Education Code 37.108, 2009). In addition, the Texas Local Government Code also requires that all local and inter-jurisdictional agencies prepare and maintain an emergency operations plan, which must include schools districts. This section provides for a penalty of a fine that cannot exceed \$1,000 and no more than 180 days in jail for an individual (Texas Local Government Code Chapter 418.106, 1987).

A multi-agency collaboration has been found to be an effective concept when community collaboration is implemented with a vision and all those involved become stakeholders. Several objectives must be met for a collaboration to be effective and successful: there must be a high level of trust among all stakeholders and a strong communication process that allows for real decision-making powers for all the parties involved. The collaborative team should consist of high-level educators, law enforcement, health and mental health professionals, legal counsel, and other essential community members. They should be prepared to identify obstacles and develop a strategy to overcome them; this should include the sharing of information (Van Dreal, Cunningham, & Nishioka, 2005).

A key principle that is often expressed but often neglected is the need for communication between schools, local governments, and the appropriate emergency agencies, including the local community. A legislative mandate would enhance communication within all the entities stated, and in some cases, communication would be developed where it currently does not exist. One very important result from a working communication process would be real collaboration for an effective safety and security assessment and implementation. The roles of law enforcement and educators have always been different. The difference in roles in the past has created confusion, simply because both sides communicated differently. This compounds the problem when communicating about the needs of students, and there can even be a duplication of responsibilities and roles in dealing with students (Rosiak, 2009).

Since assessments generally require effective collaboration between all the organizations and emergency agencies involved, the sharing of critical information

would be just as important as conducting the assessment and developing a crisis plan. Such an assessment would allow for the identification of laws and agency procedures that dictate what information is shared and to whom the information is released. Such information may address persons of interest, who may be prone to violence or suspected of threats of violence. Most importantly, though, an assessment helps identify deficiencies in laws and procedures that may require a legislative action from local or higher governments. The sharing of information in an assessment can allow for the identification of perpetrators who do not normally fit a profile. It also provides agencies with indicators that warn of impending violence or signs, such as verbal or written threats, which can include suicidal behaviors (Task Force on School and Campus Safety, 2007).

When developing a crisis plan, an assessment needs to address the immediate sharing and release of critical information, such as student and employee information. This type of information would be critical for law enforcement, particularly in cases where a school shooter has been an employee or student. Certainly when speaking of the sharing critical information between schools and law enforcement, what needs to be considered are the rights of students. The shooting at Virginia Tech pointed out the difficulty of sharing critical information between schools and government entities. A common deficiency in most school assessments has been the lack of understanding of laws that protect the release confidential information. The most confusing has been the protection of student information privacy, the Family Education Rights and Privacy Act of 1974 (FERPA). Educators and law enforcement should become fully versed in this law. Exceptions in the law allow the release of information to third parties if there is a

need in conjunction with emergency health services or law enforcement emergencies (Midwestern Higher Education Compact, 2008).

COUNTER POSITION

Assessments are crucial to the safety of a modern educational institution, and they inherently require a dedication of time because educational facilities normally use their own staff to study and implement safety and security measures. The use of school employees has normally been the practice due to economic concerns being a priority. This practice typically allows for a minimal implementation of school safety requirements that are generally imposed by governing bodies of educational institutions. Therefore, time that is normally allotted for the educational process may end up being diverted to meet safety and security requirements at a school. This task normally falls upon the school employees. Although such a practice does create the argument that educators are already overloaded with their academic tasks, it also brings forward another important issue, which is that safety and security practices are not the area of expertise for certified educators. This concern ultimately includes a final argument that addresses liability concerns due to the lack of appropriate training for educators.

In truth, today's educators are overloaded throughout their workdays, and they often work after hours at school functions and extracurricular activities. This exhibits that educators today generally do more than educate on any given day. However, the harsh reality is that schools today are the cornerstone of society, and educators are critical to the safety and social development of students. In a critical incident, they would be the first-responders, until actual emergency responders arrive. In order for this emergency transition to occur as efficiently as possible, the development of a

collaborative crisis plan is essential. This ensures that educators are not the only people consumed with conducting and implementing a safety and security assessment. It makes the collaboration of educators and law enforcement the ideal model.

Although it is common to have a law enforcement presence in schools throughout the nation, there are still persons who view a law enforcement presence or collaboration as unnecessary. These people generally offer the concern that it creates the perception that a school is unsafe or has high crime. Unfortunately, many still have a negative opinion of law enforcement in schools, and it creates a rejection of law enforcement in the schools. However, research has exhibited that officers in schools have a positive impact; students and staff report feeling safer, and crime is more likely to be reported to school law enforcement. Law enforcement officers in the schools also improve how officers are perceived within the community and allows for the reduction of crime hot spots in schools. In addition, training and leadership is present for students and staff, and this allows law enforcement officers to create collaborative activities within the community (Rosiak, 2009).

Policing and education have been part of communities for many years, and both have grown and developed together as society has grown and changed. As the educational process improved to serve students, so did school policing. One of the newer concepts in law enforcement and school policing is "Community Policing", where an officer is assigned to a particular area. The objective in community policing is to reduce crime by increasing community relationships through personal connections with their particular locations officers. This concept creates a realistic perception that an officer in the schools is a resource rather than a response.

Community policing has created changes, such as the police moving from being response-driven to being resource-driven. Daily interaction with educators, students, and parents allows for the expansion of the law enforcement role into that of an educator, counselor, and school partner. This model also allows for the elimination of the perception that a school police presence is indicative of failure on the part of the school. Instead, it is seen as a proactive step by the school and law enforcement towards order and safety within the schools. In addition, it changes the perception that the number of arrests, responses times, and calls for service measures law enforcement success, rather than the absence of criminal activity and disorder (Atkinson, 2002).

Often, the motivation and momentum for this approach is slowed to a halt by a premature thought that the implementation of safety and security is too expensive and takes funds from an already strained education budget. Fortunately, the implementation of a safety and security assessment is often very cost effective. More often than not, the human resource is implemented rather than the mechanical or technical resource. In fact, it is very cost effective, simply because it addresses the cost of a deliberate indifference tort suit over a reasonable effort defense, which may cause an educational institution irreparable damage within the community or, in a rare case, hundreds of thousands of dollars in a lost negligence tort suit (Janofsky, 2001). Such circumstances may open a school to scrutiny by governing bodies, such as the US Department of Education. Once this occurs and a school is found to be negligent, the possibility of civil torts may become a reality (Bell, 2011).

It is important to learn from past and recent school tragedies. While schools and local governments often have immunity, it certainly does not prohibit civil suits being filed and argued in a civil court. The financial cost of such legal battles may bankrupt smaller schools and governments. Such legal battles may carry on for years and may receive different rulings from different courts in the land. Such as the Columbine tragedy, where even though the majority of the lawsuits have been dismissed. The responding local law enforcement agency still has to address a federal ruling against their agency. This will certainly create massive legal expenditures for that agency (*Judge Dismisses*, 2001).

The argument that law enforcement is negatively perceived is not accurate, when, historically, one can look at the many violent tragedies in schools where there has been a great loss of life. In addition, educators are no longer required to only teach. They must also be part of the solution, as dictated by legislation. The financial cost does not outweigh the cost of loss of life, as exhibited by lawsuits against schools and governments. The collaboration between law enforcement and schools has time and time again proven effective due to the reduction of violent acts at schools (Janofsky, 2001).

RECOMMENDATION

The implementation of government mandated safety and security assessments, with specific guidelines of implementation and accountability will create collaborative communication and consistency throughout schools in the United States. In addition, it would reduce the risks of liability in circumstances where a crisis may occur. Most importantly, it would provide educators, students, and communities with assurances that

those educators, administrators, and officers responsible for the safety of schools, properties, and the lives of students will be prepared to intervene, and, if necessary, they will be able to respond to an act of violence directed at schools.

An effective legislation that clearly dictates each institution's responsibility in the security and safety assessment of all state educational institutions would be effective if the overall goal is the creation of an effective emergency operations plan. The legislative wording must also indicate the appropriate allocation of funding and resources. Legislation should also discuss the amicable sharing of responsibilities among schools and local agencies, as well discuss the state government's responsibilities in the overall collaboration.

Local and private educational institutions should petition their local and state governments for the enactment of appropriate legislation. In addition, legislation should mandate quarterly assessments, with a requirement to implement improvements to school safety and security within a prescribed timeline. These requirements would be implemented within an amicable collaboration between schools, law enforcement, emergency services, and other community agencies and organizations that received state and federal funding at any level of their fiscal year.

Any entity refusing to comply will be penalized with the reduction of funding from their fiscal budgets, and this would funding would only be deposited into the school budget for strict use in school safety and security. States should mandate that all schools and universities conduct thorough and effective safety and security assessments. Along with effective consequences, this will also develop an open mind-

set for effective and realistic school security. All of these areas combined into a legislative mandate would make for an effective school safety initiative.

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