

Senate Bill 2 Firearms in schools

Article 1

<https://www.mcall.com/2019/02/14/guns-in-school-heres-a-list-of-states-that-allow-armed-teachers/>

Guns in school? Here's a list of states that allow armed teachers

By Kayla Dwyer - Contact Reporter Of The Morning Call

Tamaqua School District's controversial decision to allow teachers and staff to carry guns raises the question:

Can school districts simply decide to allow teachers to possess guns on school grounds?
In almost half the country, yes. But the legal arithmetic across the United State is very inconsistent.

Broadly, federal law prohibits firearms within 1,000 feet of a school zone. But the Gun-Free School Zones Act, passed in 1990, does not apply to adults with concealed carry permits.

Many states have opted to pass laws prohibiting concealed carry in schools, but at least 10 states allow it, according to a report by the Education Commission of the States and current data from the Giffords Law Center:

- Alabama
- Alaska
- Idaho
- Illinois
- Michigan
- Missouri
- New Hampshire
- Oregon
- Rhode Island
- South Dakota
- Utah
- Wyoming

Hawaii does not have a relevant statute.

Pennsylvania law does not expressly allow concealed carry in public schools, but it offers a defense for a weapon "used in conjunction with a lawful supervised school activity or course or is possessed for other lawful purpose."

Presumably, a policy such as the one enacted by the Tamaqua Area School Board falls within this category.

These 8 states have policies that specifically allow school employees — other than security personnel, which are allowed to carry guns in 28 states — to carry guns on school property, though they may need the district's permission:

- Idaho
- Kansas
- Louisiana
- Missouri

- South Dakota
- Tennessee
- Texas
- Wyoming

Add Florida to this list, which created a \$67 million "school marshal" program in February to arm teachers in classrooms, in response to the mass shooting at Marjory Stoneman Douglas High School.

The list grows when you consider states that grant school districts power to make their own decisions and do not limit the allowance to school employees.

Nearly 25 states' policies allow schools or districts to give permission to "individuals" to carry guns:

- Alaska
- Arizona
- Connecticut
- Georgia
- Idaho
- Indiana
- Iowa
- Kansas
- Kentucky
- Louisiana
- Massachusetts
- Michigan
- Mississippi
- Montana
- Nevada
- Ohio
- Rhode Island
- South Carolina
- Texas
- New Jersey
- New York
- Utah
- Vermont
- West Virginia

Article 2

<https://www.cnn.com/2018/02/24/us/armed-teachers-states-trnd/index.html>

These schools say arming teachers 'can be done right'

By Nicole Chavez, CNN

Updated 4:32 AM ET, Wed February 28, 2018

(CNN)Arming teachers may be a "terrible" or even a "ridiculous" idea to critics, but some teachers across the country already bring guns to school.

In the wake of the Florida school shooting, the debate over whether teachers should carry guns in class has intensified. President Donald Trump is proposing bonuses for educators who undergo gun training. State lawmakers are beginning to consider legislation while school officials are pushing for an increase in classroom resources but not guns.

State laws related to guns in schools vary by state and although many only apply to college campuses, some states give teachers with concealed carry permits the ability to have guns on the grounds of K-12 schools, according to the Giffords Law Center to Prevent Gun Violence.

Here's a look at some of the states where teachers and other school staff are willing to carry their weapons.

Faculty members of Clarksville Schools in Arkansas undergo firearms training yearly. After the Sandy Hook shooting, a school district in Arkansas wanted to hire an extra full-time security guard but couldn't afford it. Instead, they trained more than a dozen teachers and staff members as armed guards.

For nearly four years, the Clarksville School District -- about 100 miles northwest of Little Rock -- has had teachers, janitors, computer technicians and other staff members ready to respond in the case of a shooting, CNN affiliate KARK reported.

"Every second that ticks by is a possibility of a life lost. What we've gathered from this is that it can be done, it can be done right," David Hopkins CNN affiliate KFSM.

Hiring one school resource officer would have cost the district about \$50,000 a year. The district spent at least \$68,000 training about 13 staff members when the program began, Hopkins told KFSM.

For Jim Krohn, a social studies teacher at Clarksville Junior High who volunteered to be one of the officers, the program is a good deterrent.

"If we didn't do this and somebody came into this building or any of our school buildings and harmed children, it would be hard to go to sleep that night thinking what else could I have done and at least we've done what we think is the best thing to protect the children of Clarksville school district," Krohn told KFTA.

A 'fighting chance'

Teachers and other staff members are becoming "school sentinels" in South Dakota to protect students.

Since a state law passed in 2013, at least two school districts in the state have launched a "school sentinel program," which allows the arming of school employees, security guards or volunteers.

School administrators say they trust law enforcement but they are too far away. If a shooting takes place, they say school employees would "have a fighting chance."

"We're over 20 minutes from any police force being able to respond to an event, so with that in mind is one of the reasons why we decided to move forward," Ryan Bruns, the Northwestern Area School District superintendent told CNN affiliate KPRY.

Before carrying a firearm on campus, staff members undergo at least 80 hours of use of force, weapons proficiency, legal aspects and first aid classes. They also have to be approved by the school board and a law enforcement agency.

And if parents are against the program, they can put the issue to a voter referendum. So far, there have been no complaints.

"I trust that the teachers and the faculty there all have our children's best interest at heart. They're from the community and the surrounding community and it doesn't concern me at all," Kevin Hansen, whose three children go to the Tri-Valley School District -- about 25 miles northwest of Sioux Falls --- told CNN affiliate KELO.

'I feel really safe'

In Texas, students in the Callisburg Independent School District say they feel safer knowing their teachers can protect them if the unthinkable happens.

About four years ago the district, which is about 85 miles north of Dallas, started what's known as the "guardian" program: a small force of volunteer school staff allowed to carry a concealed firearm on school grounds, said school superintendent Steve Clugston.

"We'll do whatever's necessary to protect our kids and staff," Clugston told CNN. "We don't want to be at the mercy of somebody that's intent on doing harm."

Clugston says the school's guardian force completes active shooter scenario training once a year and routinely takes target practice at gun ranges.

Callisburg is among at least 70 public school districts in Texas that let teachers and administrators carry concealed weapons on school grounds. There are more than 1,000 school districts in the states.

Around the country, community members have opposed the idea of arming teachers but in some rural towns in Texas, students are welcoming it.

"I feel really safe, knowing that, I can come to school and if there's an incident that does happen that they'll be able to protect us," said a student at Callisburg High School who didn't want to be named.

Teacher discharged gun in restroom

For more than 15 years, Utah educators have been able to bring their guns to schools. The state's concealed weapons law allows any person with a permit to have a weapon inside a school.

School officials have said that only a small fraction do it, but they can't tell with certainty.

If the teachers do have a loaded gun, their principals, school districts, and local police departments wouldn't even know because given they don't have to report it and they can't asked them, according to a state law.

In recent years, no fatal incidents involving teachers with guns in schools have been reported, but in 2014 an elementary school teacher discharged her concealed firearm when she went into the faculty restroom of a Taylorsville, Utah school, CNN affiliate KSLreported.

The teacher removed her handgun and when she attempted to holster it, the gun went off, striking the toilet.

She was charged with a misdemeanor charge of discharging a firearm in city limits. She pleaded no contest and was ordered to take a firearms safety course in order to get the case dismissed.
'Tired of having a target on their back'

Proximity to law enforcement has driven two eastern Idaho school districts to allow weapons on campus.

The Mountain View School District -- about 200 miles north of Boise -- has allowed staff members to carry concealed weapons on campus for the last year. The nearest law enforcement in this district can be up to an hour and 45 minutes away, according to CNN affiliate KIVI.

"People are tired of having a target on their back and that was my main reason of doing," Mike Dominguez a Mountain View School District Board Member, told KIVI.

Staff in Mountain View is armed on a voluntary basis and will have to undergo serious vetting and more than 40 hours of training, KIVI reports.

In the Garden Valley School District, trained staff members have access to firearms but they have them locked up. The district is "45 minutes over the mountain" from the Sheriff's Office, superintendent and principal Greg Alexander told CNN affiliate KBOI.

The Garden Valley School in Idaho began their weapons policy more than five years ago and it's been evolving ever since.

Alexander and the school board want to be prepared for an active shooter situation. Years after implementing the weapons policy, he says they're more prepared than ever.

"We've changed up our training just to meet the needs of those that have been coming, I mean we do scenarios and every time it is different," he said.

Nowadays, Alexander told KBOI, a NRA-certified trainer trains different teams and puts them in scenarios so they know when to move, fire a weapon and think about what kind of scenarios they may face.

Article 3

<https://archive.triblive.com/local/westmoreland/teachers-with-guns-senate-bill-383-gives-ok-in-pa/>

Teachers with guns? Senate Bill 383 gives OK in Pa.

PATRICK VARINE | Friday, April 21, 2017, 10:12 p.m

State Sen. Don White wants to give school districts more options to keep students safe. But according to several statewide education groups, allowing teachers to carry firearms on school property is not a viable option.

The Indiana County Republican's Senate Bill 383 — it was approved this week by a 9-3 vote of the bipartisan Senate Education Committee — would allow school districts to grant properly licensed and trained personnel access to firearms or permission to carry a concealed firearm.
White put forth similar legislation in 2014, which was not enacted.

“Since I first introduced this proposal, there has been much discussion about what the measure does and how it relates to current Pennsylvania law,” White said in a news release. “To be clear, this bill is not about the Second Amendment. It's about permitting the 500 school districts of this Commonwealth to have greater choices when it comes to protecting our most precious resource – our children.”

Ken Trump, president of Cleveland-based National School Safety and Security Services, said teachers are not trained law enforcement officers.

“It's a high-risk, high-liability proposition,” Trump said. “School districts are educational organizations; they're not police departments. Superintendents and principals are educators, not police chiefs. Police officers are trained to assess situations and make life-or-death decisions with every call they take.”

The bill's language mandates that any school district employee with access to a firearm have current certification in one of five education courses that provide basic firearms training. It does not propose a mechanism to fund that certification.

The nonprofit Education Law Center, with offices in Pittsburgh and Philadelphia, also opposes the bill.

“There is reason to believe arming school personnel is more dangerous than the harm it seeks to avoid,” the center's executive director, Deborah Klehr, wrote in a March 27 letter to the Senate Education Committee. “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.”

White's Senate district includes the Franklin Regional School District, where 20 students and a security guard were injured in a 2014 knife attack.

Franklin Regional Superintendent Gennaro Piraino said he is following discussion of the bill but has not taken a position on it.

“The safety and security of my students, staff and community is always my paramount concern,” Piraino said. “This subject and legislation is very complex and has both intended and potential unintended impacts on all stakeholders in our community.”

Sen. Randy Vulakovich, R-Shaler, a co-sponsor of the bill, addressed concerns at a meeting with parents in the Fox Chapel School District Thursday evening.

“I'm a big believer that school districts can make this decision on their own,” he said. White said that with time being a critical factor during a violent incident, his bill “gives trained school personnel the opportunity to serve as first responders.”

Trump said if a school district feels strongly enough that it needs a constant armed presence on campus, “put your money where your mouth is and invest in a school-based police presence. People cry poor when that comes up — well, you're going to pay a lot more if you have a liability issue involving a staff member with a firearm.”

The Pennsylvania State Education Association also opposes the bill. Spokesman Wythe Kever said turning school employees into first responders creates more problems than it solves. “First responders arriving on scene at an armed confrontation might not be able to distinguish a perpetrator from a school employee,” he said. “We believe in making schools safer, but this bill is not the way to do it.”

Article 4

<https://whyy.org/articles/pa-superintendents-quietly-carrying-firearms-in-schools/>

Some Pa. superintendents have been quietly armed in schools — and parents probably don't know it

By Jen Kinney July 10, 2019

Educators fire off rounds during a concealed carry class for teachers Sunday, June 10, 2018, at Adventure Tactical Training in Farmer City, Illinois. The class was designed to help teachers feel less vulnerable in the wake of a number of recent school shootings across the country. (David Proeber, The Pantagraph via AP)

Amid ongoing debate about who can carry guns in Pennsylvania schools, some school administrators have been quietly armed for nearly a year, a Keystone Crossroads investigation has found.

According to a lawyer whose firm represents about 50 Pa. school districts, a handful of superintendents have gained permission from county law enforcement officials to carry concealed firearms in their schools without the public's knowledge.

Attorney Ronald Repak, of the Altoona-based Beard Legal Group, gave a presentation at a school safety conference earlier this year, in which he said that his firm had petitioned district attorneys on behalf of administrators who wished to carry firearms in their official capacity.

Based on ambiguity in state statute, district attorneys in different counties arrive at different interpretations of the law.

Repak recently confirmed that fewer than six of those petitions were successful, and that administrators in those districts now carry guns. He would not disclose details about which districts or staffers.

There could be other armed staff at districts represented by different firms.

"I will tell you, you probably don't know who these individuals are, but they are carrying concealed weapons within the school districts because of our petition," Repak said.

The news came as a shock to some education advocates.

"I haven't heard one thing at all about anyone carrying guns," said Edward Albert, executive director of the Pennsylvania Association for Rural and Small Schools.

Who can carry a firearm in schools and under what circumstances remains murky in Pennsylvania — and up for debate. Last week, Governor Tom Wolf signed a bill that extends the right to carry guns in schools to private security guards.

The governor said the bill, SB 621, also cleared up ambiguity about whether teachers can be armed.

"The students, parents, and educators in this commonwealth can now be secure in the knowledge that teachers can dedicate themselves to teaching our children, and that the security of school facilities rests in the hands of trained, professional security personnel," he said in a statement.

But despite a similar statement from the Pennsylvania Department of Education, both supporters and opponents of arming teachers say they believe the law remains open to interpretation. Nicholas Boyle, a school board member in Tamaqua, Pa. the first district in the state to pass a policy that would let teachers carry guns in the classroom, told the Allentown Morning Call that he sees no reason for the district to drop that policy based on the new law.

“The governor is acting like they took all ambiguity out of it and I have no idea where he’s getting that,” Boyle said.

Nonetheless, Tamaqua school board’s security committee voted Tuesday night to rescind the policy to ensure that it’s in line with the new law. The full board would still need to approve. School board president Larry Wittig told the Times News Lehighton that, at some point, the board would work “on something that will comply with the law as it’s presently written.”

“I just want to stress that the law does not, contrary to what the governor may have said, does not specifically preclude a staff member from going through the training and carrying,” said Wittig. Meg Snead, Governor Wolf’s secretary of policy and planning, disputes that reading. “The law is silent on who cannot carry a firearm, but is very specific on who *can* carry a firearm, and we think that’s what removes the ambiguity,” she said.

State Sen. Mike Regan, R-Cumberland, who co-sponsored the bill, agrees that arming teachers under this bill would be an overreach. “I think it would take a really liberal and broad interpretation, and I think it would not withstand the scrutiny of the courts,” he said.

SB 621 lays out training and guidelines for schools to hire three types of armed personnel: school police officers, school resource officers, and now, school security guards — independent contractors who are not members of law enforcement.

An earlier draft of the bill included a clause that would have prevented security guards from participating in other programs with students, but it was stripped.

Opponents such as the Education Law Center and CeaseFirePA say the final version could be interpreted by districts to give them the leeway to designate teachers or other staff as “security guards.”

Regan says the clause was removed because security guards need to interact with students in order to gather the necessary information to do their jobs. Wolf’s office says the law is clear. “Teachers and school administrators are not ‘school security personnel’ and are not authorized to be armed,” said a spokesperson by email.

Another clause removed before the bill’s passage had stated explicitly that this law is the sole means by which schools may designate personnel to carry firearms. Wolf’s office and legislators could not agree on the language, so it was stripped entirely.

And there’s another source of ambiguity. Title 18, Section 912 of the Pa. Crimes Code states that no one except recognized security personnel may bring a weapon onto school grounds, unless it is for a supervised school activity or “other lawful purpose.”

In 2016, Secretary of Education Pedro Rivera wrote that the Pennsylvania Department of Education considers “the scope of ‘lawful purpose’...unclear and unsettled.” Tamaqua’s school board had pointed to the statute to argue for the legality of arming teachers.

And last year, when Beard Legal Group reached out to Indiana County District Attorney Patrick Dougherty about a local superintendent who wished to carry a gun, “lawful purpose” came into question again. Dougherty wrote a letter stating that by his reading, that administrator would not be running afoul of the law.

“I am of the opinion that if your school board of directors takes the appropriate steps to consider you a part of the security team, and you comply with all directives and required training by the school board, the Commonwealth will not prosecute you,” he wrote.

The letter also seemed to imply that the administrator was already carrying a gun in the school. “To date, this administrator does in fact carry a concealed weapon on district property,” it continued.

Dougherty wrote the letter in June 2018 in reference to Marion Center Area School District, a small district northeast of Pittsburgh.

Reached by phone, Marion Center Superintendent Clint Weimer would not confirm or deny whether he or any other administrators are armed.

“That’s executive session, and it’s not subject to Right-to-Know,” he said. “Just for security purposes of the district.”

Weimer was referring to Act 44 of the Public School Code, which states that every year, safety and security coordinators must report to their school board about current security protocol. Those reports are supposed to be presented in executive session, out of public view, and are not subject to Right-to-Know requests.

Regan says that interpretation is correct — and vital. Until Act 44, he said, “Schools were having to sunshine their meetings about how they were going to secure their schools in front of a would-be assailant,” a security breach. But, he continued, “there’s nothing in there that would advocate for or be in favor of administrators arming themselves arbitrarily.”

“If you’re asking the district attorney if he will prosecute, it’s obviously an admission that you’re breaking the law or there’s some ambiguity,” he said.

When reached by Keystone Crossroads, DA Dougherty argued school boards still need to go through a public process to arm school administrators.

“In my opinion, it should be done out in the light of day, so citizens know, ‘Here’s what’s going on in our schools,’” said Dougherty. “What I would want to see is the minutes from that board authorizing whatever employee it is.”

In the case of Marion Center Area School District, those minutes are not readily available. The link on the district’s website where they are supposed to be posted is broken. According to school board meeting agendas, the board was scheduled to vote in August 2018 to designate Superintendent Weimer as “the supervisor of all security staff and act as the District’s Safety and Security Coordinator.”

But the motion does not mention firearms, nor does it recognize Weimer as a school resource officer, school police officer, or private security guard, the recognized categories who may carry guns.

Weimer would not comment on whether the public has an interest in knowing whether administrators are armed.

“I cannot speak to that,” he said.

Regan believes his recent bill makes clear that this arrangement is illegal.

“Maybe that’s something for the attorney general to examine,” he said.

Politicians and education advocates weren’t just surprised to learn that some administrators are carrying firearms. They also wanted to know: why superintendents?

“To me, even if a super were to carry a gun, it wouldn’t make any sense at all. I was a superintendent for seven years. If I’m in the elementary school and there’s a shootout at the high school, what am I really going to do?” said Albert, executive director of the Pennsylvania Association for Rural and Small Schools.

The organization represents 150 of the state’s 500 school districts, including Marion Center. Albert also said he believes schools need to do this through a public process, or risk undermining public trust.

“Let’s just say there’s a guy that goes into a school and starting shooting somebody. The superintendent shows up, shoots the guy and kills the guy, and saves a hundred lives. I think people are going to be happy but they’re going to say, ‘We didn’t know he had a gun. Why weren’t we told that? If we weren’t told that, what else aren’t we being told?’” said Albert.

“I think those people who don’t trust school districts to begin with would say, ‘There’s another reason not to trust them, they’re not transparent.’”

Repak, whose law firm petitioned district attorneys on behalf of superintendents, said disclosing that information could put staff at risk. He would not name other school districts where superintendents are armed, citing safety concerns.

“I don’t think this is transparency versus accountability. I think safety, security is what we’re looking at,” he said.

One rationale for arming school staff without telling the public is that it creates uncertainty, which could act as a deterrent: If a potential perpetrator does not know if they will face armed opposition, proponents say they will be less likely to carry out an attack.

But a survey of recent school shootings casts doubt on the efficacy of armed personnel. Four schools involved in high-profile attacks in 2018 — including in Parkland, Florida and Santa Fe, Texas — had armed guards. All failed to stop the gunmen. Nonetheless, earlier this year, the Marjory Stoneman Douglas High School Public Safety Commission, convened to study the Parkland shooting, concluded that arming teachers or other school staff could protect against a future school shooting.

Repak says Beard Legal Group also writes petitions for schools who wish to hire armed security or police officers, and that those requests far outnumber requests to arm administrators or other staff. He has received no requests regarding administrators since March of this year.

Edward would like to see the legislature solidify its stance on arming school staff, once and for all. When informed about armed superintendents in Pennsylvania, Regan agreed there could be room for further clarification.

“That could always be another bill,” he said.