

Senate Bill 7

Armed School Personnel

ARTICLE 1

Two states aim to arm teachers despite opposition from educators and experts

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By: Phil McCausland June 2, 2023

Ohio and Louisiana are considering decreasing the requirements to arm school staff members or permitting employees to carry firearms after they fulfill the required training.

Two state legislatures are considering measures that would permit teachers and other school staff to carry arms in the aftermath of the Texas elementary school shooting that killed 19 children last month, despite opposition from gun safety advocates, teachers' groups and school security experts.

While the idea isn't new — many Republican-controlled legislatures considered similar legislation after the 2018 Parkland, Florida, shooting — it is a growing talking point as the country has witnessed a number of mass killings in the past few weeks. Two states, Ohio and Louisiana, are now considering either decreasing the requirements to arm school staff or permitting employees to carry a firearm after fulfilling the required training.

It's a popular talking point in conservative circles. Texas Attorney General Ken Paxton, a Republican, said in an interview on Fox News on the day of the Uvalde school shooting that the state, which already allows teachers to be armed, should go further to ensure school employees have firearms.

“We can't stop bad people from doing bad things,” he said. “We can potentially arm and prepare and train teachers and other administrators to respond quickly because the reality is that we don't have the resources to have law enforcement at every school.”

At least 28 states, including Texas, currently allow teachers or school staff to be armed in the classroom under varying conditions, according to a 2020 RAND Corporation study. It is unclear how effective that has been at undermining a school shooting threat and critics note research that shows that adding firearms to a situation only increases the risk of gun violence.

“These bills are about rhetoric and distraction — they're not about solutions,” said Rob Wilcox, federal legal director at Everytown for Gun Safety. “If you were to introduce guns into schools, not only is it ineffective, but you're introducing more risk. How will guns be stored? How will folks be trained? When will guns be used? How do you ensure kids won't get access to them? How do you ensure a gun isn't used in a tense situation at school? These are all critical questions about this type of legislation that never gets answered.”

The National Education Association and the American Federation of Teachers have long expressed their opposition to arming teachers as a solution to gun violence at schools, and many have also shared concerns about the heightened risk of legal liability for teachers and schools.

School security experts also shared frustration that many of these programs provide limited training as a cost-saving measure for security, as it appeared to show a lack of commitment to safety.

“You can tell me all you want with your rhetoric that school safety is a priority, but I will know whether it is when I look at your budget, your actions and your leadership,” said Kenneth Trump, who has served as an expert for civil litigation trials after shootings and serves as the president of Ohio-based National School Safety and Security Services. “One thing I’ve learned in 30 years of working with schools is that it becomes a priority when the parents are outraged or when there’s media attention.”

Ohio’s and Louisiana’s pushes to arm teachers

The bill headed to Ohio Gov. Mike DeWine’s desk from the state’s Republican-controlled legislature would lessen the threshold for carrying a weapon.

DeWine said in a statement that he called on the Ohio General Assembly last week to pass the bill that would allow school districts to “designate armed staff for school security and safety.” He said he looked forward to “signing this important legislation.”

“My office worked with the General Assembly to remove hundreds of hours of curriculum irrelevant to school safety and to ensure training requirements were specific to a school environment and contained significant scenario-based training. House Bill 99 accomplishes these goals, and I thank the General Assembly for passing this bill to protect Ohio children and teachers.”

Ohio state Sen. Cecil Thomas, a Democrat from Cincinnati, said “the bank of common sense is bankrupt in the Ohio legislature, noting that he’s been pushing for new regulations aimed at preventing gun violence since a 2019 mass shooting in Dayton, Ohio, left nine dead and 17 wounded.

“Since then, the most we got in the legislature is to put more guns out there and made it easier to have access to firearms,” said Thomas, who served on the Cincinnati Police Department for 27 years.

The measure to arm teachers is heading to the governor’s desk as Ohio also prepares, in two weeks, to formally lift the requirement that gun owners have a concealed carry license as the state’s “Constitutional Carry” law goes into effect.

While those laws have passed easily in the Republican-controlled legislature, Thomas said he’s had no luck getting a hearing for legislation he’s written to limit the procurement of arms, such as red flag laws, universal background checks, background checks for the transfer of firearms, increasing age requirements for firearm purchases to 21 and more.

In Louisiana, state Sen. Eddie Lambert, a pro-gun Republican, amended a controversial gun bill passed by the statehouse on Wednesday, stripping the legislation of a measure that would allow permitless concealed carry, to pursue a similar idea. Because it is too late to introduce new bills into the legislative session, which ended Monday, his changes would delete the original concept of permitless concealed carry.

In place of the old language, he added text that would give school districts the authority to designate school administrators or teachers who could carry a gun and serve as “school protection officers” after they took a training course and obtained a permit that allowed them to carry weapons in schools. He said they would receive training similar to that provided to police officers.

“You don’t want anybody who is not fully trained in this situation: this is not for just some Joe Blow,” he said, adding that teachers would have to keep the concealed gun “on them at all times” and out of reach of children.

Lambert said the original bill — a copy of legislation vetoed by Democratic Gov. John Bel Edwards last year — had no chance of passing. This “common sense” law did, however, and he said he felt it necessary to include the language after reading about the Tulsa hospital shooting and the attack on the elementary school in Uvalde, Texas.

“You’re going to have some of the gun rights people criticize me for that,” he said, explaining that some were upset with him for changing the bill. “You know what? I’m just going to do what can be done to protect people.”

Bel Edwards’ office said it had not changed its position on permitless concealed carry since the governor, a gun owner, vetoed the bill last year, but added that it was too early to comment on legislation that hadn’t yet passed the Senate and would have to be voted on again in the House.

Teachers not enthusiastic about being armed

The question is, however, do teachers want to be armed in the classroom?

In the past they’ve said, no. A 2019 national survey of 2,926 teachers, including more than 450 gun owners, conducted in the aftermath of the Parkland shooting found that more than 95 percent of educators did not believe teachers should be carrying a gun in the classroom.

Only about 6 percent said they would be comfortable using a gun to stop a shooter.

Texas is one of the states that has allowed teachers and other school employees to be armed, but it’s not a particularly popular program, either.

Under its “school marshal” program, Texas has licensed certain school employees to carry a firearm since 2013. After an 80-hour course, a psychological exam and a \$35 fee, school staff members can be approved to pack heat in schools. But in nine years, the state has only licensed

256 marshals in 62 of the state's 1,029 school districts, according to the Texas Commission on Law Enforcement.

NEA President Becky Pringle said in a statement that "teachers need more resources, not revolvers."

"Educators and parents overwhelmingly reject the idea of arming school staff," she added. "Rather than arming educators with guns, we need to be giving them the tools needed to inspire their students. Rather than putting the responsibility on individual teachers, our elected leaders need to pass laws that protect children from gun violence and bring an end to senseless and preventable killings."

ARTICLE 2

Trained, Armed and Ready. To Teach Kindergarten.

More school employees are carrying guns to defend against school shootings. In Ohio, a contentious new law requires no more than 24 hours of training.

<https://www.nytimes.com/2022/07/31/us/teachers-guns-schools.html>

By: Sarah Mervosh July 31, 2022

RITTMAN, Ohio — Mandi, a kindergarten teacher in Ohio, had already done what she could to secure her classroom against a gunman.

She positioned a bookcase by the doorway, in case she needed a barricade. In an orange bucket, she kept district-issued emergency supplies: wasp spray, to aim at an attacker, and a tube sock, to hold a heavy object and hurl at an assailant.

But after 19 children and two teachers were killed in Uvalde, Texas, she felt a growing desperation. Her school is in an older building, with no automatic locks on classroom doors and no police officer on campus.

"We just feel helpless," she said. "It's not enough."

Mandi decided she needed something far more powerful: a 9 millimeter pistol.

So she signed up for training that would allow her to carry a gun in school. Like others in this article, she asked to be identified by her first name, because of school district rules that restrict information about employees carrying firearms.

A decade ago, it was extremely rare for everyday school employees to carry guns. Today, after a seemingly endless series of mass shootings, the strategy has become a leading solution promoted by Republicans and gun rights advocates, who say that allowing teachers, principals and superintendents to be armed gives schools a fighting chance in case of attack.

At least 29 states allow individuals other than police or security officials to carry guns on school grounds, according to the National Conference of State Legislatures. As of 2018, the last year for which statistics were available, federal survey data estimated that 2.6 percent of public schools had armed faculty.

The count has likely grown.

Over the course of three days, school employees practiced shooting, tying a tourniquet and responding to fast-paced active shooter drills. Credit...Maddie McGarvey for The New York Times

In Florida, more than 1,300 school staff members serve as armed guardians in 45 school districts, out of 74 in the state, according to state officials. The program was created after a gunman killed 17 people at Marjory Stoneman Douglas High School in Parkland, Fla., in 2018.

In Texas, at least 402 school districts — about a third in the state — participate in a program that allows designated people, including school staff members, to be armed, according to the Texas Association of School Boards. Another program, which requires more training, is used by a smaller number of districts. Participation in both is up since 2018.

And in the weeks after the Uvalde shooting, lawmakers in Ohio made it easier for teachers and other school employees to carry guns.

The strategy is fiercely opposed by Democrats, police groups, teachers' unions and gun control advocates, who say that concealed carry programs in schools — far from solving the problem — will only create more risk. Past polling has shown that the vast majority of teachers do not want to be armed.

The law in Ohio has been especially contentious because it requires no more than 24 hours of training, along with eight hours of recertification annually.

“That, to us, is just outrageous,” said Michael Weinman, director of government affairs for the Fraternal Order of Police of Ohio, the state’s largest law enforcement organization. By comparison, police officers in the state undergo more than 700 total hours of training, including a portion dedicated to firearms proficiency. And school resource officers — police assigned to campuses — must complete an additional 40 hours.

Supporters say 24 hours is enough because while police training includes everything from traffic tickets to legal matters, school employees tightly focus on firearm proficiency and active shooter response.

Studies on school employees carrying guns have been limited, and research so far has found little evidence that it is effective. There is also little evidence that school resource officers are broadly effective at preventing school shootings, which are statistically rare.

Yet arming school employees is finding appeal — slight majorities among parents and adults in recent polls.

A new law in Ohio has been especially contentious because it requires no more than 24 hours of training for school employees to carry a gun.

Of the five deadliest school shootings on record, four — in Newtown, Conn., Uvalde, Texas, Parkland, Fla., and Santa Fe, Texas — have happened in the last 10 years.

It was this possibility that brought Mandi and seven other educators to a gun range tucked amid the hayfields and farm roads of Rittman, in northeast Ohio.

Over the course of three days, Mandi practiced shooting, tying a tourniquet and responding to fast-paced active shooter drills. Her presence on the range, firing her pistol under the blazing sun, cut a contrast to the classroom, where she dances to counting songs with 5-year-olds, dollops out shaving cream for sensory activities and wallpapers her classroom with student artwork.

That she was being trained at all spoke to the country's painful failure to stop mass shootings, and to the heavy responsibilities piled onto teachers — catching students up from the pandemic, handling mental health crises in children, navigating conflicts over the teaching of race and gender and now, for some, defending their schools.

Mandi, in her 40s, arrived at the training with nervous anticipation. She had been a teacher for a dozen years and has children of her own. She wanted to be sure she could carry her gun safely around students. "I get hugs all day long," she said.

And then there was the prospect of confronting an actual gunman. Could three days of training prepare her for the unthinkable?

'Time Is All That Matters'

The educators had come from Ohio and as far as Oklahoma for a 26-hour course by FASTER Saves Lives, a leading gun training program for school employees. It is run by the Buckeye Firearms Foundation, a Second Amendment organization that works alongside a major gun lobbying group in Ohio. The lobbying group, the Buckeye Firearms Association, supported the new state law for school employees.

Over the past decade, the foundation estimates it has spent more than \$1 million training at least 2,600 educators.

Its approach aligns closely with an argument that has become a hallmark of the National Rifle Association and the gun lobby: "The only way to stop a bad guy with a gun is a good guy with a gun."

In this view, teachers are the ultimate "good guys."

The program included medical training on how to tie a tourniquet

“We trust them with our kids every day,” said Jim Irvine, an airline pilot and a longtime advocate for gun rights who is president of the Buckeye Firearms Foundation and volunteers as a director with FASTER.

Their philosophy is that saving lives during school shootings is a matter of speed, and that schools cannot afford to wait for the police.

At Sandy Hook Elementary in Newtown, Conn., in 2012, the first 911 call was made after about five minutes, and the first officers arrived at the school less than four minutes later. Still, 20 children and six adults were killed. In Parkland, Fla., the gunman killed 17 people in just under six minutes.

Even in Uvalde, where the police have been criticized for waiting on site for more than an hour, the gunman is believed to have fired more than 100 rounds within the first three minutes, according to a state report.

“Time is all that matters,” Mr. Irvine said. “It’s that simple.”

Of the eight school employees being trained, Mandi was in some ways an anomaly. She was the only woman in the group. Several others were administrators — a superintendent, a principal — rather than teachers.

In other ways, she was typical.

Everyone had some comfort with guns. Mandi described hunting with her husband and shooting at a gun range on weekends. She said she had taken other firearms classes, including concealed carry training, one of the prerequisites to participate in FASTER.

Like others, she worked in a rural area, where carrying guns in schools is more common, in part because of longer response times by the police. One group in the training, from Oklahoma, estimated the response time in its area was at least 22 minutes.

“The last thing I want is for people to think we are just a bunch of gunslinging teachers who want an excuse to carry guns in schools,” said Mark, a middle-school teacher in Ohio who described measuring his school’s hallway to determine how far he needed to learn to shoot.

“I love my kids,” he said. “I’m going to do everything I can to keep them safe.”

School districts typically require anonymity as a tactical and safety strategy, so that would-be gunmen cannot plan around armed employees. While the school community may know someone on campus has a gun, employees and parents will not be told who.

That makes the choice of candidates especially crucial.

“We don’t always consider an individual that’s like, hey, jumping up and down,” said Malcolm Hines, an assistant superintendent in Suwannee County, Fla., where armed employees must pass

a psychological screening and complete 144 hours of training. “My spidey senses always go up on that, if someone is too eager.”

In Mandi’s district, the superintendent said candidates must be approved by the school board. In addition to going through the FASTER training, they must meet annually with the sheriff’s department and may be removed if their skills are not up to par.

At the FASTER program, much of the training focused on firearm proficiency. The group practiced shooting for hours. Up close and far away. Right-handed and left-handed. Small circular targets and life-size human silhouettes.

“I want to be perfect,” Mandi said, noting that accuracy would be paramount if she ever needed to fire her gun in school.

Instructors offered safety and technical critiques, timed individuals’ shots and urged teachers and administrators to be assertive.

All of it was aimed at one thing: stopping a gunman in the act.

“This is a very reactive way to think about gun violence prevention,” said Sonali Rajan, an associate professor at Teachers College, Columbia University, who studies school gun violence.

School gunmen are often teenagers in suicidal crisis. To intercept them beforehand, experts recommend mental health support, systems to identify children who may become threats and tighter gun laws, including mandates on safe storage.

“It’s one of the laws that has the best evidence,” said Andrew R. Morral, a lead gun policy researcher for the RAND Corporation, a nonpartisan think tank.

In the face of an attack, one effective strategy is to lock classroom doors. More and more school districts have also hired school resource officers.

Still, campus police have not reliably prevented mass violence.

In one infamous example, a school resource officer present at the high school in Parkland stayed outside during the attack. In Uvalde, the school district had added officers to its police force and doubled spending on security in recent years.

“If trained law enforcement couldn’t stop that, what makes you think an ill-trained teacher or other school employee would be able to?” said Scott DiMauro, president of the Ohio Education Association, the state’s largest teachers’ union, which opposed the new law.

This Is Only a Test

FASTER touts its program’s rigor.

Though not required by state law, some districts require teachers and administrators to pass the FASTER course, which includes a shooting qualification test — with distances ranging from close up to as far as 50 feet. To pass, participants must make at least 26 out of 28 shots.

Shooting in a controlled environment on the gun range, though, does not necessarily translate to high stress, real-world scenarios. Even police officers lose accuracy on the street, with hit rates below 50 percent.

“I would consider those to be marksmanship tests, to show you can handle the firearm safely, but they are not combat shooting,” said Pete Blair, executive director of the Advanced Law Enforcement Rapid Response Training Center at Texas State University, which specializes in active shooter training.

Critics question whether 24 hours of training, as outlined in state law, is enough to prepare school employees to carry a gun around students. FASTER officials say the training is highly specialized.

A more dynamic environment came later, when Mandi and her classmates practiced simulated scenarios in an empty school building. Experts say these kind of live scenarios offer more realistic preparation.

Mandi said she heard gunshots — blank shots — ring out in the hallways. Peering into a classroom, she saw a role player pointing a gun, and threatening to shoot, amid teacher and student actors. She aimed at the role player with a rubber bullet and was encouraged, she said, that she did not miss. (Because of media restrictions on campus, The New York Times was unable to attend this portion of the training.)

Other scenarios called for de-escalation. In one example, two role players tussled over a gun, making it difficult to tell who had brought the firearm and who was a bystander.

“We learned that it is just as important not to pull the trigger,” Mandi said.

The program did not include formal training on how implicit bias might affect decision-making.

Black and Hispanic Americans are killed by the police at significantly higher rates than white Americans, and in school, Black students experience the highest rates of suspension of all racial groups.

At one point in the program, the group fired at a row of paper targets showing a photo of a Black woman holding a handgun. Later, the targets showed a white man with a rifle.

But some experts say that targets should show a greater mix of race, gender and age, so as not to reinforce stereotypes or prime the mind to see particular groups as a threat.

“If you are trying to look at bad guys, then there should be an array of bad guys,” said Tracie Keesee, a co-founder of the Center for Policing Equity. “We also know the prominent folks who do the types of shootings in schools are not Black women.”

Mr. Irvine said the training is meant to focus on risk, not race. Shooting is warranted only if there is an “imminent threat to innocent people,” he said.

For critics, the everyday dangers are among the most worrisome.

Mass shootings, for all their heartbreak, remain exceedingly rare in a country with nearly 130,000 schools and 54 million schoolchildren.

Teachers, principals and janitors, on the other hand, interact with students every day.

“Arming teachers doesn’t make kids safer,” said Shannon Watts, the founder of Moms Demand Action, a network of parents fighting for stronger gun laws. “In fact, it increases the chances that a teacher’s gun will fall into the wrong hands or discharge unintentionally.”

Laws vary by state but often are not specific about how teachers must carry or store guns.

In one case, two first graders in Ohio found a gun after an employee in a concealed carry program left it in an unlocked case near her desk. Students have also discovered guns on buses and in school bathrooms, according to news reports.

A Growing Stealth Force

By the end of the program, Mandi and her classmates had enough training to carry a gun in school under the new Ohio law. They are part of a growing, and somewhat experimental, stealth force in schools.

The outcome is far from known.

While there have been anecdotes of armed citizens intervening in public shootings, such as the recent case at an Indiana mall, “that is an anomaly,” said Jaclyn Schildkraut, an associate professor of criminal justice at the State University of New York at Oswego, who studies mass shootings.

Most mass shootings end when a gunman is shot or subdued by the police, dies by suicide or leaves the scene.

FASTER officials said they were not aware of any graduates of their program who had responded to a school shooting.

Jennifer, a school custodian who volunteers as an instructor with FASTER, said that in four years of carrying in her school, she had never needed her weapon. She doesn’t doubt her ability, she said, but believes the hardest part would be using her firearm on a student. She recalled a time when a middle schooler she had been mentoring threatened to bring a gun to school.

“My heart just dropped,” she said, adding that administrators were able to intervene.

For Mandi, the decision to be armed in the classroom seemed like a better solution than wasp spray or a tube sock.

She has worked through logistical details, like how she will carry her pistol: inside her waistband, in a holster meant to prevent accidental discharge. She did handstands, to check that her gun remained secure. When students come for hugs, she plans to turn her hip to direct them to the other side of her body.

To keep up her training, she goes to the gun range each week, she said.

And while she acknowledged other, important policies could help prevent school shootings, she did not feel she could afford to wait for change.

“We’ve got to help the kids right now,” she said.