



MEMORANDUM

TO Interested Parties

FROM Giffords

DATE August 23, 2018

RE Expected Department of Education Guidance to Arm Teachers

SUMMARY

On August 22, 2018, the New York Times reported that the Department of Education is considering allowing states to use federal funding to arm teachers. Such unprecedented guidance issued by the Department would open up funding available through Title IV, Part A of the Every Student Succeeds Act—Student Support and Academic Enrichment grants—intended to provide students with a well-rounded education through activities like college and career counseling, health and physical education, and personalized learning services. Instead, action by the Department of Education would allow school systems to use this finite amount of funding to make schools less safe, blatantly ignoring [the 82% of teachers who oppose carrying guns in schools](#) and prioritizing gun lobby profits over children's safety.

BACKGROUND ON TITLE IV, PART A FUNDING

Signed into law in 2015, the Every Student Succeeds Act (ESSA) is intended to prepare students for adult success through a holistic educational experience in community schools and after-school programs. Within the ESSA, [Student Support and Academic Enrichment \(SSAE\) block grants](#) are to: “(1) provide all students with access to a well-rounded education; “(2) improve school conditions for student learning; and “(3) improve the use of technology in order to improve the academic achievement and digital literacy of all students.”” [Original Departmental guidance](#) encourages jurisdictions to select evidence-based activities to accomplish these objectives. Grants are distributed to schools based on need, with consideration given in part to a school's amount of low-income students and if a school is identified as persistently dangerous. In fiscal year 2018, SSAE was funded at \$1.1 billion.

BACKGROUND ON GUNS IN SCHOOLS

Guns have no place in our nation's schools. The vast majority of states—47 of them in all—prohibit carrying or possessing a firearm on [K–12 school property](#). But despite schools' best efforts to keep guns off the premises, kids with access to guns sometimes bring them to school, and use them. This year, there have already been [23 school shootings](#) where someone was hurt or killed—an average of more than one a week. Over [two-thirds](#) of students who used guns to commit “targeted violence” against their school acquired the gun(s) used in their attacks from their own home or that of a relative. Alarming, over [4.6 million children](#) and children under age 18 have access to guns because they live in homes with loaded and unlocked firearms. And [one study](#) showed that 73% of children aged nine and under reported knowing the location of their parents' firearms and 36% admitted that they had handled the weapons, including many whose parents had reported their children did not know the location of their firearm.

Guns are not an effective means of violence prevention in schools—or any active shooter situations. **There is no evidence that arming teachers will protect children in schools**, but broad awareness that

teachers are not effective deterrents in active shooter situations. Due to the confusion and panic when there is an active shooter, even armed and trained police officers have [a history of shooting or nearly shooting other civilians](#) who are near the active shooter, especially when these innocent civilians are armed and [may appear to be active shooters themselves](#). [Engaging with active shooters can harm bystanders](#) and even lead to casualties among police officers. Only 3% of active shooter situations end [when armed civilians interfere](#); meanwhile, **unarmed** civilians are more effective at ending active shooter situations, with this occurring 13% of the time. This is why both [teachers](#) and law enforcement, including [The Major Cities Chiefs Association](#) and [National Association of School Resource Officers](#), oppose arming teachers.

KIDS AND GUNS

Beyond physical injuries, gun violence has life-altering implications for the children who witness or survive shootings, particularly with regard to their mental health.

- Since Columbine alone, more than 214,000 students in at least 216 elementary, middle, and high schools have experienced school shootings.
- Since 2014, there have been over 30 publicly-reported incidents where a gun was fired or negligently handled by armed adults at schools, including some where a police officer unintentionally discharged the weapon.
- 91% of children in high-income countries who are killed with firearms live in the United States.
- Guns are now the third-leading cause of death for all Americans under age 18.
- For Americans ages 14–17, the rate of lifetime exposure to shootings (including hearing gunshots as well as seeing someone shot) is 17%.
- In real economic terms, the annual cost of gun violence to children alone is at least \$21 billion.
- Nearly 60% of all high school students report fears of a shooting at their school or in their community.
- Nearly 40% of children exposed to a shooting will develop PTSD.
- 7th- and 8th-grade students who reported direct exposure to gun violence had a 36% increase in the number of recent aggressive episodes.

POLICY SOLUTIONS TO PROTECT CHILDREN

The substantial impact of gun violence can be mitigated with the adoption of gun safety laws that ensure firearms stay out of the hands of minors and those who may be a threat to themselves or others. These solutions include:

- **Mandating Safe Storage of Firearms:** Safe storage laws codify accepted standards for responsible firearm storage practices, helping to prevent gun theft and reduce suicides, accidents, and homicides by children and unauthorized users. With 4.6 million American minors living in homes where guns are kept loaded and unlocked, it is critical that firearms are safely stored. The US Government Accountability Office has estimated that [31% of accidental gun deaths](#) could be prevented by use of a child-proof gun lock in combination with other safety devices. [Read more.](#)
- **Passing Child Access Prevention (CAP) Laws:** Rather than explicitly requiring a gun to be locked when not in use, CAP laws impose criminal liability on adults who allow minors unsupervised access to firearms. Twenty-seven states and Washington DC have addressed this problem through [child access prevention laws](#), which impose criminal liability on adults who allow minors to have unsupervised access to guns. These laws encourage responsible firearm storage and have proven to be extremely effective at ensuring that minors are not able to access a family member's gun and use it to harm themselves or others. For example, [Florida's CAP law](#)—the first such law in the country, which was accompanied by a major public education campaign—was associated with a [51% decrease](#) in child unintentional shooting deaths between 1989 and 1997. [Read more.](#)

- **Incentivizing Gun Safety Technology:** Gun safety technology could significantly reduce unintentional child shootings and youth suicides, as it would make it easy for owners to reliably secure their guns from children or by teens at risk for harming themselves. [Read more.](#)
- **Empowering Pediatricians to Discuss Gun Safety:** Due to intimidation tactics by the NRA, many physicians do not talk about firearm storage or safety during visits even though they discuss other injury prevention practices such as helmet use, child passenger safety, or childproofing. A bill introduced in the Texas legislature in 2017 would have prohibited physicians from talking to their patients about firearms.
- **Enacting Risk-Based Gun Removal Laws:** Several states have passed legislation that temporarily prohibit a dangerous person from purchasing or possessing firearms. This law allows family and household members to ask a court for an order disarming a person who is clearly at-risk for committing violence. Under the law, police officers can also petition a court for an order. [Read more.](#)
- **Closing Loopholes that Allow Domestic Abusers to Access Guns:** With approximately 54% of mass shootings committed by domestic abusers, it is clear that preventing these individuals from accessing a gun is critical to mitigating gun violence. [Read more.](#)
- **Requiring Background Checks on All Gun Purchases:** [97% of Americans want background checks](#) to be required for all gun purchases, including purchases from private or unlicensed individuals. Yet federal law only requires licensed dealers to perform background checks, allowing guns to easily fall in the hands of dangerous individuals. [Read more.](#)
- **Investing in Community-Based Violence Intervention:** In high-crime urban areas across the country, community-based intervention programs have substantially decreased rates of gun violence. [Read more.](#)

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[Giffords](#) is a nonprofit organization dedicated to saving lives from gun violence. Led by former Congresswoman Gabrielle Giffords and her husband, Navy combat veteran and retired NASA astronaut Captain Mark Kelly, Giffords inspires the courage of people from all walks of life to make America safer.

For nearly 25 years, the legal experts at [Giffords Law Center to Prevent Gun Violence](#) have been fighting for a safer America by researching, drafting, and defending the laws, policies, and programs proven to save lives from gun violence.