



March 15, 2018

Sheriff Mike Adkinson, President
Steve Casey, Executive Director
Florida Sheriffs Association
2617 Mahan Dr.
Tallahassee, FL 32308

William Montford III, CEO
Florida Association of District School Superintendents
208 S. Monroe St.
Tallahassee, FL 32301

April Griffin, President
Andrea Messina, Executive Director
Florida School Boards Association
203 S. Monroe St.
Tallahassee, FL 32301

Re: Marjory Stoneman Douglas High School Public Safety Act

Dear Sheriff Adkinson, Mr. Casey, Mr. Montford, Ms. Griffin, and Ms. Messina:

On behalf of the NAACP Legal Defense and Educational Fund, Inc. (“LDF”), we write to urge you and your constituents to carefully implement the recently enacted Marjory Stoneman Douglas High School Public Safety Act¹ (“the Act”) to ensure protection of students and educators and full compliance with federal civil rights laws. LDF has grave concerns about several provisions of the Act, such as those allowing school employees, including some teachers, to carry guns;² requiring the placement of armed personnel in every school;³ requiring educators to “consult with” law enforcement whenever a student commits more than one misdemeanor or “exhibits a pattern of behavior . . . that would pose a threat to school safety;”⁴ and creating an anonymous reporting mechanism without proper due process protections.⁵ If not implemented carefully and appropriately, these provisions could

¹ The Marjory Stoneman Douglas High School Public Safety Act, S.B. 7026, available at <https://www.flsenate.gov/Session/Bill/2018/07026>.

² *Id.* at 12.

³ *Id.* at 77-78.

⁴ *Id.* at 80-81.

⁵ *Id.* at 57 & 71.



lead to hostile and potentially dangerous school environments and increased discrimination against students of color in violation of federal laws. LDF fully supports efforts to promote the safety and wellbeing of students, educators, and the communities in which they live. However, for the reasons detailed below, we strongly urge you to decline the invitation to send armed civilians into schools and carefully implement the Act in a manner that complies with federal anti-discrimination laws⁶ and is calculated to prevent unintended, adverse effects on students, educators, and communities.

I. Arming School Staff Will Not Make Schools Safer.

LDF joins Governor Scott,⁷ the Florida Association of District Superintendents,⁸ Florida school boards,⁹ the Florida Education Association,¹⁰

⁶ See, e.g., Title IV of the Civil Rights Act of 1964 (Title IV), 42 U.S.C. §§ 2000c *et seq.*, which prohibits discrimination in public elementary and secondary schools based on race, color, or national origin, among other bases, and Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. §§ 2000d *et seq.*, and its implementing regulations, 34 C.F.R. Part 100, which prohibits discrimination based on race, color, or national origin by recipients of Federal financial assistance.

⁷ See, e.g., Marisa Schultz, *Rick Scott rejects Trump's pitch to arm teachers*, N.Y. POST (Feb. 25, 2018) (Gov. Scott declaring his opposition to the idea of arming teachers stating, "I was our teachers to teach."), available at <https://nypost.com/2018/02/25/rick-scott-rejects-trumps-pitch-to-arm-teachers/>; Ross Palombo, *Gov. Rick Scott says he does not want to arm Florida's teachers*, WPLG Local ABC News 10, February 26, 2018, available at <https://www.local10.com/news/parkland-school-shooting/gov-rick-scott-says-he-does-not-want-to-arm-floridas-teachers>.

⁸ Letter from the Florida Association of District School Superintendents to Governor Rick Scott (March 9, 2018), available at http://www.fadss.org/_docs/_content/SB%207026%20-%20Letter%20to%20Governor%20Scott.pdf.

⁹ See, e.g., Emily L. Mahoney & Jeffrey S. Solochek, *Largest school districts may skip armed 'guardians' program, even if governor signs it*, MIAMI HERALD, Mar. 9, 2018, available at <http://www.miamiherald.com/news/politics-government/state-politics/article204045319.html>; Opposition of Tampa Bay Sch. Bd. to arming school staff, <http://wusfnews.wusf.usf.edu/post/tampa-bay-school-boards-oppose-arming-school-staff>; James Call, *Officials: Legislature stiffs schools on safety program; arming staff may be only option*, TALLAHASSEE DEMOCRAT (March 10, 2018) (reporting that Broward, Duval, Hillsborough, Palm Beach, Seminole, Miami-Dade, Pasco, Leon, and Pinellas school districts saying they will not allow staff or teachers to carry guns), available at <https://www.tallahassee.com/story/news/2018/03/09/lack-money-may-force-schools-arm-teachers-librarians-and-coaches/410471002/>;

¹⁰ Leslie Postal, *Teachers union urges Gov. Scott to veto funds for arming school staff*, ORLANDO SENTINEL, Mar. 8, 2018, available at <http://www.orlandosentinel.com/features/education/school-zone/os-teachers-union-guardian-scott-20180308-story.html>.



Florida's Legislative Black Caucus,¹¹ Parkland survivors and their families,¹² other civil rights organizations,¹³ and a majority of Florida voters¹⁴ in raising grave concerns regarding the prospect of allowing school staff to bring guns to school. Arming school staff is more likely to create gun violence than resolve or prevent it. "Gun use in self-defense is rare, and it appears that using a gun in self-defense is no more likely to reduce the chance of being injured during a crime than various other forms of protective action."¹⁵ Indeed, a study by the FBI found that unarmed individuals were more likely to disarm active shooters than someone with a gun.¹⁶ Meanwhile, research consistently shows that the presence of guns is correlated with a higher risk of violence, homicide, and suicide.¹⁷ One study showed that individuals carrying a gun were 4.5 times more likely to be shot during an assault than unarmed individuals.¹⁸

Allowing staff to carry guns in schools especially endangers Black children and educators because the judgment of the very people charged with keeping them safe is clouded by the implicit, and sometimes explicit,¹⁹ bias that is endemic in our society.

¹¹ Jessica Bakeman, *Debate Over Arming Teachers Inflames Racial Tensions In Legislature*, WUSF Public Media, Mar. 7, 2018, available at <http://wusfnews.wusf.usf.edu/post/debate-over-arming-teachers-inflames-racial-tensions-legislature>.

¹² Mary Ellen Klas, *Were Parkland families used or helped? Distrust grows over gun legislation*, MIAMI HERALD, Feb. 28, 2018, available at <http://www.miamiherald.com/news/politics-government/state-politics/article202734349.html>.

¹³ Athena Jones & Carolyn Sung, *These parents feel like America already has a target on their kids' backs. Giving teachers guns won't help*, CNN, March 9, 2018, available at <https://www.cnn.com/2018/03/08/us/arming-school-staff-race-debate/index.html>.

¹⁴ Rebecca Savransky, *Poll: Majority of Florida voters oppose arming teachers*, THE HILL, February 28, 2018, available at <http://thehill.com/blogs/blog-briefing-room/news/376034-poll-majority-of-florida-voters-oppose-arming-teachers>.

¹⁵ DAVID HEMENWAY, PRIVATE GUNS, PUBLIC HEALTH 78 (2004).

¹⁶ Federal Bureau of Investigation, *A Study of Active Shooter Incidents in the United States Between 2000 and 2013*, September 2013, available at <https://www.fbi.gov/news/stories/2014/september/fbi-releases-study-on-active-shooter-incidents/pdfs/a-study-of-active-shooter-incidents-in-the-u.s.-between-2000-and-2013>.

¹⁷ See, e.g., Matthew Miller, et al., *State-level homicide victimization rates in the US in relation to survey measures of household firearm ownership, 2001-2003*, SOCIAL SCIENCE & MEDICINE, February 2007, available at <https://www.sciencedirect.com/science/article/pii/S0277953606004898?via%3Dihub>.

¹⁸ Charles C. Branas, et al., *Investigating the Link Between Gun Possession and Gun Assault*, 99 AM. J. PUB. HEALTH 2034 (Nov. 2009), available at <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2759797/pdf/2034.pdf>.

¹⁹ See, e.g., Matt Stevens, *Florida Teacher Says Her Racist Podcast Was 'Satire'*, N.Y. TIMES, March 7, 2018, available at <https://www.nytimes.com/2018/03/07/us/florida-teacher-racism.html>; WFLA Web Staff, *Florida teacher used n-word, told students dating black people was 'not worth it,' district says*, WFLA, March 10, 2018, available at <http://wfla.com/2018/03/10/florida-teacher-used-n-word-told-students-dating-black-people-was-not-worth-it-district-says/>; The Grio, *Florida teacher put on probation for telling racist jokes in classroom*, THE GRIO, October 27, 2016, available at <https://thegrio.com/2016/10/27/florida-teacher-racist-jokes/>.



Implicit social cognition research consistently shows that, even for individuals with good intentions, negative stereotypes about race can affect split-second decisions such as the decision to discharge a weapon.²⁰ For example, white research subjects were more likely to mistake a toy for a weapon when they saw a five-year-old boy who was Black than when they saw a five-year-old boy who was white.²¹ Likewise, when research subjects were forced to make a split-second decision about whether an individual had a gun, they were more likely to mistakenly believe they saw a gun when the individual was Black.²² Similarly, when research subjects were faced with a split-second decision about whether to shoot a potentially armed person, they shot faster and more often when the potentially armed person was Black.²³

Research also shows that Black children are perceived as older than their actual age, less innocent, less childlike, more culpable for their actions, and more appropriate targets for police brutality than white children.²⁴ Similarly, research confirms that Black men are perceived as larger and more threatening than similarly-sized white men.²⁵ Implicit biases against Black children begin to cloud the judgment of their teachers as early as preschool.²⁶ There are also multiple reports of teachers

²⁰ B. Keith Payne, *Weapons Bias: Split-Second Decisions and Unintended Stereotyping*, CURRENT DIRECTIONS IN PSYCHOLOGICAL SCIENCE, 2006, available at <http://www.psych.uncc.edu/pagoolka/cdps287.pdf>.

²¹ Andrew R. Todd, et al., *Does Seeing Faces of Young Black Boys Facilitate the Identification of Threatening Stimuli?*, PSYCHOLOGICAL SCIENCE, February 1, 2016, available at <http://journals.sagepub.com/doi/abs/10.1177/0956797615624492>.

²² *Id.*

²³ Joshua Correll, et al., *Event-related potentials and the decision to shoot: The role of threat perception and cognitive control*, 42 JOURNAL OF EXPERIMENTAL SOCIAL PSYCHOLOGY 120–128 (2006), available at http://psych.colorado.edu/~tito/Correll_et_al_2006.pdf.

²⁴ Philip A. Goff, et al., *The Essence of Innocence: Consequences of Dehumanizing Black Children*, JOURNAL OF PERSONALITY & SOCIAL PSYCHOLOGY (February 2014), available at <https://www.apa.org/pubs/journals/releases/psp-a0035663.pdf>; Rebecca Epstein, et al., *Girlhood Interrupted: The Erasure of Black Girls' Childhood*, Center On Poverty and Inequality at Georgetown Law School, available at <http://www.law.georgetown.edu/academics/centers-institutes/poverty-inequality/upload/girlhood-interrupted.pdf>.

²⁵ John Paul Wilson, et al., *Racial Bias in Judgments of Physical Size and Formidability: From Size to Threat*, JOURNAL OF PERSONALITY & SOCIAL PSYCHOLOGY (March 2017), available at <http://www.apa.org/pubs/journals/releases/psp-pspi0000092.pdf>.

²⁶ Walter S. Gilliam, et al., *Do Early Educators' Implicit Biases Regarding Sex and Race Relate to Behavior Expectations and Recommendations of Preschool Expulsions and Suspensions?*, Yale University Child Study Center, September 28, 2016, available at http://ziglercenter.yale.edu/publications/Preschool%20Implicit%20Bias%20Policy%20Brief_final_9_26_276766_5379_v1.pdf.



being unjustifiably afraid of Black students.²⁷ The confluence of these factors means that arming school staff could have deadly consequences for Black students and educators.

II. Nurturing A Positive School Climate Makes for Safer Schools.

The U.S. Department of Education and the U.S. Secret Service have published a guide (the “ED/SS Guide”) on what does make schools safer, recommending the following steps:

1. Systematically surveying students, teachers, and other stakeholders about the emotional climate of a school to be able to continuously assess and improve school climate;
2. Encouraging students and teachers to respectfully listen to each other;
3. Ensuring that students feel comfortable speaking with adults in the school community;
4. Preventing and addressing bullying through promotion of pro-social behaviors;
5. Involving students and staff in the maintenance of a culture of safety and respect;
6. Ensuring all students have a trusting relationship with at least one adult at school; and
7. Creating mechanisms for developing and maintaining safe school climates.²⁸

²⁷ See, e.g., Tony Favro, *Discipline and civil rights in American state schools*, CITY MAYORS, November 22, 2011, available at <http://www.citymayors.com/education/usa-school-discipline.html> and Wesley Wright, *Fear of black students, unfair treatment rampant in Denver schools, black educators say*, CHALKBEAT, August 5, 2016, available at <https://www.chalkbeat.org/posts/co/2016/08/05/fear-of-black-students-unfair-treatment-rampant-in-denver-schools-black-educators-say/>.

²⁸ *Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates*, U.S. SECRET SERVICE & U.S. DEP’T OF EDUC. (Jul. 2004). See also U.S. DEP’T OF JUSTICE & U.S. DEP’T OF EDUCATION, DEAR COLLEAGUE LETTER ON THE NONDISCRIMINATORY ADMINISTRATION OF SCHOOL DISCIPLINE (January 8, 2014), available at <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201401-title-vi.html> (providing that “[s]chools are safer when all students feel comfortable and are engaged in the school community . . . Equipping school officials with an array of tools to support positive student behavior . . . will both promote safety and avoid the use of discipline policies that are discriminatory or inappropriate.”).



The ED/SS guide emphasizes that safe and secure school environments are created only through focusing on maintaining a respectful and supportive school environment where students' emotional and academic needs are met. These recommendations are supported by other experts.²⁹

III. Officials Should Carefully Implement the Act in a Manner That Is Calculated to Prevent Unintended, Negative Outcomes and Complies with Anti-Discrimination Laws.

A. Schools must ensure that placing law enforcement in schools does not lead to negative outcomes for students, especially those of color.

Unfortunately, law enforcement officers placed in schools too often engage in routine disciplinary matters best left to educators, and the Act should be implemented in a way that avoids that outcome. Students who attend schools where a school resource officer is present are more likely to be referred to law enforcement for typical childhood behaviors that previously would have been handled by educators using developmentally appropriate, pedagogically sound interventions.³⁰ For example, police have arrested students, some as young as five years old, for throwing a tantrum, texting, passing gas, violating the school dress code, arriving late, bringing a cell phone to school, or having a nonviolent verbal disagreement with a schoolmate.³¹

In Florida, during the 2010-11 school year, assigning police to schools led to 16,377 referrals of students to the juvenile justice system – an astounding 45 students each day.³² Two-thirds of these referrals were for misdemeanors, such as disruption of a school function, disorderly conduct, or minor scuffles with schoolmates.³³ This

²⁹ See Anya Kamenetz, *Here's How to Prevent the Next School Shooting, Experts Say*, NPR, Mar. 7, 2018, <https://www.npr.org/sections/ed/2018/03/07/590877717/experts-say-here-s-how-to-prevent-the-next-school-shooting>.

³⁰ Jason Nance, *Students, Police, and the School-to-Prison Pipeline*, University of Florida Levin College of Law, 2016, available at: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2577333.

³¹ *Id.*

³² Florida Department of Juvenile Justice, *Delinquency in Florida's Schools: A Seven Year Study 3* (November 2011), available at <http://www.djj.state.fl.us/docs/research2/2010-11-delinquency-in-schools-analysis.pdf?sfvrsn=0>.

³³ ACLU of Florida, Advancement Project, and Florida State Conference of the NAACP, *Still Haven't Shut Down the School-to-Prison Pipeline* 6-8 (March 2011), available at http://b3cdn.net/advancement/be89ef01bcb350c7fc_z5m6btbgo.pdf.



criminalization of developmentally appropriate childhood misbehavior has dire consequences. Turning police into school disciplinarians increases student anxiety, creates alienation and distrust, diminishes students' faith in the legitimacy of the authority of school staff, and can trigger, rather than prevent, misbehavior.³⁴ Furthermore, harsh disciplinary practices, such as school-based arrests, increase the risk that students will fail a grade, drop out of school, and become entangled in the criminal justice system.³⁵

Furthermore, law enforcement officers placed in schools too often discipline, arrest, and assault Black children at a higher rate than their white peers,³⁶ violating federal law prohibiting discrimination based on race. Although Black and Latinx students do not misbehave more than white students,³⁷ they make up over 58% of school-based arrests, but only 40% of public school enrollment.³⁸ Black students are more than twice as likely as their white peers to be referred to law enforcement or arrested at school.³⁹ Furthermore, the presence of police in schools makes Black

³⁴ Philip J. Cook, et al., *School Crime Control and Prevention*, 39 CRIME & JUST. 313, 372 (2010). Accord Matthew J. Meyer et al., *A Structural Analysis of School Violence and Disruption: Implications for Creating Safer Schools*, 22 EDUCATION AND TREATMENT OF CHILDREN 333, 352 (1999); Randall R. Beger, *The Worst of Both Worlds*, 28 CRIM. JUST. REV. 336, 340 (2003); Kathleen Nolan, *POLICE IN THE HALLWAYS: DISCIPLINE IN AN URBAN HIGH SCHOOL* 53 (2011).

³⁵ Russell Skiba et al., *Are Zero Tolerance Policies Effective in the Schools? A Report by the American Psychological Association Task Force* (2006), available at <http://www.apa.org/pubs/info/reports/zero-tolerance-report.pdf>. Tony Fabelo et al., *Breaking Schools' Rules: A Statewide Study of How School Discipline Relates to Students' Success and Juvenile Justice Involvement* (2011); Centers for Disease Control, *Health Risk Behaviors among Adolescents Who Do and Do Not Attend School – United States, 1992*, 43 MORBIDITY AND MORTALITY WEEKLY REPORT, 129 (Mar. 4, 1994). See also Robert Balfanz et al., *Sent Home and Put Off-Track: The Antecedents, Disproportionalities, and Consequences of Being Suspended in the Ninth Grade* (Dec. 2012) (Paper prepared for the Closing the School Discipline Gap: Research to Practice national conference in Washington, D.C., Jan. 10, 2013) (finding that students who were suspended even one time in ninth grade doubles their chance dropping out of school).

³⁶ See Ajmel Quereshi et al., *Locked Out of the Classroom: How Implicit Bias Contributes to Disparities in School Discipline*, NAACP Legal Defense & Educational Fund, Inc., 2017, available at http://www.naacpldf.org/files/about-us/Bias_Reportv2017_30_11_FINAL.pdf.

³⁷ Russell J. Skiba, et al., *Are Black Kids Worse? Myths and Facts About Racial Differences In Behavior: A Summary of the Literature*, Indiana University, March 2014, available at: http://www.indiana.edu/~atlantic/wp-content/uploads/2014/03/African-American-Differential-Behavior_031214.pdf.

³⁸ Education Week Research Center original analysis of Civil Rights Data Collection, 2017. (<https://www.npr.org/sections/ed/2017/01/27/511428075/does-your-school-arrest-students>)

³⁹ 2013-2014 Civil Rights Data Collection (CRDC) - A First Look: Key Data Highlights on Equity and Opportunity Gaps in Our Nation's Public Schools. U.S. Department of Education Office for Civil Rights. (June 7, 2016).



students and students who have been victims feel less safe,⁴⁰ which negatively affects school climate. Title IV of the Civil Rights Act⁴¹ prohibits discrimination in public elementary and secondary schools based on race, color, or national origin. To comply with federal law, efforts must be made in the implementation of the Act to identify and address any race-based discrimination and ensure that law enforcement practices do not contravene federal law.⁴²

B. Schools should implement evidence-based alternatives to law enforcement intervention, not ineffective zero tolerance policies.

Sheriffs, superintendents, and school boards must ensure that the Act's requirement that educators broadly involve law enforcement in issues of student behavior and the potential expansion of the number of police officers assigned to schools does not lead to increased criminalization or racial discrimination against students in violation of federal law. The Act establishes threat assessment teams for schools, requiring each to "adopt a policy of zero tolerance that . . . requires the threat assessment team to consult with law enforcement when a student exhibits a pattern of behavior, based upon previous acts or the severity of an act, that would pose a threat to school safety," including "if a student commits more than one misdemeanor."⁴³ Although this section provides that the zero tolerance policies "must apply equally to all students regardless of their economic status, race, or disability," both research and experience prove that zero tolerance policies do not work and often have a disparate impact on students of color.

Educators, pediatricians, and other stakeholders agree that "zero-tolerance policies that are used too readily are ineffective deterrents to inappropriate behavior and are harmful and counterproductive to the student, the family, the school district, and the community as a whole, both short- and long-term"⁴⁴ Sheriffs,

⁴⁰ Matthew T. Theriot et al., *School Resource Officers and Students' Feelings of Safety at School*, 14 YOUTH VIOLENCE AND JUVENILE JUSTICE 2, 130-146 (Dec. 2014) (abstract available at <http://journals.sagepub.com/doi/10.1177/1541204014564472>).

⁴¹ 42 U.S.C. §§ 2000c et seq.

⁴² See, e.g., U.S. DEP'T OF JUSTICE & U.S. DEP'T OF EDUCATION, DEAR COLLEAGUE LETTER ON THE NONDISCRIMINATORY ADMINISTRATION OF SCHOOL DISCIPLINE (January 8, 2014), available at <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201401-title-vi.html>.

⁴³ S.B. 7026 at 81.

⁴⁴ Council on School Health, *Out-of-School Suspension and Expulsion*, 131 PEDIATRICS 3, Mar. 2013, available at <http://pediatrics.aappublications.org/content/131/3/e1000>. See also Catherine Winter, *Spare the Rod: Amid evidence zero tolerance doesn't work, schools reverse themselves*, APM REPORTS, Aug. 25, 2016, available at



superintendents, and school boards should take affirmative steps to ensure that this policy requiring law enforcement consultation does not lead to unwarranted and biased discipline and arrests of students of color.

To do this, LDF encourages school districts to use the consultation as a prompt to consider evidence-based alternatives to a law enforcement referral or arrest. A consultation with law enforcement does not require an arrest or referral to juvenile court; it can and should include a careful consideration of the child's needs and the most effective way to meet them. These include not only programs like restorative practices, but also programs such as Positive Behavior Interventions & Supports (PBIS)⁴⁵ and trauma-informed care.⁴⁶

C. Schools must have policies defining the role of school police.

To further guard against the criminalization of children and to ensure compliance with federal anti-discrimination laws, school districts should enter into memoranda of understanding or contracts with law enforcement providers that thoughtfully define and limit the roles of school resource officers and promote a positive school climate. These documents should make clear that: (1) school resource officers should not supplant the role of educators in deploying developmentally appropriate, pedagogically sound interventions to student misbehavior, (2) the referral of students to law enforcement, arrests on school grounds, searches, and the use of force should only be done as a last resort and only to address behavior that imminently and seriously threatens someone's physical safety (not minor scuffles), (3) on-campus law enforcement interviews should only be done as a last resort and should not be performed without prior notification to the student's parents or a good faith effort to notify his/her parents, (4) school resource officers should complete training in youth-appropriate, bias-free conflict resolution, de-escalation, and policing techniques, (5) there should be a formal complaint process with a simple and straightforward mechanism for students, parents, and staff to submit complaints of

<https://www.apmreports.org/story/2016/08/25/reforming-school-discipline>; *Alternatives to Zero Tolerance Policies*, the National Education Association, Mar. 2011, available at <http://www.nea.org/assets/docs/alternatives-to-zero-tolerance.pdf>; Stephanie Francis Ward, *Schools Start to Rethink Zero Tolerance Policies*, THE ABA JOURNAL, Aug. 2014, available at http://www.abajournal.com/magazine/article/schools_start_to_rethink_zero_tolerance_policies.

⁴⁵ See Jenni Owen, et al., *Instead of Suspension: Alternative Strategies for Effective School Discipline*, Duke Center for Child and Family and Policy, 2015, available at https://law.duke.edu/childedlaw/schooldiscipline/downloads/instead_of_suspension.pdf.

⁴⁶ See Katy O'Grady, *Transforming Schools with Trauma-Informed Care*, ASCA SCHOOL COUNSELOR, Jan. 2017, available at <https://www.schoolcounselor.org/asca/media/asca/ASCAU/Trauma-Crisis-Management-Specialist/TransformingSchools.pdf>.



abuses or misconduct by school police, and (6) officials should collect and publicly share data, disaggregated by race, on referrals to law enforcement, school-based arrests, searches, the use of force, and the filing of criminal complaints so that officials and community stakeholders can determine whether school resource officers should be given further support and training to ensure that they are complying with federal anti-discrimination laws and promoting a healthy school climate.

IV. The Proposed Anonymous Reporting System Must Be Implemented in A Way That Ensures Proper Due Process Protections.

Without proper due process protections, anonymous reporting systems could subject innocent students to false and malicious allegations of wrongdoing without any recourse.⁴⁷ Even well-meaning students or staff who unknowingly hold implicit biases against students of color may act on those biases by anonymously reporting those students as being a danger to themselves or others without sufficient grounds. Thus, sheriffs, superintendents, and school boards should protect students by ensuring that the anonymous reporting system complies with the recommendations of the U.S. Secret Service: it should be housed within a wider system of trust amongst students and staff so that all feel comfortable filing reports and providing any required additional information in assessing threats.⁴⁸ In addition, the communications should be tracked and data disaggregated and assessed for racial disparities in threat reporting.

V. Conclusion

For the foregoing reasons, we urge you to decline the invitation to send armed civilians into schools and, as outlined above, carefully implement the Act in a manner that complies with federal anti-discrimination laws and is calculated to prevent unintended, adverse effects on students, educators, and communities.⁴⁹

⁴⁷ U.S. Secret Service and U.S. Dep't of Educ., *Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates* (July 2004).

⁴⁸ *Id.*

⁴⁹ Urging a veto of the bill based on its militarization of schools and arming of teachers, <https://advancementproject.org/take-action-no-police-guns-florida-schools/>.



Thank you for considering these recommendations. We would be happy to discuss them further in a meeting. Please do not hesitate to contact us at 202-682-1300.

Sincerely,

A handwritten signature in blue ink that reads "Todd A. Cox".

Todd A. Cox
Director of Policy

Monique Dixon
Deputy Director of Policy &
Senior Counsel

Michaele N. Turnage Young
Senior Counsel

Nicole Dooley
Policy Counsel

cc: Florida Sheriffs
Florida School Boards
Florida Superintendents
Florida Association of School Resource Officers