

Shooting Undercuts Feeling of Safety at School

Youth Shot At Church Academy

Outburst of Violence Shakes P.G. School; Student Charged

By Jon Jeter
Washington Post Staff Writer

A high school student at a parochial school in Prince George's County was shot and critically wounded in a classroom yesterday after he and another student argued over a girl, Prince George's County police said.

The shooting, at the National Christian Academy in Oxon Hill, occurred shortly before 11:30 a.m. and in full view of students who had just been dismissed from a physical science class.

As the classroom began to empty, Quentin G. Carson, 16, approached another youth as he stood talking with a group of friends, witnesses said. An argument ensued, and Carson pulled a .22-caliber revolver from his waistband and fired three shots into the chest of Rodriguez Durden, 17, an honor student, police and witnesses said.

The wounded youth was taken by helicopter to Prince George's Hospital Center, where he was in critical condition yesterday. Carson, who lives in Fort Washington, ran from the school but was arrested moments later by patrol officers who found him hiding in a toolshed in the back yard of a home several blocks from the school.

He is charged as an adult with assault with intent to murder, possession of a handgun on school property and use of a handgun during the commission of a felony, police said.

Yesterday's violence is the latest in a succession of shootings at area

See SHOOTING, A8, Col. 4

■ P.G. student finds father's loaded handgun in book bag. Page B3

SHOOTING, From A1

schools. Ten days ago, a Largo High School teacher was shot in the chest when he walked into a boys' bathroom at the school and found the son of a police officer allegedly trying to sell his father's gun, police said. In March, a high school senior was shot four times just outside the school cafeteria at Eastern High School in the District. And in December, youths sprayed bullets at a school bus at Crossland High in Prince George's.

At National Christian Academy, where uniforms are required and parents pay \$2,490 in annual tuition, students and administrators were visibly flustered and shaken by yesterday's events.

"We didn't think that this kind of stuff could happen at our school," said Rodney Glover, 15, a freshman, who was standing outside the classroom when the shooting occurred and said he heard the gunfire. "I just didn't expect this."

The Rev. Fred Snowden, the administrator at the academy, said that there are no metal detectors or security guards at the school, and until yesterday, no apparent need for such measures. In the 11 years that the school has been in existence, teachers have never found a pupil carrying a weapon on school grounds, said Snowden.

"We haven't even had any fist-fights that I can think of," said Judith Snowden, Fred Snowden's wife and the academy's preschool director.

The academy is owned and operated by the National Church of God, which has its headquarters in Cleveland, Tenn. Nearly 600 students attend the academy's two campuses: about 115 students at the middle and high school campus at 7100 Oxon Hill Rd., and 500 pupils in kindergarten through fifth grade at the campus in the 6700 block of Bock Road.

Snowden said that most of the students are from Prince George's, but a smattering are from the District and Virginia. Most of the students are from middle-class families, he said.

Snowden and students who knew the wounded youth described him as a quiet teenager who is both a stellar student and highly regarded athlete. Durden, a junior who lives in Fort Washington, had a girlfriend and was a starting forward on the basketball team.

"He was basically popular," said Joseph James, 15, a sophomore, who was in the classroom when the shooting occurred. "He was a cool dude. Everybody knew him."

James said Durden was talking to a group of friends after class when

GUNFIRE AND SHOOTINGS AT AREA SCHOOLS

INCIDENTS OCCURRING IN THE 1993-94 SCHOOL YEAR

SEPT. 9, 1993: Gunfire outside **Shaw Junior High School** in the District as classes are let out. A 14-year-old is arrested.

OCT. 18: A 13-year-old student is shot in a locker room at **J.H. Johnson Junior High** in the District. A 15-year-old student is arrested.

DEC. 8: Gunfire erupts just outside **Crossland High School** in Prince George's County after classes are let out for the day.

JAN. 26, 1994: A gunman fires toward a crowd of students at **Eliot Junior High School** in the city in a dispute over a jacket.

JAN. 26: Gunfire erupts inside **Dunbar High School** in the District after an argument among a group of teenagers. A 17-year-old student is arrested.

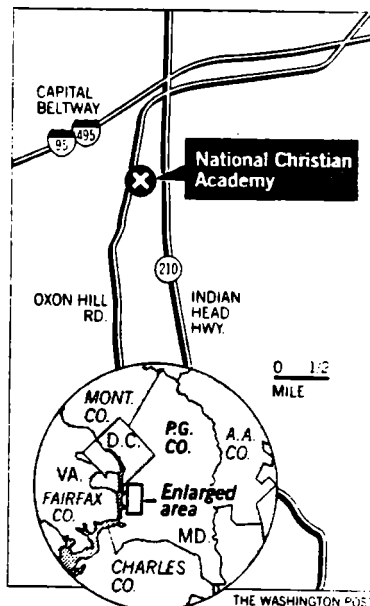
MARCH 9: A student is shot inside **Eastern High School** in the District. Another 17-year-old student turns himself in to police.

APRIL 8: A teacher is shot inside a bathroom at **Largo High School** in Prince George's County. A 17-year-old student is arrested.

APRIL 18: A 17-year-old student is shot inside the **National Christian Academy** in Oxon Hill. A 16-year-old student is arrested.

SOURCE: News reports

THE WASHINGTON POST



were tending to Durden. He said the youth was conscious and alert, and the two said a prayer together before Durden was taken to the hospital.

"I just tried to encourage him," Snowden said. Carson was arrested by police while trying to hide in a toolshed behind a house in the 300 block of Gibson Drive. Police were tipped off that the youth was in the toolshed by a dog barking at the detached brick structure.

Carson was found hiding under some gardening equipment in the shed, said Alan Gibson, a police investigator. A .22-caliber gun was lying outside the shed, he said.

Some parents picked their children up early from school after hearing about the shooting, Snowden said. Those who stayed were taken to the Bock Road campus until school was dismissed. Snowden said that administrators would provide the students with counseling today.

Snowden said he had believed that the academy was insulated from the violence that haunts some public schools in Prince George's and the District. But he frequently talks to students about the world that surrounds them.

"We tell them that they are coming to school in a cloistered environment," Snowden said. "But there is a real world out there. You have to be aware of the dangers and protect yourself."

Staff writer Retha Hill contributed to this report.

Carson approached and said, "So what's up?" The two exchanged words in what appeared a normal conversational tone when Carson suddenly opened fire, James said.

"You just didn't expect something like that from either one of them," James said. "Both of them were really quiet dudes."

Sherman Fauntleroy, 16, a junior, described Carson as a bit of a "roughneck" who tried to portray himself as tough. But Carson never gave any indication of violence, said Fauntleroy and others. Snowden, the school administrator, said Carson, a sophomore, had no disciplinary record at the school.

Snowden said he was at the Bock Drive campus when the shooting occurred and arrived as paramedics

Jury Deadlock Ends Moore Trial

D.C. Officer Accused in Drug Killings Is Freed After 2 Years in Jail

By Paul Duggan **A1**
Washington Post Staff Writer

D.C. police Officer Fonda C. Moore—accused of participating in a revenge slaying by a violent drug gang for whom she allegedly sometimes rode shotgun—was released from jail for the first time in almost two years yesterday after a judge declared a mistrial on the one remaining charge against her in the murder case.

Moore, 33, who had been held without bond since June 1992, was acquitted last week of first-

degree murder, kidnapping and other charges. But jurors in the seven-month trial said yesterday that they were hopelessly deadlocked on a charge that she conspired in four planned slayings intended to avenge the killing of her alleged boyfriend, described by the government as a major drug distributor for the gang.

Judge Herbert B. Dixon Jr. declared a mistrial on the murder-conspiracy count and ordered Moore released from jail to await a new trial on that charge in D.C. Superior Court. She and several

codefendants also are awaiting a joint trial on cocaine trafficking charges.

But Moore, who officials said went from being a highly regarded patrol officer in the department's 7th District to being the first member of the force to stand trial in a drug-related slaying, no longer faces a lengthy prison term, regardless of how those cases turn out, lawyers said.

"I'm ecstatic; we're all ecstatic," said Moore's attorney, Cynthia Lobo, who stood smiling out-

See MOORE, A8, Col. 1

■ Officials probe possible link between some D.C. police officers and certain criminal activity. Page B1

Accused D.C. Police Officer Is Released

MOORE, From A1

side the courthouse yesterday with an arm around her client's mother. Moore, who has two preteenage sons, "is finally going home to be with her kids," Lobo said, "and you couldn't ask for more."

The jury, which deliberated for 10 days, yesterday acquitted one of Moore's codefendants of all charges. Eunice Y. Demyers, 48, was found not guilty of first-degree murder, kidnapping, conspiracy and related offenses.

"I'm just so happy, I can't find the words for it," said Demyers's attorney, Veronice A. Holt, who called the trial a "seven-month nightmare."

The first verdicts in the marathon trial came April 11, when three defendants—the drug gang's alleged leader, Javier Card, 28, and two of his associates—were convicted of several crimes, including first-degree murder.

In prosecuting the five defendants, the U.S. attorney's office relied heavily on the testimony of admitted drug-gang associates who agreed to cooperate with the government under plea bargains. Lobo, Holt and other defense attorneys, in arguments to the jury, described the informers as liars who would say almost anything in court to please prosecutors, hoping to receive lenient prison sentences for their roles in the gang.

Moore was freed on her own recognition, as was Demyers, who is slated to be among Moore's codefendants

in the cocaine trafficking trial. Lobo and Holt said they advised their clients not to comment yesterday.

Although the murder-conspiracy charge remains unresolved, prosecutor G. Paul Howes clearly has lost in this first go-around with Moore, whom he repeatedly called "a dirty cop" in court.

Kevin Ohlson, a spokesman for U.S. Attorney Eric H. Holder Jr., said it would be "inappropriate" to comment on Moore because she still faces two trials, a new one on the undecided murder-conspiracy charge and a separate trial involving alleged conspiracy to distribute cocaine.

Regardless of how those cases turn out, the government stands no chance of securing a long prison term for Moore, lawyers said.

Each of the conspiracy charges is punishable by no more than five years in prison and a \$10,000 fine. And if convicted and sentenced, Moore would receive credit for the 22 months she already has spent behind bars.

The first-degree murder charge of which she was acquitted Thursday is punishable by 20 years to life in prison.

Moore was charged in the October 1990 revenge slaying of Billy Ray Tolbert, 19, who was suspected of having robbed and killed a member of the drug gang with which Moore allegedly was involved. She was not accused of being present when Tolbert was shot. The murder, kidnapping and conspiracy charges were based on her alleged

role in the planning of the Tolbert slaying and allegations that she aided the killers afterward.

The murder-conspiracy charge, for which no new trial date has been set, stems from Moore's alleged participation in failed plans to kill three of Tolbert's associates in the fall of 1990.

The murderous drug gang that Javier Card is accused of leading allegedly operated out of the now-defunct Deli Den, a luncheonette owned by Demyers in Southeast Washington. It was a popular lunch spot for 7th District officers, including Moore, according to investigators.

Authorities charged that Moore had a romantic relationship with Demyers's son, Jimmy Murray, described in an indictment as a large-scale drug distributor for Card. She allegedly became deeply involved with Card's operation, sometimes serving as an armed driver for cocaine and weapons shipments.

Murray, then 26, was robbed and slain in October 1990. Investigators said Card planned to kill four men, including Tolbert, whom he believed were responsible for Murray's killing. Tolbert was the first target.

Demyers, like Moore, was not accused of being present when Tolbert was slain. The first-degree murder, kidnapping and other charges against her were based on her alleged involvement in the Card-led conspiracy to avenge her son's slaying. Plans to kill Tolbert's three associates were not carried out.

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Briefs from Greensburg, Waynesburg and Ben Avon

GREENSBURG, Pa. (AP) A middle school student who traded \$20 and a pair of skater's pants for a semiautomatic handgun later sold the weapon to another classmate for \$100, police said.

The gun deals at Greensburg Salem Middle School occurred during the first week of April, investigators said.

The three students, who were not identified, were suspended from school and face hearings in juvenile court Wednesday.

Two 15-year-olds were charged with possessing a weapon on school property, and one also was charged with having an unlicensed firearm, carrying a prohibitive offensive weapon and sale or lease of a firearm.

A 16-year-old was charged with sale or lease of a firearm, carrying a prohibitive offensive weapon and having an unlicensed firearm.

School administrators learned of the incident on April 11, when several students complained to a principal about a gun being displayed on their bus.

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WAYNESBURG, Pa. (AP) A police chief accused of setting fire twice to his own home to collect insurance money was ordered to stand trial.

Cumberland Township Police Chief Philip R. Carter, 47, is charged with arson and recklessly endangering another person in connection with fires in his home last September.

One fire was in a basement and another was in a second floor bedroom. Damages for both were estimated at \$8,050.

State Police Cpl. Richard Gluth, a deputy fire marshall, testified at a preliminary hearing Monday that a burn pattern in the second floor bedroom was consistent with use of an accelerant.

Material samples analyzed by state police indicated the presence of turpentine in debris from the attic, where fire damage was also observed, but no traces of an accelerant in samples taken from the bedroom or laundry room.

Under cross-examination, Gluth said he had no evidence that Carter was in his home when the fires were alleged to have been set.

Cumberland Township is in Greene County, about 35 miles south of Pittsburgh.

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BEN AVON, Pa. (AP) A school superintendent had hoped to dispose of a former elementary school by bringing a bit of Hollywood to suburban Pittsburgh, but a state spokesman said it won't happen.

Avonworth School Superintendent Bruno Raso had been looking into the possibility of selling the former Ben Avon Elementary School to an unnamed Los Angeles production company looking for a building to blow up for a scene in an action film.

But the company wasn't interested in the school, said John Harwood, spokesman for the state Department of Commerce.

"They want more of an industrial site," Harwood said Monday.

The school district has been unable to sell the school building. Before the school closed, it was used by the producers of the movie "Lorenzo's Oil."

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**** printed by:WHPR(197) on 04/19/94 at 09:13EST ****

BC-VA- School Shooting,180

Police Arrest Juvenile for Selling Gun to Other Student

PORTSMOUTH (AP) Police arrested a 17-year-old student Monday morning for allegedly selling a handgun to a fellow student who discharged the gun in the school cafeteria, wounding another student.

The seller of the gun was arrested at I.C. Norcom High School, said Portsmouth police spokesman G.A. Brown. The student allegedly sold the gun in a school bathroom. He was charged with possession of a weapon on school property, a felony. Police did not identify the student because of his age.

Police said the gun, a .22-caliber revolver, discharged last Thursday as Shedrick L. Revell, 19, pulled it from his backpack. The bullet struck a nearby student in the leg and arm.

Revell has been charged with malicious wounding, use of a firearm in the commission of a felony, possession of a firearm and possession of a beeper on school property.

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Justices to Consider a Ban on Guns Near Schools

By LINDA GREENHOUSE
Special to The New York Times

WASHINGTON, April 18 — In a case with implications for an array of Federal gun control measures, the Supreme Court agreed today to decide whether Congress has the constitutional authority to ban the possession of guns near school buildings.

The case is an appeal by the Clinton Administration from a Federal appellate court ruling that invalidated the Gun Free School Zones Act of 1990, which makes it a Federal crime to possess firearms within 1,000 feet of a school. The United States Court of Appeals for the Fifth Circuit, in New Orleans, ruled that Congress had failed to specify that it had the power to enact the law as part of its authority to regulate interstate commerce.

The appellate court also suggested more broadly that because the law intruded into realms of traditional state control over education and gun ownership, it might be unconstitutional even if its sponsors had included language invoking Congressional authority over interstate commerce.

The Supreme Court has given such a broad interpretation to the power of Congress to regulate interstate commerce that it is highly unusual for a Federal law to be struck down on commerce clause grounds.

Case of Simple Possession

The law at issue in this case, *United States v. Lopez*, No. 93-1260, is unusual, however. Unlike other Federal laws that regulate firearms transactions at the point of sale by licensing dealers or, as in the case of the new Brady law, by imposing a five-day waiting period on purchases, the Gun Free School Zones Act makes the offense one of simple possession. In his opinion declaring the law unconstitutional, Judge William L. Garwood of the Fifth Circuit gave this description of the statute's scope:

"The Gun Free School Zones Act extends to criminalize any person's carrying of any unloaded shotgun, in an unlocked pickup truck gun rack, while driving on a county road that at one turn happens to come within 950 feet of the boundary of the grounds of a one-room church kindergarten located on the other side of a river, even during the summer when the kindergarten is not in session."

The Federal courts are split over

the law's constitutionality; most recently, a Federal appellate court panel in San Francisco upheld it. There are a growing number of contradictory district court rulings as well.

In response to the Fifth Circuit ruling, the Senate has passed an amended version of the law, stating explicitly that gun possession near school buildings affects interstate commerce. A similar amendment is awaiting action in the House. But under the Fifth Circuit's analysis, it is not clear whether the amendment would suffice to make the law constitutional.

Other measures pending in Congress as part of the overall crime bill might also be found deficient under the Fifth Circuit's approach, although those measures include explicit statements about the interstate commerce rationale. The proposals include a ban on ownership of assault weapons and on gun ownership by children.

Amendment to Earlier Law

The Brady law, which took effect on March 1, does not include an interstate commerce statement but appears to be safe from constitutional challenge even under the appellate court's approach. The law was enacted as an amendment to an earlier Federal law, the Gun Control Act of 1968, which does include such a statement and which the Fifth Circuit cited with approval in its opinion striking down the 1990 law. Regulation of firearms sales, as opposed to simple possession, has generally been regarded by the courts as having a direct link to interstate commerce.

The appellate court decision overturned the conviction of a man who, as a high school senior in San Antonio,

had carried a concealed pistol and five .38-caliber cartridges into the school, intending to use the gun in a gang war. School officials found the gun because of an anonymous tip.

The student, Alfonso Lopez Jr., was convicted of violating the Gun Free School Zones Act and sentenced to six months in prison. The Federal District Court had earlier rejected his constitutional challenge to the law.

The Senate sponsor of the law, Senator Herb Kohl, said today that more than 200,000 children bring guns to school every day. "Congress tried to do something about it, and I'm hopeful the Court will insure our authority to legislate in this area," said Mr. Kohl, a Wisconsin Democrat.

There were these other developments at the Supreme Court today:

Employee Speech

The Court agreed to rule on the constitutionality of a 1991 law that prohibits Federal employees in the executive branch from accepting payment for speaking or writing, even on subjects that have no connection to their jobs.

The United States Court of Appeals for the District of Columbia Circuit, ruling in a lawsuit brought by a group of civil servants, said last year that the law violated the First Amendment rights of Federal employees. The appellate court said the across-the-board ban was unjustifiably broad, and that the law's "excess sweep" made it unconstitutional even as applied to payments for speech or writing that had some connection to Federal service.

The Clinton Administration appealed the ruling, urging the Supreme

Court to find that "the interest in eliminating all suspicion about the cause or effect of a particular honorarium justifies a flat ban, with no gray areas," as Solicitor General Drew S. Days 3d said in the Administration's brief. "A complete and impermeable ban prevents the evasion that a more limited rule might invite," the brief said.

Among those challenging the ban are an employee of the Department of Health and Human Services who wrote articles as a freelance theater critic for local newspapers, and a lawyer for the Nuclear Regulatory Commission who wrote on Russian history. The case, *United States v. National Treasury Employees Union*, No. 93-1170, will be argued in the fall.

Cross Burning

For the second time in the last month, the Court turned down a request by the Clinton Administration to rule on whether the Anti-Arson Act of 1982 applies to those who burn crosses as a symbol of racial hatred.

The Federal law imposes a minimum prison sentence of five years for anyone who "uses fire or an explosive" to commit a Federal crime. Lower Federal courts have disagreed on whether the law applies beyond the conventional boundaries of arson to cover the burning of a cross that does not set fire to anything else.

In the case before the Court today, *United States v. Lee*, No. 93-1276, the United States Court of Appeals for the Eighth Circuit, in St. Louis, overturned the conviction of a man who was tried and convicted under the law for burning a cross near an apartment complex in Coon Rapids, Minn.,

where several black families lived. The appellate court said there was insufficient indication that Congress intended the arson law to apply to cross burnings.

At the same time, the Eighth Circuit ordered a new trial for the man, Bruce R. Lee, on the second charge for which he was convicted, that of conspiring to intimidate people from exercising their civil rights. Mr. Lee filed a separate Supreme Court appeal, *Lee v. United States*, No. 93-7412, arguing that he intended no intimidation and that his symbolic act of burning a cross was protected by the First Amendment. The Court today turned down Mr. Lee's appeal as well as that of the Government.

Wild Elk

Without comment, the Court turned down an appeal by a California rancher whose property was damaged by a herd of elk that California wildlife officials had moved to the nearby Mendocino National Forest as part of a resettlement program.

The rancher, Robin R. Moerman, sued California after the state refused to compensate him for more than \$100,000 in damage to his 200-acre sheep and cattle ranch. The California state courts rejected his argument that the incident amounted to an unconstitutional "taking" of his property without compensation. The California Court of Appeal held that the state could not be blamed for the elk's behavior because, as wild animals, the elk "are not instrumentalities of the state, nor are they controlled by the state." The case was *Moerman v. California*, No. 93-1171.

THE NEW YORK TIMES, TUESDAY, APRIL 19, 1994

Don't miss Sunday's Times Magazine.

Ameritech and U S West Post Gains in Qua

By RICHARD RINGER

Special to The New York Times

CHICAGO, April 18 — The Ameritech Corporation and U S West Inc. reported strong first-quarter earnings today as the two Baby Bell telephone companies reaped benefits from continuing efforts to revamp and were aided by improving regional economies where they operate.

Ameritech's quarterly income, before a restructuring charge, rose 11.7 percent, to \$376.6 million, or 69 cents a share. Ameritech, which is based here, took a \$332.8 million after-tax charge, or 61 cents a share, in the quarter for reducing its work force as part of a previously announced restructuring.

U S West, based in Englewood, Colo., said its net income rose 2.5 percent, to \$324 million, or 73 cents a share, in the first three months of 1993, though per share earnings declined from 76 cents a year ago. The decline in per share earnings was caused by an increase of about 10.1 million shares sold in this year's first quarter.

The results for both companies were in line with analysts' forecasts. On the New York Stock Exchange, Ameritech shares gained 12.5 cents to close at \$38.75 while U S West shares rose 37.5 cents, to \$40.875.

Analysts said the performances of Ameritech and U S West were likely to be matched by the other five regional Bell telephone companies, which will report their first-quarter results in the next several days. "Most of the Baby Bells have announced restructuring steps and those benefits, along with lower interest rates on renegotiated debt and an increase in access lines and usage, should help their first-quarter earnings," Connie Luecke, an analyst at Duff & Phelps, said.

Last month, Ameritech said it planned to reduce the ranks of its non-management employee by 6,000 positions, or 12.5 percent, by the end of 1995. As of March 31, Ameritech's telephone company unit, which will bear the brunt of the cutbacks, had 59,063 employees, or 2,909 fewer than the same time last year.

U S West, said it continued to benefit from a restructuring begun in late

Ameritech Corp. (AIT:N)

Qtr. to Mar 31	1994	1993	%Ch
Rev	2,990,400,000	2,796,500,000	+7.1
Net inc.	643,800,000	c300,000,000	
Sh earn	.08	.55	
Sh out	547,347,000	541,670,000	
b-Included an after-tax charge of \$332.8 million, or 61 cents a share, related to a work force restructuring			
c-Included an after-tax charge of \$37.3 million, or 7 cents a share, related to restructuring at Telecom Corp. of New Zealand			
The company said that share figures reflected a 2-for-1 stock split effective Dec. 31, 1993			

Yesterday's closing price:

\$38.75

Up 12.5c

U S West Inc. (USW:N)

Qtr. to Mar 31	1994	1993	%Ch
Rev	2,641,000,000	2,510,000,000	+5.2
Net inc.	324,000,000	b316,000,000	+2.5
Sh earn	.73	.76	
Sh out	444,378,000	415,082,000	
b-Included income from discontinued operations of \$20 million, or 5 cents a share			

Yesterday's closing price:

\$40.875

Up 37.5c

of 53,000 by 8,000.

"We'll probably continue to see additional benefits" from U S West's latest restructuring in the future quarters, Ms. Luecke, the Duff & Phelps analyst, said. "If not, it would be a very large disappointment."

Improving Regional Economies

The results of Ameritech and U S West also reflect the improving regional economies where they operate, analysts said. Ameritech's revenues rose 6.9 percent in the first quarter, a quarterly record for the company. At U S West, revenues rose 3.6 percent, to \$2.2 billion.

Traders Ponder Fed's Moves as Dow Falls ✓

By ANTHONY RAMIREZ

How gradual is gradual? Is Alan Greenspan, chairman of the Federal Reserve Board and famed gradualist, preparing the markets for speedier increases in interest rates, greasing the stock and bond markets' already slippery decline?

That is what stock and bond traders are asking themselves in the wake of the Fed's third quarter-point increase in its short-term interest rate target this year, to 3.75 percent yesterday.

The second rise, on March 22, came 46 days after the Feb. 4 increase. But the third rise comes just 27 days after the second. Already traders are spec-

ulating about a fourth increase before the Federal Open Market Committee, the central bank's policy-making arm, meets in 29 days on May 17.

The next increase may be, traders say, another quarter-point jump in the Federal funds rate, the Fed's target short-term interest rate. Or it may be an even more substantial jump in the symbolically important discount rate of 3 percent, which the Fed has not changed since July 1992.

Even if the Fed does nothing, traders are likely to exhaust themselves in elaborate maneuvering, taking the stock and bond markets down further. Already this year, the Dow Jones industrial average has dropped 9 percent, or 358 points, from its all-time high on Jan. 31. Interest-rate

sensitive industries, especially housing, are likely to be hurt, just from the uncertainty. Lumber used in housing fell sharply in futures trading yesterday.

"The correction is far from over," said Katherine R. Hensel, chief investment strategist for Lehman Brothers, who sees two to six months more of declining stock prices.

Yesterday's unexpectedly swift Fed rise sent the stock and bond markets reeling. The Dow Jones industrial average fell 41.05 points, to 3,620.42, and the broader Standard & Poor's 500 fell 3.72 points, to 442.46. The smaller-company Nasdaq com-

Continued on Page D8

Traders Ponder Fed's Moves as Dow Falls ✓

Continued From First Business Page

posite index dropped 7.52 points, to 720.45.

But despite the Fed move and the sharp decline in prices so far this year, some stock traders are still refusing to come in from the sidelines and buy. The number of shares changing hands on the New York Stock Exchange was 271.5 million, or more than 10 percent below this year's average of 304 million shares.

The benchmark 30-year bond fell 1 1/32 point, to 86 5/32, one of the steepest drops of the year. When bond prices fall, traders must offer higher interest rates, or yields, to attract subsequent buyers.

Yields rose as high as 7.43 percent yesterday before settling at 7.41 percent, up 13 basis points from the previous close. A basis point is one-hundredth of a percentage point. Yields have soared almost 1 1/4 percent since January.

William B. Shea, head bond trader at Nikko International, said he expects the Fed to raise the discount rate before or at the May 17 Fed meeting and that the Federal funds rates will reach 5 percent by the end of the year.

Donald J. Fine, chief market analyst for Chase Securities Inc., said the Federal funds rate may reach 4 percent in the next few weeks. "Everybody's waiting around and waiting around for the Fed to move," he said.

THE FAVORITE STOCKS

Performance of the 15 issues with the most shareholders.

Stock	Last	Chg.	% Chg.	YTD % Chg.
A.T. & T.	49 5/8	- 3/8	- 0.8	- 5.5
Ameritech	38 3/4	+ 1/8	+ 0.3	+ 1.0
Bell Atlantic	51	- 7/8	- 1.7	- 13.9
BellSouth	58 3/4	+ 1/8	+ 0.2	+ 1.3
Exxon	62 1/4	- 3/4	- 1.2	- 1.4
General Electric	94 7/8	- 1 1/8	- 1.9	- 9.5
GM	56 7/8	- 1 5/8	- 2.8	- 3.6
GTE	30 1/8	+ 1/8	+ 0.4	- 13.9
I.B.M.	53 3/8	+ 3/8	+ 0.7	- 5.5
Nymex s	34 5/8	- 7/8	- 2.5	- 13.7
PGE	28 3/4			- 18.2
Pacific Telesis	31 1/4	- 1/4	- 0.6	- 1.0
Sears s	44 5/8	- 1 7/8	- 4.0	- 15.6
Southwestern Bell	42 1/4	+ 7/8	+ 2.1	+ 1.8
U S West	40 7/8	+ 3/8	+ 0.9	- 10.9

"Do it already. Hammer it home."

Without more decisive increases by the Fed, the bond market will continue to fall, as traders hesitate to buy long-term securities like 10-year and 30-year Treasury bonds because of the prospect of further rate rises. "Doing it before May 17 would clear the air, believe me," said Mr. Shea of Nikko International.

The Federal funds rate is the interest rate banks charge each other for overnight unsecured loans, a sort of short-term i.o.u. The funds rate is partly set by market demand for such loans but the Fed can influence the rate by how much in Treasury notes and bonds it buys from private bond firms.

The discount rate is the rate the Fed itself charges to banks when they borrow from the Fed. With the rise in short-term rates, there is a large gap of 75 basis points between the discount and Federal funds rates, which some analysts think will make the Fed raise the rate to narrow the gap.

The New York Stock Exchange composite index fell 1.96 points, to 245.70. Declining stocks outnumbered advancing stocks by 1,645 to 631. The American Stock Exchange market value index dropped 4.29 points, to 434.00.

Of the 30 stocks of the Dow industrials, 22 fell in price. General Electric fell 2, to 94 3/4, after disclosing possible trading improprieties at its Kidder, Peabody brokerage business that led to a large quarterly loss for General Electric. Also dragging down the Dow was Sears, Roebuck, which declined 1 7/8, to 44 5/8, on no discernible news.

Intel was the most active stock yesterday, with more than 7 million shares changing hands.

Stocks Rise in Japan

TOKYO, April 18 (Reuters) — Stock prices traded higher here today. The Nikkei index of 225 issues ended up 112.73 points, or 0.56 percent, to 20,277.36. On Friday, the Nikkei rose 177.43 points.

THE NEW YORK TIMES, TUESDAY, APRIL 19, 1994

U.S. Department of Education



Michele Cavataio

Office of the Deputy Secretary

400 Maryland Ave., SW • Washington, D.C. • 20202-0500



(202)401-1000



(202)401-3093

INET michele_cavataio@ed.gov

Date: _____

Total # of pages including cover sheet: _____

To: _____

Jose Cerd'a

Recipient Fax: _____

456 7028

Memo:

FYI -

This came in today. I sent a
copy to Jonathon P. Happy Turkeys.

(m)

MAJORITY MEMBERS:

WILLIAM D. F. B. MICHIGAN



COMMITTEE ON EDUCATION AND LABOR

U.S. HOUSE OF REPRESENTATIVES

2181 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-8100

November 18, 1994

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THOMAS E. PETRA, WISCONSIN
MARCO ROUKEMA, NEW JERSEY
STEVE GUNDERSON, WISCONSIN
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JOHN A. BOEHNER, OHIO
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PETER ROEKSTRA, MICHIGAN
HOWARD "BUCK" MCKEON, CALIFORNIA
DAN MILLER, FLORIDA
MICHAEL N. CASTLE, DELAWARE

MAJORITY—(202) 225-4527
(TTY)—(202) 225-3872
MINORITY—(202) 225-3729
(TTY)—(202) 225-3113

The Honorable Richard W. Riley
The Secretary
United States Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202-0100

Dear Mr. Secretary:

It has come to our attention that the President has issued a memorandum instructing you to implement the provisions of the Gun-Free Schools Act of 1994 in an expeditious manner and to vigorously enforce its provisions. As you are no doubt aware, many Members on both sides of the aisle had serious reservations about this legislation. While supportive of removing guns and other weapons from our schools and keeping them out, we question the need for Federal involvement in this area.

While this is neither the forum nor the time to continue a debate over the wisdom of this policy, efforts to implement it do raise several concerns on our part. Attached to this letter are a number of questions relating to implementation of the Gun-Free Schools Act of 1994 that we would like you to address.

As is evident from the scope of these questions, we feel that there are a number of significant issues raised by the implementation of this statute. Perhaps most significant are the disparities in the treatment of students covered by the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act as compared to those students who do not enjoy the same level of Federal protection. It is possible that this issue alone could create an endless litany of litigation for local school districts.

We appreciate your timely attention to these questions and look forward to your reply.

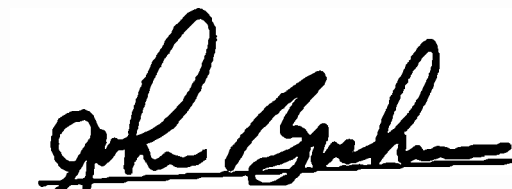
Sincerely,

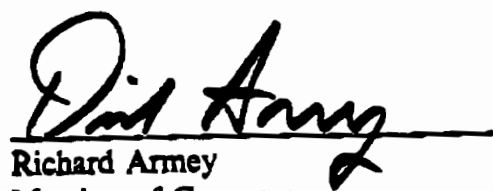
Bill Goodling
Bill Goodling
Ranking Republican Member

Pat Williams
Pat Williams
Member of Congress

The Honorable Richard W. Riley
Page 2


Lee Hefner
Member of Congress

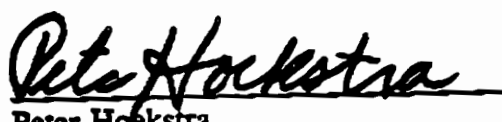

John Boehner
Member of Congress

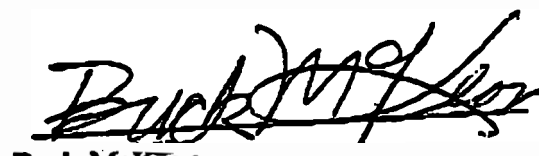

Richard Arney
Member of Congress

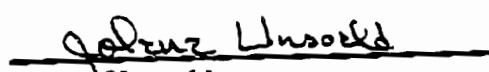

Dan Miller
Member of Congress


Cass Ballenger
Member of Congress


Steve Gunderson
Member of Congress


Peter Hoekstra
Member of Congress


Buck McKeon
Member of Congress


Jolene Unsoeld
Member of Congress

1. The Individuals with Disabilities Education Act (IDEA), as amended, allows a student with a disability who brings a firearm to school to be placed in an alternative educational placement up to 45 days, if the action is related to his or her disability. In addition, if there are legal proceedings between the parent and the school over a proposed change in educational placement, the student will remain in the alternative placement during the pendency of the proceedings, and will not be returned to the original educational placement. This disparity in discipline between students with disabilities and those who are non-disabled raises several interesting questions that need to be addressed.

For a student who is disabled and brings a gun to school, but the action is determined to be unrelated to the student's disability, the student will be subject to expulsion. How will the school determine whether or not the action is related to the disability? If the school does expel the student with a disability, will it still be required by the IDEA to provide educational services to the student? If IDEA requires educational services to be provided to the student, how will the requirement for education in the Least Restrictive Environment be applied?

2. If a student not previously identified as disabled brings a firearm to school, he or she will be subject to the one year expulsion policy. It is conceivable that a parent, in order to avoid the student being subject to a one-year expulsion and possible loss of educational services, would file a motion to determine that the student has a disability. Under normal procedures for disabled students, during the pendency of due process hearings, the student must be returned to the original educational placement after 10 days. Which standards would apply for a student that had not previously been identified as disabled, the return to the original placement after 10 days, or the 45-day alternative placement and alternative placement during the pendency of hearings?
3. The statute allows the chief administering officer of an LEA to "modify such expulsion requirement for a student on a case-by-case basis." Is it not possible, despite Federal requirements to institute a policy mandating a one-year expulsion, that this provision would allow LEAs to maintain current policy regarding students who bring guns to school? Does the Department anticipate limiting through regulation an LEAs ability to use this provision in a way that preserves the status quo?
4. During the Conference consideration of the Elementary and Secondary Act reauthorization, the House voted 19 to 7 to retain House language on the guns in schools provision. This language did not link loss of Federal funds with non-compliance with the guns in schools provisions. The language ultimately accepted in Conference with the Senate also does not link loss of Federal funds with non-compliance. Yet, the memorandum from the President includes a specific reference to loss of Federal funds for non-compliance. What is the statutory basis for denying Federal funds to States or LEAs that do not comply with the Gun-Free Schools Act of 1994?
5. The Gun-Free Schools Act of 1994 relies on the definition of "firearm" found in Sec. 921 of Title 18 of the U. S. Code. This is a broad definition that also includes the term "destructive device," which is defined in a way that could include certain firecrackers. What guidance will the Department provide to States and LEAs regarding what weapons and destructive devices fall under this definition?

6. If an expelled student is under a State compulsory age of attendance and alternative education is required, are the child's parents, the school district or the State responsible for paying for such child's alternative education and related costs if this issue is not addressed in State law? If the financial burden for an alternative placement falls on the State or LEA, would this violate the language on unfunded mandates also contained in H.R. 6?
7. Do you assume a role for the federal government in providing funds for the alternative education of students who are expelled if such expulsion is the result of federal action and if the lack of State action to adopt the one-year expulsion policy could result in the loss of federal assistance?
8. H.R. 6 as passed by Congress did not directly outline the penalty for failure to comply with the one-year expulsion law. The President, however, has ordered the Secretary to withhold federal assistance from States which are not in compliance. He did not, however, specify which "federal assistance" would be affected. Would it be limited to funds received by States under H.R. 6 or would it include funds for special education, vocational education, higher education, etc.?
9. As enacted by Congress, H.R. 6 contains broad waiver provisions. Since the "Gun Free Schools" provisions are not specifically exempt from the waiver provisions, will States and local educational agencies be able to request and have considered, waivers from compliance from these provisions if they can demonstrate they are having a direct impact on their ability to provide a quality education to their student body?
10. One of the National Education Goals enacted and signed into law during the 103rd Congress was an increase in the high school graduation rate. Since there is evidence that those students who are expelled often do not return to school and complete their education, how do you propose to balance the impact of this provision with the goal of a higher high school completion rate?
11. The Supreme Court has now heard arguments in the *U.S. v. Lopez* case, which will determine the validity of a federal law which outlaws the possession of a gun within 1,000 feet of a school. If the Court finds that the law is unconstitutional, how do you see such a decision affecting your implementation of the Gun-Free Schools Act?



UNITED STATES DEPARTMENT OF EDUCATION

WASHINGTON, D.C. 20202-_____

Honorable Jim Folsom
Governor of Alabama
State Capitol
600 Dexter Avenue
Montgomery, AL 36130

Dear Governor Folsom:

This letter is to provide information concerning changes in the Gun-Free Schools Act of 1994, which was reauthorized on October 20, 1994 as part of the Improving America's Schools Act of 1994 (the reauthorization of the Elementary and Secondary Education Act of 1965 (ESEA)), Public Law 103-382. A copy of the new legislation is enclosed.

The reauthorized version of the Gun-Free Schools Act, although similar to the original legislation, contains several changes that will affect States and local educational agencies. The major changes affecting States are:

- * States must have in effect a State law requiring local educational agencies to expel from school for a period of not less than one year a student who is determined to have brought a weapon to school (certain exceptions apply to the expulsion requirement); and
- * States that have existing laws in conflict with the one year expulsion requirement have a period of one year to come into compliance.

The major change affecting local educational agencies is:

- * Local educational agencies, as a condition of receiving funds under the Improving America's Schools Act, must have a policy requiring referral to the criminal justice or juvenile delinquency system of any student who brings a firearm or weapon to school.

The new Gun-Free Schools Act becomes effective with the receipt of grants made with funds using the Department's Fiscal Year 1995 appropriations under ESEA competitive grant programs and the Impact Aid program, and for other ESEA programs, July 1, 1995. Consequently, immediate steps must be taken to comply with these new requirements. Specific action steps are discussed below.

Page 2 - Honorable Jim Folsom

Action Steps for States

Each State must take prompt action to enact State legislation requiring local educational agencies to comply with the one year expulsion requirement. States that have existing laws in conflict with the one year expulsion requirement have one year (until October 20, 1995) to come into compliance.

Action Steps for local educational agencies

Each local educational agency must promptly take action to implement a policy requiring referral to the criminal justice or juvenile delinquency system of any student who brings a firearm or weapon to school.

In an October 22, 1994 memorandum to the Secretary, President Clinton emphasized the importance of safe schools in our Nation, and stated:

To ensure vigorous enforcement, I am directing you to coordinate implementation of these anti-violence measures with appropriate local authorities to the maximum extent possible. Your collaborative efforts should include the States, school districts, law enforcement agencies, and educators. In the case of the Gun-Free Schools Act, enforcement should include termination of Federal assistance, if you determine that a State is not in compliance.

A copy of the President's memorandum is enclosed for your information.

We ask that State educational agencies inform local educational agencies about these changes in the Gun-Free Schools Act. We provided guidance to you, dated August 1, 1994, concerning the prior version of the Gun-Free Schools Act. In light of the changes in the new legislation, that guidance is outdated and will need to be revised. We plan to issue a revised guidance package as soon as possible, and we will be providing technical assistance on these issues at a national conference on elementary and secondary education issues that will be held by the Department of Education in Baltimore on December 1-3, 1994. In addition, the Department will be providing guidance on disciplining children with disabilities. In the meantime, please direct questions concerning implementation of the Gun-Free

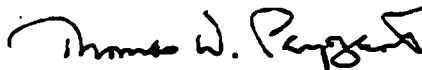
Page 3 - Honorable Jim Folsom

Schools Act to the Safe and Drug-Free Schools and Communities
Program at (202) 260-3954.

Sincerely,



Madeleine Kunin
Deputy Secretary



Thomas W. Payzant
Assistant Secretary,
Office of Elementary and
Secondary Education

Enclosures

✓As Guns in the 'Hood Invade the Gridiron, Schools Play Defense

Teams Are Calling In Police,
Employing Metal Detectors
To Block Injuries to Fans

By JAMES S. HIRSCH

Staff Reporter of THE WALL STREET JOURNAL

BEAUMONT, Texas — As a police helicopter circles above, officers wearing bullet-proof vests fan out into the neighborhood. Patrol cars cruise nearby.

It's homecoming night at the Central High School football game, and the security around Babe Zaharias Memorial Stadium seems more fitting for heads of state than for cheerleaders from this East Texas refinery town. The extra precautions follow the shooting last month of a 15-year-old Galveston, Texas, student. While watching a game at the stadium, Antonio Gonzales was seriously wounded by a bullet fired from outside the stadium.

Scars have been left on Beaumont, too. Citing safety concerns, the band and drill team from visiting Vidor High School don't attend the game. Four of its 13 cheerleaders are absent. And most of Vidor's students stay home.

"There's not as much spirit," says Vidor cheerleader Amy Chesser at half-time. "It doesn't feel the same."

Team Spirit?

In fact, high-school football in Beaumont, and perhaps throughout the state, may never be quite the same. The shooting confirmed growing fears that potential violence has turned large high-school athletic events into danger zones. In recent years, Texas security officials have caught a small but growing number of spectators with guns at games. Bloody scuffles in stadium parking lots have become more common. And five years ago a student was wounded by gunfire during a high-school football game at Houston's Astrodome.

"You don't think of the games anymore in terms of win, lose or draw, but you add a new dimension to it: the possibility of violence," says Calvin Williams, principal of Central High School's freshman school in Beaumont, whose team was playing at the time of the Gonzales shooting.

Like the violence in classrooms across the country, the use of deadly force at high-school football contests sends a chilling message. That is particularly true in Texas, where the games are almost a sacred civic rite, and where stadiums have long been considered an insulated world of camaraderie, teamwork and competition.

Blocking That Shot

"You'd like to think that what you're involved in is wholesome and pure and not corrupt," says Joe Young, athletic direc-

tor of the Aldine Independent School District in Houston. "But then your bubble gets popped and you realize not a whole lot of things are like that."

Nervous school officials have begun to crack down. High schools in Houston, Dallas and Fort Worth—as in other parts of the country—have installed metal detectors in football stadiums and basketball gymnasiums. Sometimes schools are simply redeploying detectors that were bought for the classroom.

"If you already got them, you might as well use them," says Ronny White, director of athletics for the Fort Worth Independent School District, which this year began using detectors at varsity football games.

Some high-school stadiums are becoming virtual fortresses. Last year at Sprague Stadium in Dallas, gun-toting spectators scared off by metal detectors climbed a spiked wire fence to enter. This year an eight-foot-high wooden fence has been built inside the metal barrier. Extra police officers also have been stationed around the stadium, which is located in a neighborhood troubled by street gangs.

Professional and college football also generates high passions in Texas, but authorities say throngs of teenagers, sometimes fueled by alcohol and rabid team loyalties, make high-school games particularly dangerous. At the Astrodome, for instance, metal detectors are only used for high-school games.

Unfortunately, keeping weapons out of stadiums doesn't guarantee safety. In Beaumont, the gunman shot through a fence, hitting young Mr. Gonzales, a visitor at the game, amid taunts between the gunman and several players. After seven days in the hospital, he says he still attends school games, but warily. Police have arrested an 18-year-old in connection with the shooting. He isn't affiliated with Central, police say.

The incident intensified racial divisions between Vidor and Central, which are only seven miles apart, and forced delicate negotiations between the two schools to preserve Central's homecoming. Two years ago, threats of violence prompted Vidor's police to give Central's football team, which is made up mostly of black members, a special escort when the squad played a game at predominantly white Vidor's home field.

Following the Gonzales shooting, Vidor officials requested that the Friday-night game in Beaumont be moved to the afternoon—a step that has been taken by some schools across the country.

In the past several years, five separate shootings outside high-school stadiums in Los Angeles have led some schools there to move games to the daytime—even though most of the shootings were gang-related and didn't involve students. In Philadelphia, the threat of violence has forced some schools to schedule all their athletic events during the day.

Central's officials rejected the idea of an earlier game, but vowed beefed-up security. Beaumont's police department

doubled the number of officers at the game and assigned members of its special gang task force. The street behind the visitor's grandstand was closed. Fans of Central's Jaguars and Vidor's Pirates were channeled into separate parking areas, and buses carrying the teams were escorted into and out of the stadium by police.

Despite the effort, the 9,200-seat stadium is less than half full at game time. Beneath a three-quarters moon, the Central side teems with band members, booster clubs and three generations of fans clad in maroon-colored shirts and hats. Homecoming-queen candidates parade around in blue dresses.

"You don't stop going to restaurants because there's a shooting at Luby's," says Ronnie Shilo, a 1976 Central graduate, referring to the 1991 massacre three years ago at a Killeen, Texas, cafeteria, where 23 people were killed.

Across the field, Vidor's side seems funereal. Only about 100 students out of a student body of 1,580 show up. About 500 Vidor supporters in all attend, far less than the 3,200 Vidor fans that typically see Vidor-Central varsity games.

When Vidor scores a touchdown, the team's cheerleaders turn on a tape recording of the school fight song, but the screechy music is barely audible.

Kristen Antill, a senior, typically attends Vidor games as the school's mascot. But this night she left her pirate costume at home because her mother feared it would make her a target. "I wanted to wear it, but then again, we have six more games, so there's no sense taking a chance," says Kristen, who is wearing a presumably less-threatening cheerleader's outfit.

Central wins, 28-14, but Paul Carswell, the athletic director for the Beaumont Independent School District, isn't celebrating. "We'd like to get things back to normal as soon as possible," he says, noting that the 4,000 fans who showed up for Central were fewer than expected. He may permanently retain the added security. If fans are afraid, he says, "it's going to hurt the sport."

Date: 10/22/94 Time: 15:04

SAN FRANCISCO (AP) President Clinton, trying to reverse his

SAN FRANCISCO (AP) President Clinton, trying to reverse his political fortunes in California, pressed schools Saturday to expel gun-toting students and accused Republicans of threatening education reforms with their campaign promises.

Capitalizing on voter disgust about crime, Clinton declared, ``We have got to put an end to this madness.''

He opened a three-day political swing in California and Ohio by issuing a directive that enforces a new law that requires school districts to expel students who bring guns to school. He said the government would terminate funding to states that don't comply.

The directive simply restates the intent of an existing law, but it gave Clinton a chance to capitalize on voter unease about crime, a major issue in the midterm elections.

With midterm elections nearly two weeks away, the president and his party face the possible loss of several seats in Congress.

Clinton stumped for Democrats on the eve of an historic trip to the Middle East. Despite some progress in the polls, due mostly to successful foreign policy initiatives in Haiti and Iraq, Clinton is still considered a political liability to many Democratic candidates

He used his weekly radio address Saturday to chide Republicans for their ``Contract with America,''

a list of campaign promises that aim to portray Democrats and tax-and-spend liberals who typify the Washington establishment.

``We can't give in to easy promises,''

he said.

Clinton said the contract would cut taxes for the wealthy, trim Medicare and reduce education programs, including a new loan program for college students.

``There are those who would take us in a very different direction back to the policies of the past which have failed,''

he said.

In a Republican response, Rep. John Kyl, who is seeking the Senate seat in Arizona, accused the Clinton administration of trying to solve America's problems ``through higher taxes...(and) big government spending.''

``if our problems could be solved through big government spending programs, we wouldn't have any problems,''

said Kyl, adding that the GOP wants to ``chart a different direction.''

Clinton planned to cap a 20-hour day with a fund-raiser for Kathleen Brown, California's Democratic gubernatorial candidate whose once-promising campaign is saddled by perceptions that Gov. Pete Wilson would do a better job fighting crime, illegal immigration and reviving the economy.

Wilson, who still has low approval ratings, gained ground by tying Brown to Clinton's policies at a time when the president is perceived to have a low approval rating among voters.

Clinton was expected to raise \$700,000 for the Brown campaign.

``You get close to election time and the two things you look for are money and an attempt to mobilize your base, and an incumbent president is good at both those things,''

said Democratic consultant Duane Garrett of San Francisco.

But Sacramento GOP consultant Steve Merksamer, Brown was taking a risk by inviting Clinton to California.

``She is probably doing it because she needs the money, having weighed the positive of the money against the downside of being associated with Bill Clinton,''

Merksamer said.

Clinton came to California after staking out an unpopular

position on immigration. At a Friday news conference in Washington, Clinton expressed concerns about a controversial ballot initiative that would deny most benefits to illegal immigrants. Voters, by a 2-to-1 margin, are telling pollsters they favor the measure.

Clinton questioned the measure's constitutionality and said denying children health care and schooling ``presents significant risks'' in the long run for society.

He blamed the immigration crisis on California's leaders, including Wilson, who helped ease restrictions on illegal immigration when the state's booming farm economy needed undocumented workers.

APNP-10-22-94 1503EDT

Date: 07/19/94 Time: 11:47

Teachers Union Advocates 'Zero Tolerance' for School Violence

ANAHEIM, Calif. (AP) Students expelled from school should be sent to special classrooms to dissuade them from the notion that 'if you want a free vacation you punch out the teacher,' an American Federation of Teachers official says.

Delegates to the AFT's biannual convention approved a resolution Monday calling on school districts to adopt 'zero tolerance' policies on school violence that require expulsion for students found with drugs or weapons on campus or who assault a teacher or fellow student.

John Cole, president of the Texas Federation of Teachers, said alternative schools are critical if the policy is going to be effective. 'If there's no place to send a student, what you have is a suspended student hanging out in the school playground,' he said.

Several Texas school districts have taken the lead in establishing 'zero tolerance' policies against school violence.

'As long as a student in some way acknowledges their role in what has happened to them, we will take that student and work with them,' said Betty Duncan-Coon, principal of the Challenge Center, an alternative school for expelled children in the Hurst-Euless-Bedford, Texas, school district. 'If a student is still into all of the blaming of everyone else for their problems, they're not ready.'

Duncan-Coon said students in grades seven to 12 receive instruction in four academic subjects math, science, English and history. They also take physical education classes and participate in group sessions addressing such issues as conflict resolution, anger control and peer pressure.

In Corpus Christi, Texas, the 200 spaces set aside in an alternative school were quickly filled last year, according to Linda Bridges, president of the local AFT chapter. Four hundred slots will be available when school reopens in the fall.

Said Shelley Potter, president of the AFT's San Antonio local, 'We don't want to just put kids out on the streets.'

Student violence is a major problem in the nation's schools, and it's not limited to big city districts. A survey last year by Metropolitan Life found that more than 10 percent of the nation's teachers and nearly 25 percent of their students had been victims of violence.

In Washington, Sens. Dianne Feinstein, D-Calif., and Byron Dorgan, D-N.D., said Monday they would try to amend a major education bill to require any school district receiving federal funds to expel for a year any student who carries a gun on school grounds.

'The time has come to get tough on guns in schools,' said Feinstein. 'Schools must be safe houses for learning.'

The amendment was passed by Congress earlier this year as part of the Goals 2000 education bill. Since state participation in Goals 2000 is voluntary, including it in the Elementary and Secondary Education Act gives it broader reach, to virtually every school district in the country.

In addition to endorsing 'zero tolerance' policies, the AFT on Monday called for a national summit on school safety and violence and greater distribution of programs and curricula that have been proved effective in teaching students how to solve conflicts peacefully.

Cole said he would have liked to see the 'zero tolerance'

resolution include profanity, but acknowledged that ``verbal abuse of teachers by students is a hard sell'' to school administrators.

Still, Bridges said students' use of profanity against a teacher sets a certain tone in the classroom.

``It's easy to cuss the teacher out the first time,'' Bridges said. ``The second time you hit the teacher. The third time you take the gun up to school.''

APNP-07-19-94 1146EDT

Teacher Union Wants to Expel Violent Students

ANAHEIM, Calif. (AP) In several Texas school districts, teen-agers who bring drugs or weapons to school or commit an assault there are expelled. No second chances. No excuses.

It's part of a ``zero-tolerance'' policy that also includes alternative schools for expelled students an idea the American Federation of Teachers wants adopted nationwide.

``There has to be a message we are not going to tolerate certain behaviors,'' John Cole, president of the Texas Federation of Teachers, said Monday at the AFT's national convention here.

In a 1993 survey by Metropolitan Life, more than one in 10 teachers and nearly one in four students reported they had been victims of violence in or near their schools. Thirteen percent of the students said they had brought a weapon to school at least once.

The Council of Great City Schools said violence was the major concern in the country's urban school districts.

``There's a climate in which there is no respect for school, for the teacher, for the rights of others,'' Cole said.

Educators are fighting back, with locker searches and metal detectors. The National Association of Secondary School Principals is asking students to sign a pledge that they will not bring weapons to school.

In Washington, Sens. Dianne Feinstein, D-Calif., and Byron Dorgan, D-N.D., said Monday they would offer an amendment to pending education legislation that would require any school district receiving federal funds to expel for a year any student who carries a gun on school grounds.

``The time has come to get tough on guns in schools,'' said Feinstein. ``Schools must be safe houses for learning. ... The message has to be to parents that it is wrong to carry a gun into a public school.''

The amendment was passed by Congress earlier this year as part of the Goals 2000 education bill. Since state participation in Goals 2000 is voluntary, including it in the Elementary and Secondary Education Act gives it broader reach, to virtually every school district in the country.

At its convention, the AFT called for a national summit on school safety and violence and greater distribution of programs and curriculum that have been proved effective in teaching students how to solve conflicts peacefully.

They also approved without debate a resolution calling for adoption of strict codes of student conduct and zero tolerance of ``drugs, weapons, crimes and violence on school campuses.''

Corpus Christi, Texas, implemented a zero-tolerance policy during the last school year. ``We saw a dramatic decline in the number of weapons on campus in the second semester,'' from 10 down to two, said Linda Bridges, president of the city's AFT local.

``It became very clear that they won't be tolerated,'' she said. Letters were sent home to all the parents in a school where a weapon was discovered detailing the disciplinary action.

An alternative school was established for children who were expelled. Bridges said the 200 slots filled up very quickly. When school reopens this fall, there will be 400 spaces.

Cole said alternative settings are key if zero-tolerance policies are to work.

``If there's no place to send a student, what you have is a suspended student hanging out in the school playground,'' he said.

``It's a perfect lesson that if you want a free vacation, you punch out the teacher.''

San Antonio will implement a zero-tolerance policy when school reopens in the fall, limiting it to children in middle school.

``Any student who is found to have committed an expellable offense possession of weapons, drugs, assault will be expelled,' said Shelley Potter, president of the AFT's San Antonio local.

If they agree to guidelines covering behavior and other issues, the students may attend an alternative school, the Bexar County School of the Community.

Potter said the school district is working hard to make sure students and their parents are informed about the new policy. It is critical, she said, that schools follow through. ``There will be kids who will test if we really mean what we say,' she said.

Both Bridges and Potter said they would have liked to see their districts' zero-tolerance policies go one step further, to cover profanity.

``It's easy to cuss the teacher out the first time, the second time you hit the teacher, the third time you take the gun up to school,' Bridges said.

APNP-07-18-94 1552EDT

October 7, 1994

Note to: Interested Parties

Subject: Research on Guns in Schools

There has been a considerable number of surveys conducted on school crime and violence. We have analyzed these surveys and other research conducted since 1978 and have pulled the data and/or findings related specifically to guns in schools. An overview of the findings related specifically to guns follows.

Bill Modzeleski

OVERVIEW OF RESEARCH FINDINGS RELATED TO GUNS AND SCHOOLS

1994: National School Boards Association
 Violence in the Schools How America's School Boards Are
 Safeguarding Our Children

This report is based upon a survey of 729 National Affiliate school districts. The questionnaire asked districts about the extent to which violence was a problem in their school district, the types of violence their district had experienced, as well as their opinions of the causes of school violence.

o Types of violence experienced in the 1992-93 school year.

	<u>Overall</u>	<u>Urban</u>	<u>Suburban</u>	<u>Rural</u>
Student/Student	78%	93	81	69
Weapons in School	61%	91	61	45
Student v Teacher	28%	61	25	20
Race/ethnic	28%	52	35	10
Gang	24%	60	25	10
Shooting/Knife	13%	40	10	8
Drive by Shoot	9%	24	10	5
Rape	7%			
Gay/lesbian	3%			

1993: Gun Acquisition and Possession in Selected Samples
Research conducted by: Joseph F. Sheley, and James C.
Wright of Tulane University--for the: National
Institute of Justice

The results of this study are drawn from voluntary questionnaires
anonymously completed by:

- o 835 male serious offenders incarcerated in 6 juvenile
correctional facilities in 4 states.
- o 758 male students in 10 inner city high schools near the
facilities.

Both students and inmates came from environments marked by crime
and violence.

Key Findings: The study found that:

- o 83% of inmates and 22% of the students possessed guns.
- o 55% of inmates carried guns all or most of the time in the
year or two before being incarcerated; 12% of the students
did so, with another 23% carrying guns now and then.
- o 69% of the students had males in their families who owned
guns. Two-fifths of the students reported that males in
their families carried guns routinely outside the home.
More than half (57%) of students had friends who owned guns;
and 42% had friends who carried guns routinely outside the
home.
- o 45% of students had been threatened with a gun or shot at,
while on the way to or from school in the last few years.
One in ten had been stabbed, and one in three beaten up in
or on the way to school. Nearly a fifth (17%) had been
wounded with some form of weapon other than a knife or a gun
in or near the school.
- o The firearms of choice were high quality, powerful
revolvers. Closely followed by automatic and semiautomatic
handguns and then shotguns.
- o Most of those surveyed thought it would be easy to acquire a
gun. Only 13% of inmates and 35% of students said it would
be a lot of trouble or nearly impossible.
- o 35% of the inmates and 10% of the students agreed or
strongly agreed that "it is okay to shoot a person if that
is what it takes to get something you want." Was it "okay
to shoot some guy who doesn't belong in your neighborhood?"
29% of the inmates and 10% of the students agreed or
strongly agreed that it was.

1993: Metropolitan Life Insurance Company
The Metropolitan Life Survey of The American Teacher 1993

This is the latest in a series of surveys sponsored by MetLife that focuses on the opinions and experiences of the American teacher. This report examines issues related to violence in public schools, based on the perceptions and experiences of teachers, students and law enforcement officials. While the large majority of students and teachers feel safe and have not personally been involved in a violent incident in and around their schools, teacher and student experiences and perceptions frequently differ, with students seeing and fearing violence more than do teachers. Law enforcement officials express the highest levels of concern about violence in their local public schools. Overall, teacher and student experiences with issues related to safety and violence in schools show strong associations with such factors related to their school environment as the quality of education a school provides, a school's ability to help students succeed academically, the level of parental involvement in school life, and the percentage of low income or minority students in a school.

The Major Findings of the Survey

- o Most secondary school students do not know how many of their peers carry weapons to school on a regular basis, though few believe that it is more than ten percent. A majority of teachers think that zero to 10 percent of students carry weapons to school.
- * A majority of law enforcement officials (68%) think a small minority of students carry weapons such as handguns or knives to school. This is consistent among officials from urban, suburban and rural police departments.
- * Less than ten percent of teachers and students believe any students carry guns to school, in contrast, one-third of teachers who believe their schools provide lesser quality education (only fair or poor) believe that students tend to carry guns to school.

Among students, teachers and law enforcement officials, most believe that when students do carry weapons to school it is most likely that they will carry knives.

- * In comparison to teachers and students, a larger proportion of law enforcement officials think that students who carry weapons carry guns. Less than ten percent of teachers and students believe any students carry guns to school.

Contrary to students' beliefs regarding their peers, a sizable portion of students (13%) say they have carried a weapon to school at one time.

- * This is consistent among urban, suburban and rural students. More than one-third (36%) of students who generally get poor grades (C's, D's, or F's) claim they have carried a weapon to school.
- * Twenty-two percent of boys and young men, compared to 4% of girls and young women, claim to have carried a weapon to school at some time.

Overall, teachers, students, and law enforcement officials believe that students carry weapons for four main reasons: protection to and from school, to impress their friends, for self esteem or for protection in school.

- * Law enforcement officials are more likely to believe self-defense is a reason to carry weapons than are teachers or students. Students place more emphasis on impressing other and feeling important as motivations.
- * The vast majority of public school teachers (98%) have never carried a weapon. Those teachers who have taken some form of precaution most frequently carry mace (44%).

The types of violence students say they have experienced or taken part in closely mirror the types of violence that teachers and students think of as major problems in their schools.

- * The most common aggressive acts are pushing, shoving, grabbing and slapping, verbal insults and threats to their peers.
- * Five percent of secondary school students say they have threatened someone, in or around school, with a knife or gun.

1993: The Harvard School of Public Health and the Joyce Foundation, Chicago, Illinois
A Survey of Experiences, Perceptions, and Apprehensions about Guns Among Young People in America

Between April 19 and May 21, 1993, 2508 students were surveyed in 96 public and private elementary, middle and senior high schools (sixth through twelfth grade).

- o More than one in five (22%) of the students claimed that they carried a weapon to school during the last school year, and 4% saying the weapon was a handgun.
- o 9% say they have shot a gun at someone else.
- o 11% say they have been shot at by someone with a gun during the past year.
- o 22% say they would feel "safer" having a handgun on their person if they were going to be in a physical fight. Forty-four percent said that they believe their families would want to fight off an attacker, even if it meant firing a gun, while 40% said that their families would not want to do so.
- o 39% know someone personally who has either been killed or injured from gun fire.
- o 59% say they could get a handgun, "if I wanted one." Two in three who know where to get a handgun say they could get one within a 24-hour period. Rates varied by race: blacks (72%), whites (55%), Latinos (69%), and Asians (47%).

1993: Police Executive Research Forum
 Police Executives View of School Crime

Crime in public schools has become an increasing problem in recent years, despite efforts by school administrators, teachers, parents and students to establish a safe environment for learning and other experiences traditionally associated with quality education.

Traditionally, most school administrators have handled crimes committed on public school property without reporting the incidents to the police. However, in recent years, the volume and severity of offenses, as well as the nature of weapons used, has led to the hiring of larger numbers of school security officers and police have been called more often to intervene in schools. Yet, calls for police to deal with serious crimes in schools are sometimes delayed for long periods of time. Teachers and administrators are often hesitant to involve law enforcement. In such an environment, where police response is not given a high priority, offenders within the schools know that, in most cases, the consequences of their actions will be minimal. Thus, failure to involve the police when serious offenses have been committed creates a climate in the public schools that says crime in school is regarded as less important than crime on the streets.

For the purposes of this study violence was defined as "assaults against students, teachers, or school staff with weapons, aggravated assaults without weapons and/or sexual assault" Firearm related crimes were defined as "threats, robberies, assaults and non-assaults against students, teachers, or school staff using firearms, as well as unlawful possession or concealment of firearms." Weapon is an all-inclusive term that refers to any instrument used to threaten, injure or kill a person.

FINDINGS:

- o In general 55% (262) of 476 police executives rate crime in schools as a problem, while 42.4% (202) rate firearm-related crimes in schools as a problem.
- o Sixty percent of the police departments responding to the survey stated that they have designated public school liaisons, who provide their agencies with critical links to local schools.
- o There are encouraging signs about the potential for better relations and improved response.
 - Most calls (48.8%) to police are generated by school personnel, rather than students or parents.
 - A large number of law enforcement officials had

weekly meetings with local school administrators (29.8%).

--Nearly all respondents (94.5%) revealed that they receive calls to respond to possession of illegal firearms at public schools.

- o Over half of 472 major police agencies (51.1% or 241) in the nations do not keep data on crimes committed on public school property. Most departments are not required to gather such data by national or state reporting agencies.
- o Over half (52%) of 461 major police agencies have no policy or procedure for responding to firearms, threats or serious crimes in public schools, which prompts questions on how efficiently these law enforcement agencies handle incidents at schools when they do occur. A significant number of police executives are not aware of the policies and procedure of their local schools that directly affect crime and violence and the school systems responses to victims and suspects.
- o Review of over 130 general order manuals showed that very few police and sheriffs departments had written policy on response to crimes committed on school property.

How Respondents Rate Incidence of Crimes in General as a Problem in Schools:

A very serious problem--	33	6.9%
A major problem .	103	21.6%
A problem	262	55%
A minor Problem	74	15.5%
Not a problem	4	.8%

1993: USA TODAY
SURVEY ON SCHOOL SAFETY
USA TODAY Weekend August 13-15, 1993

In a survey of 65,000 teens USA Today found:

OVERALL

o 37% of students don't feel safe in school (this is almost double a similar USA Weekend survey taken in 1989.

o 43% of public school kids avoid school restrooms, 20% avoid hallways; and 45% avoid the school grounds.

o 26% of girls, 49% of boys were hit last year at school. 29% of girls were threatened; 30% of boys were in fights.

o 67% say lockers aren't a safe place for valuables. 22% have been robbed of an item worth more than \$10.

o 55% of youth in grades 10-12 know weapons are regularly in school. 20% of all teen wouldn't report a kid carrying a gun (In 1989 41% of 10-12 graders said they knew somebody who carried a weapon to school).

o 79% say violence often is caused by stupid things like bumping into someone. Followed by, in order: boyfriend-girl friend disputes, outsiders, racism, gangs.

1992: National Institute on Drug Abuse
University of Michigan Institute for Social Research

National High School Senior Survey - Monitoring the
Future

Approximately 2,400 seniors in approximately 130 public and private high schools throughout the U.S. except Hawaii and Alaska were polled for this survey, the 16th in an annual series begun in 1975.

STUDENT VICTIMIZATION TRENDS

During the past eleven years, threats and injuries to high school seniors and theft and vandalism of their property have been on the rise.

	<u>1980</u>	<u>1985</u>	<u>1990</u>	<u>1991</u>	<u>1992</u>
Threatened with a weapon	11%	15%	13%	16%	19%
Threatened without a weapon	19%	26%	25%	26%	29%
Theft of student's property	34%	39%	42%	42%	40%
Injured with a weapon	5%	6%	6%	7%	9%
Injured without a weapon	11%	14%	14%	15%	23%
Vandalism/ students property	25%	27%	29%	28%	32%

1991: Bureau of Justice Statistics
School Crime: A National Crime Victimization Survey
Report

Based on a nationally representative sample of more than 10,000 young people who were interviewed from January through June 1989 who had attended public or private school during any time during the 6 months preceding the survey. Responses refer to the 6-month time period prior to the survey.

- o More than 400,000 students 12 to 19 years old were estimated to have been victims of violent crimes at school.
- o 9% of students were crime victims in or around their school over a 6-month period: 7% of all students were property crime victims, and 2% were victims of one or more violent crimes, primarily simple assaults.
- o An estimated 430,000 students (2% of all students) had at least once taken something to school to protect themselves from attack or harm. This includes guns, knives, brass knuckles, razor blades, spiked jewelry and other objects capable of hurting an assailant.
- o 15% of the students reported there were gangs in their schools.
- o 16% said that a student had attacked or threatened a school teacher.
- o Among the students who said gangs were or might be found in their schools, 37% said gang members never fought at school, 19% said there were gang fights once or twice a year and 12% said there were gang fights at least once a week.
- o High school seniors were the least likely students to be crime victims. ninth grade students were more likely to be crime victims than were students in all higher grades.
- o Victims of violent crimes were about 3 times as likely as nonvictims to report they were afraid of being attacked at school (53% versus 19%). The overwhelming majority of students who had not been victimized reported no fear of attack, either at school (81%) or on the way to and from school (87%).

1991: Bureau of Justice Statistics
Teenage Victims: A National Crime Victimization Survey
Report

This report presents information on crimes of violence and theft collected by the National Crime Survey (NCS) for 1985 to 1988. The NCS obtains information about crimes, included those not reported to the police, from individuals age 12 or older in a nationally representative sample of households.

- o From 1985 to 1988, persons age 12 to 19 were victims of 1.9 million crimes of theft annually. Teenagers were much more likely than adults to be victims of crimes of violence. On average, every 1,000 teenagers experienced 67 violent crimes each year, compared to 26 for every 1,000 adults age 20 or older.
- o About one-half of all violent crimes and 63% of crimes of theft against teens age 12 to 19 took place on the street, in a school building or on school property. Street crimes were 3 times more likely than crimes in school buildings to have been committed by an offender with a weapon (37% versus 12%).
- o Adolescents age 12 to 15 were about twice as likely as older teens to experience crimes in a school building or on school property. About 37% of violent crimes and 81% of crimes of theft against younger teenagers occurred at school, compared with 17% of the violent crimes and 39% of the crimes of theft against older teens.
- o Police reporting rates for violent crimes against teenagers were much higher for incidents that occurred on the street than for those at school. About 37% of violent crimes that occurred on the street were reported to the police, compared with 9% of violent crimes that took place in school buildings and 22% of those on school property.
- o Many crimes taking place in school may not have been reported to the police because school officials had been notified and had resolved the incidents. 37% of the violent crimes in school buildings and 32% of those on school property, the police were not called primarily because the crime was reported to someone else, compared to 5% of street violent crimes.

1990: Texas A&M University
Rural Communities Near Large Metropolitan Areas: Safe
Havens from Adolescent Violence?

Participants in the study were 1,004 eighth- and tenth-graders from 23 small Central Texas communities.

- o More than one-half of the boys (53.2%) and one-fifth (20.5%) of girls reported having been in at least 1 physical fight involving weapons during the previous year. One-fifth of boys and 6.4% of girls said they had been in 3 fights.
- o One-fourth of the students said they had carried a weapon at school in the past year.
- o Slightly more than 6% of the boys said they had carried a handgun and 1.6 % said they had carried one nearly every day.
- o 42.3% of the students said they could get a handgun if they wanted to.
- o While at school or on a school bus during the previous year, 34.1% of students reported having been threatened with bodily harm thought not actually hurt, 15.2% claimed that they had something taken from them by force or threat of bodily harm, 14.1% said they had been physically attacked and 6.8% admitted that someone tried to force them to have sex when they did not want to.
- o More than 20% felt that threatening to use a weapon would help prevent fights. Nearly 17% thought acting tough would deter altercations.

1990: Youth Risk Behavior Surveillance System
Youth Risk Behavior Survey

The 1990 national school-based survey is a component of the Youth Risk Behavior Surveillance System, which periodically measures the prevalence of priority health-risk behaviors among youth through comparable national, state and local surveys. The survey polled a representative sample of 11,631 students in grades 9 - 12 in the 50 states, the District of Columbia, Puerto Rico and the Virgin Islands.

- o Nearly 20% of all students in grades 9 - 12 reported they had carried a weapon at least once during the 30 days preceding the survey (not necessarily to school).
- o Male students (31.5 %) were significantly more likely than female students (8.1%) to report having carried a weapon.
- o Hispanic (41.1%) and black (39.4%) male students were significantly more likely to report having carried a weapon than were white (28.6%) male students.
- o Of the students who reported having carried weapons during the 30 days preceding the survey, 25% said they did so only once; 32.2% said 2 or 3 times; 7.4% said 4 or 5 times; and 35.5% said 6 or more times.

1987: American School Health Association
Association for the Advancement of Health Education
Society for Public Health Education
National Adolescent Student Health Survey

Contact Information: National Alliance for Health, Physical
Education, Recreation and Dance
Publication Sales
800/321-07989

Approximately 11,000 eighth- and tenth-graders from a nationally representative sample of more than 200 public and private schools in 20 states participated in the study during the fall 1987.

- o One-half of the boys and 28% of the girls were in at least 1 fight during the past year.
- o One-third reported someone threatened to hurt them, 14% were robbed and 13% reported being attacked while at school or in a school bus.
- o 4 out of every 10 boys (41%) and 24 % of the girls reported they could obtain a handgun if they wanted one.
- o 23% of the boys reported having carried a knife to school at least once during the past year; 7% said they carry a knife to school on a daily basis.
- o 3% of the boys reported having carried a handgun to school at least once during the school year; 1% reported carrying a handgun on a daily basis.

1986 - U. S. Bureau of the Census for the U.S. Bureau of Justice Statistics

1987: National Crime Survey for 1986
School Crime: Annual Statistical Snapshot
Kids and Crime, School Safety Newsjournal, Spring 1988

- o According to the 1986 and 1987 National Crime Survey, nearly 3 million incidents of attempted or completed street crime (assault, rape, robbery and theft) took place inside schools or on school property.
- o The vast majority of crimes against person are thefts. During 1987, almost 2.5 million thefts in or around schools were reported by National Crime Survey respondents.
- o Almost 465,000 violent victimizations occurred in or around schools during 1987. Among these were 75,900 aggravated assaults (50,980 with injury); 36,850 robberies (22,610 with injury); and almost 350,000 simple assaults (nearly 110,000 with injury).
- o Even though the school-age population has declined markedly since 1982, the number of violent crimes has remained high, ranging from a low of about 420,000 in 1986 and 1982 to a high of almost 465,000 in 1987.
- o 1 in 6 youths between the ages of 12 and 19 was the victim of a street crime during 1986 compared to about 1 in 9 adults.
- o 1 out of 18 youths was assaulted, robbed or raped during 1986.
- o One-half or more of the attempted and completed violent crimes against girls and 12 to 15-year-old boys are committed by someone known to them.
- o Only about one-third of all violent crimes committed or attempted against youths during 1986 were reported to the police.
- o Murders of school-age youths (5 to 19 years of age) totaled 1,840 during 1986, according to the FBI.

1978: National Institute of Education
Violent Schools vs Safe Schools: The Safe School Study
Report to the Congress

This 3-part study conducted in 1976-1977 combined a survey of principals from 4,000 public elementary and secondary schools nationwide; a survey of 642 public junior and senior high schools, which interviewed the principals, teachers and students; and an intensive, qualitative study of 10 schools selected because their previous problems of crime and violence had been dramatically reversed in a short period of time.

- o Approximately 282,000 (1.3%) students are physically attacked in America's secondary schools each month. About 2.4 million (11%) have something stolen from them in a typical month.
- o Almost 8% of urban junior and senior high school students missed at least one day of classes a month because they were afraid to go to school. 3% (600,000) reported that they are afraid most of the time.
- o Nearly 5,200 of the nations million secondary school teachers are physically attacked at school each month, about 1,000 of whom are seriously enough hurt to require medical attention. About 130,000 have something stolen in a months time. Around 6,000 have something taken from them by force, weapons or threats.
- o Over 25% of all schools are subject to vandalism in a given month. The average cost of an act of vandalism is \$81. 10% of schools are burglarized, at an average cost per burglary of \$183. The annual cost of school crime is estimated to be around \$200 million.
- o Most offenses are committed by current students. Victims and offenders are generally of the same age and sex (usually male). In a majority of cases, victims and offenders are also of the same race. The chances of interracial violence are highest in schools where students of one race outnumber those of another.

DIANNE FEINSTEIN
CALIFORNIA

United States Senate

WASHINGTON, DC 20510-0504

FAX COVERSHEET

Senator Dianne Feinstein
331 Senate Hart Building
Washington D C. 20510
(202) 224-3841

DATE: OCTOBER 21 TIME: _____

TO: BRUCE REED, DOMESTIC POLICY

FAX: 456-7431 PHONE: _____

FROM: ALEXANDER RUSSO (224-9657)

COMMENTS: HERE ARE
BACKGROUND MATERIALS
FOR THE "GUN-FREE SCHOOLS"
EVENT. HOPE THEY'RE
USEFUL. THANKS FOR YOUR HELP.

TOTAL NUMBER OF PAGES (INCLUDING COVERSHEET): _____

NOTE: The information contained in this facsimile is confidential. If you receive this

DRAFT**REMARKS FOR OCTOBER 23 GUN FREE SCHOOLS EVENT****Violence in Schools**

Across this nation, the culture of violence has invaded one of the last "safe havens" for children and learning -- our schools.

Every day, 135,000 guns are brought into schools, and since 1993, guns at schools have resulted in at least 35 deaths and 92 injuries nationwide, according to the National School Safety Center and the National Education Association.

An estimated 160,000 students a day don't go to class because they fear violence, one out of every five students regularly carries a weapon (including guns, knives, and clubs) to school, and school violence has become the number one concern of parents according to a recent Gallup poll.

School Violence in California

Sadly, there is good reason to fear school violence, when someone in class could have a gun or an accidental bump in the lunch line could be fatal.

Last year in California, for example, two students were killed in a single California school district in the same month. One student was killed during English class, and the other -- Michael Ensley -- was shot during a nutrition break at Reseda High School near Los Angeles, which I visited earlier this week.

While there is no statewide school violence report until next year, a survey of 11 Bay Area school districts by the San Jose Mercury News this summer found a "startling increase" of weapons on many school campuses between 1989 and 1994.

Throughout the state, school districts throughout California have experienced multiple incidents of gun possession or gun violence, including Sacramento, Oakland, San Jose, Los Angeles, San Diego, Orange County, and many others.

This is not just a problem for high schools. In fact, there was a 103 percent increase in weapons seized in Oakland elementary schools last year, and 5 guns seized at a single junior high school.

Violence Near Carlmont High School

Nor is this just a problem for urban schools, as Carlmont High School knows.

Earlier this year, a 15 year-old Carlmont High School student named Edward Sims was

killed by another student who had threatened Sims with the gun at school in the days before the February 14th shooting. At about noon that day, as Sims was riding his bike, his assailant approached and shot him once in the chest.

Enactment of the Gun-Free Schools Act

School safety is the most important education reform that we can provide to our young people.

That is why I am proud that just two days ago a bill I co-authored called the "Gun-Free Schools Act" was signed into law as part of a comprehensive reauthorization of federal education programs (known as the Elementary and Secondary Education Act).

The Gun-Free Schools Act requires that states and school districts adopt a mandatory one-year expulsion policy for students who bring guns to school. Local discretion is built in, states will be given time to conform with this requirement, and alternative education is allowed.

Because this issue is so important, the President is here today to sign a directive urging the Secretary of Education to implement the Gun-Free Schools Act immediately.

Building on California Law

This law, which is based on the success of mandatory expulsion policies already implemented or under review in several California school districts, will further strengthen California's existing expulsion law by requiring that students be expelled for one year.

The President's memo makes clear that state and local education agencies must implement a zero tolerance policy as a condition of receiving federal education funds. Those who refuse to adopt this policy could lose their share of over \$10 billion in federal education funds, including \$729 million in Chapter 1 funds for California.

Effectiveness of Zero Tolerance

Mandatory expulsion -- also known as "zero tolerance" -- is an effective deterrent for students and their families, and has been credited with lowering gun possession and gun-related violence in the school districts where it has been implemented.

In Los Angeles, for example, gun possession decreased 27 percent and gun-related school violence decreased 34 percent in 1993-94, when the zero tolerance measure was implemented.

Federal Resources for School Safety

In addition to the Gun-Free Schools Act, there are several other federal school safety program that will direct additional resources to help make California schools safe:

Safe and Drug-Free Schools

Under the Safe and Drug-Free Schools Act, which was also reauthorized on Thursday, California schools will receive \$54 million for drug prevention and school safety programs during the upcoming year.

The Safe and Drug Free Schools Act will enable schools to develop effective safety programs and purchase additional security hardware (e.g., metal detectors, security fencing).

This is a \$12 million increase over last year, when California schools received \$42 million (for drug prevention only).

School Safety as a National Goal

School safety is also one of the national education goals created under another education bill called "Goals 2000," which will provide \$47 million to California over two years (1993-95).

Within the Goals 2000 bill, there is also a \$20 million "Safe Schools" provision that will provide some California districts with grants that will be released by the end of the year. (So far, 38 California school districts have applied for these competitive grants, including nearby San Francisco, Oakland, and Alameda).

Violence Prevention in the Crime Bill

And in the Crime Bill, there is \$37 million in "safe haven" and youth violence prevention funding to help communities develop programs to keep children safe before and after school, as well as enhanced Federal penalties for drive by shootings and other crimes related to school violence.

Conclusion

I believe that school safety measures can only work if there are real consequences to bringing a gun to school and real resources directed at making schools safe. We must not let guns and the culture of violence invade our schools.

I believe that it's time to stop making excuses and say that no guns will be tolerated on school grounds in California or any other state.

Safe schools must be our number-one education priority. Children are dying at school, and while we may have become numb to violence in homes and communities, safety at school must be our bottom line.

10-18-94 08:21 AM FROM US SENATOR FEINSTEIN

P14

San Francisco Chronicle

10/18/94

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Feinstein Visits School, Decries 'Cult of Violence'

By John Wildermuth
Chronicle Staff Writer

Reseda, Los Angeles County

Senator Dianne Feinstein spent yesterday morning talking about school violence to kids who already know too much about it.

It was last year that 17-year-old Michael Ensley staggered out the front gate of Reseda High School, fatally shot by a 15-year-old classmate during a snack break. Since then, Reseda High has led a campaign to stop campus violence in Los Angeles-area high schools.

"There is a cult of violence in school, and there is a fear of strife among students," Feinstein said. "How can you learn if you're afraid all the time?"

Feinstein spent about 20 minutes talking with eight students in the San Fernando Valley school's WARN (Weapons Are Removed Now) group, which travels to nearby elementary and middle schools to tell youngsters about ways to avoid violence.

"We try to reach kids in the lower grades," said Debbie Carlos, a Reseda senior. "We start trying to change their way of thinking."

Feinstein was at the school to talk about her Gun-Free Schools Act, which was adopted by the Senate in July. The bill requires all school districts that receive federal funds to expel for at least a year any student caught carrying a gun, or lose their federal money.

Disputes that years ago ended in harsh words or a bloody nose now bring gunfire, Feinstein said.

"We're finding that, next to accidents, the second largest cause of death of young people is homicide, and it's got to end," she said.

Legislation like the school guns bill, combined with the determination shown by the Reseda High students and the school district, can "change the culture, can turn back and say no to violence and put a major priority on learning in a safe environment," Feinstein said.

The senator also took a swipe at her Republican opponent, Michael Huffington, who has complained that Feinstein is too interested in passing new laws that will cost taxpayers money and make government bigger.

"I don't believe that saying that I'm going to do nothing is really what California needs," Feinstein said, misquoting Huffington. "What California needs is better schools... laws that will reduce il-

legal immigration... efforts to change our ways from ways of violence. I'm unabashed. I will help."

Huffington has never said he would "do nothing" as a senator, said Jennifer Grossman, a campaign spokeswoman, although he has promised not to introduce many new bills.

"This Congress has introduced 8,000 legislative measures," she said. "Despite that, you won't find many voters who feel safer or more optimistic about their economic future."

Later in the day, Feinstein toured the Villa Parke Community Center in Pasadena and heard local officials describe how intense community policing efforts are allowing residents of the once crime-ridden neighborhood to go out again at night.

Officers wearing "soft" police uniforms of blue T-shirts and jeans patrol the mile-square area 24 hours a day, said police Commander Gary Bennett. They even give out their pager numbers to residents so they can be reached at any time.

Programs like those are going to be the key for any federal funds California police departments will receive from the new multibillion-dollar crime bill, Feinstein said.

"I'm trying to encourage California jurisdictions to come up with practical, prudent programs that work, not pie-in-the-sky stuff," Feinstein said.

Los Angeles Times

Wednesday
August 10
1994

When Students Bring Firearms to School

Why zero tolerance, intelligently applied, is necessary

Rence Benson would like her teen-age daughter to have a second chance. The 13-year-old student admits she brought a BB gun that looked like a revolver to Lawrence Middle School in Woodland Hills. A "stupid mistake," says her mother, "but sometimes children of 13 make stupid mistakes." Benson's daughter has since been expelled from the Los Angeles Unified School District; her mother is asking the district to reconsider its action.

Vickie Yates' 14-year-old son admits he knew there was a 9-millimeter handgun in his locker at Wright Middle School in Westchester, but contends that the gun belongs to his best friend. The district is still considering whether to expel him. Yates' mother wants her son to remain in school and is challenging the district's zero-tolerance policy for guns as unnecessarily harsh.

The mothers of Michael Ensley and Demetrius Rice would probably like their sons to have a second chance as well. At life. But because of guns on school campuses, neither will get one. Ensley, 17, was shot dead by a classmate during a snack break at Reseda High School in February, 1993. Rice, a 16-year-old student at Fairfax High, was slain a month earlier when a classmate accidentally fired a .357 magnum during an English class.

Ensley and Rice are just two reasons why the LAUSD must hold firm to the policy it adopted 15 months ago of zero tolerance for guns. Now, students found in possession of firearms are in most cases expelled. They are out for the remainder of the semester and the following semester. Then they can reapply. Previously such students were reassigned to other district schools.

Yes, the district policy is harsh. But it has to be because schools have become deadly places. During the

has been in effect, Los Angeles school officials recovered 127 guns on school grounds and expelled or transferred 166 students for bringing guns to school. Horrific as these figures are, they represent an improvement over 1992-93 when 168 guns were recovered and 256 students were expelled or transferred for gun possession.

Other state school districts, including some in Orange County, have adopted a similar zero-tolerance policy for weapons on campus. In one, Fountain Valley, 15 students were expelled in the most recent school year, although in one case an elementary student who brought a Swiss army knife to school was allowed to transfer to another school in the district.



Safety first.

The state law governing expulsions is less severe than district policies in Los Angeles and Orange counties. As in many other states, California law allows districts either to expel or transfer students. But the mandatory expulsion policies in effect locally, rather than the more lenient state law, should become the norm in California and elsewhere.

Sen. Dianne Feinstein (D-Calif.) has sponsored legislation that would deny federal assistance to schools that do not require expulsion of students found with firearms on campus. Her bill now allows some flexibility on expulsion on a case-by-case basis. This provision is currently part of the larger Elementary and Secondary Education Act, which awaits Senate action.

Both Feinstein's bill and the L.A. district's zero-tolerance policies allow school officials enough latitude to protect innocent students. For example, students who discover that classmates have, as a prank, planted a gun in their backpack or locker will not warrant expulsion. But when due process has been served, the needs of students to be safe in school must

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Weapons-Related Expulsions Drop From Peak Last Year

■ **Schools:** Decline in L.A. district raises hope that campus violence may be falling.

By BETH SHUSTER
TIMES STAFF WRITER

The number of Los Angeles students expelled for bringing guns and knives to school dropped last year, reversing a seven-year trend that had peaked at a record 600 recommended expulsions during the 1992-93 school year.

But while the number of high-school and middle-school expulsions fell from the previous school year, the number of expulsions for all offenses among elementary school students stayed the same in 1993-94, according to a review of expulsions in the Los Angeles Unified School District obtained Thursday by The Times.

The fall in the number of weapons-related expulsions has raised hopes that campus violence—and students' fear of it—may be declining, district officials said.

The review shows that the total number of students recommended for expulsion for offenses including vandalism and assault dropped to 800 from 936 the year before—a 15% reduction.

Until this past year, the numbers were climbing, increasing by a third in the previous half a dozen years, from 697 in 1986-87 to 936 in 1992-93. Weapon possessions continue to be the most common reason for expulsion.

Among the report's main findings:

- Of the 800 expulsion referrals by school principals throughout the system last year, 466 students were expelled or sent to alternative campuses for bringing guns, knives or other weapons to school, compared to 600 out of 936

in 1992-93.

- Expulsion referrals for elementary school students jumped from eight in 1986-87 to 54 in 1993-94. Most of those were students who carried knives or guns to school.

- More middle-school students—94—were expelled last year for bringing guns to school than were high school students, who accounted for 75 expulsions.

- The number of students who were kicked completely out of the school district—the so-called straight expulsions—increased significantly over the eight-year period, from 17 in 1986-87 to 243 in 1992-93, in large part because of stricter policy. That number fell to 166 in 1993-94.

- But most students whose principals recommended expulsion were transferred to alternative campuses within the district—a trend that has remained fairly constant during the eight

School Discipline

The number of expelled Los Angeles Unified School District students decreased this past school year, although the total remains significantly higher than seven years ago. Although many of the students were expelled because of weapons, other factors—such as drug use and vandalism—also contributed. And not all of the students expelled from their campuses are kicked out of school. Some are sent to continuation schools or they leave the campus before the matter is concluded.

YEAR	TOTAL EXPULLED	EXPULLED FOR GUNS	OTHER WEAPONS	DRUGS
1986-87	697	92	238	236
1987-88	768	86	252	240
1988-89	759	121	315	207
1989-90	890	153	353	211
1990-91	889	137	377	181
1991-92	855	117	391	158
1992-93	936	256	344	190
1993-94*	800	191	275	237

* As of June, 1994

Source: Los Angeles Unified School District

years.

Commenting on the numbers of younger students carrying weapons to school, board President Mark Slavkin said, "I think this is part of a larger trend in society

where you see younger and younger kids being arrested for brutal and heinous acts. It seems anecdotal that kids are being caught committing more serious offenses

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And the escalating numbers of children who bring weapons and violence to school mirrors the troubles in their own communities, district officials said.

"It's a reflection of what's going on in society," said Hector Madrigal, the district's director of student discipline proceedings, who wrote the report. "Kids are acting up more seriously and administrators in turn are feeling the need to take stronger action."

While the Board of Education strengthened its expulsion policy three times in as many years, the report shows that the majority of students whose principals recommend expulsion are transferred to a different campus rather than being expelled outright from the district.

The district's expulsion policy requires students—regardless of age—to be expelled for bringing firearms to school, even replica or toy guns. Students caught with knives or drugs typically are assigned to alternative campuses.

The report shows that 53 students were expelled from the district in 1986-87, when 92 students were caught with guns. But 168 students were expelled outright in 1993-94 when 191 students had guns on campus.

Not all students are expelled because some cases were dropped for a variety of reasons, including an expired time limit for expulsion. Other students either dropped out or went into custody for committing crimes.

When it comes to knives, student violations are reviewed on a case-by-case basis. The report shows that 229 students were caught with knives in 1993-94,

compared to 139 students in 1986-87.

Principals initially make the expulsion recommendations and a hearing is held with a district panel. Students are recommended for expulsion for bringing weapons or drugs to campus, for vandalism or for assaulting or threatening to assault either students or school staff members.

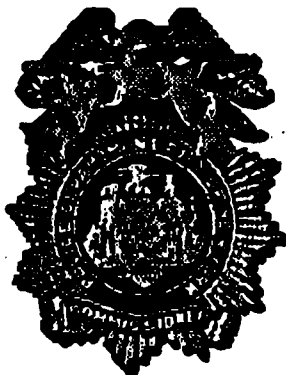
Ultimately, the school board reviews each expulsion referral and makes the final decision.

Board member Jeff Horton, who requested the expulsion data and who opposes expelling students under 16, said he believes the alternative programs often are the best places for these students, many of whom do not have previous discipline problems.

"We just put a kid out on the street with nothing to do . . . it's just asking them to hang out with gang members or with kids who have dropped out," Horton said. "It's bad for the neighborhoods and it's bad for the kids. I think we need to take more steps to reduce the problem."

Board member Barbara Boudreaux said she believes the policy needs to be even tougher so that students caught with knives are expelled outright. "Knives, guns, firecrackers, any kind of weapons . . . should have expulsion attached to it," Boudreaux said. "Guns are not the only weapons that can kill."

District officials said alternative campuses provide smaller classes and more individual attention. "We're not always talking about kids with hard-core criminal records—many of them are decent kids who are making errors in judgment," Madrigal said. "Basically we're giving them another chance to demonstrate they can be rehabilitated."



Police Commissioner's Office

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Joan Brody

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Special Instructions/Notes:

I thought you might be interested in this
article. This says it all about the need to keep Gun Control legislation
intact.

Take care to you soon

Joan

Thank You

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Boy With Gun Learns A Lesson at Police HQ

By Wendell Jamieson

STAFF WRITER

A 12-year-old Brooklyn schoolboy learned a valuable lesson yesterday: When you go to police headquarters, leave your semiautomatic at home, not tucked between the school books in your knapsack.

The youth was accompanying his mother and 14-year-old brother to One Police Plaza, where the older youth was going to help a police sketch artist depict a man who shot and wounded him in October, said Det. Sonia Burgos, a housing police spokeswoman.

The October shooting took place in a Brooklyn housing project, and housing police Det. Joe Klobus, who'd been working the case, accompanied the family yesterday.

When the group arrived at headquarters, they got into the line leading to the metal detectors. First, the mother stepped through. Then, the 14-year-old stepped through. But the 12-year-old paused, and then stepped out of the line.

"He's got this look on his face — his

eyes were as big as grapefruits," Klobus said. Nervously, but trustingly, the 12-year-old told Klobus a little secret.

"His first statement was, 'I have a gun,'" Klobus said.

The detective asked the boy to hand over the bag. Sure enough, hidden inside a folder between books, was a shiny .25-cal. semiautomatic handgun, with seven live rounds in the clip. "I said, 'We're going to have to talk about this,'" Klobus said, adding of the mother: "Her jaw, it just dropped. She couldn't believe it."

The 14-year-old then confided that it was his gun that he'd asked his little brother to hold. Both youths — whose identities were not released because of their ages — were charged with criminal possession of a deadly weapon, a felony, and were released into their mother's custody after a hearing.

Klobus said there was no commotion in the police building's lobby as he gingerly unloaded the weapon.

"I know these people," Klobus said of the family. "It was the last thing I expected."

GUIDANCE CONCERNING STATE AND LOCAL
RESPONSIBILITIES UNDER THE
GUN-FREE SCHOOLS ACT OF 1994

This guidance is to provide you with information concerning State and local responsibilities under the Gun-Free Schools Act, which was enacted on March 31, 1994 as part of the Goals 2000: Educate America Act. The Gun-Free Schools Act amends the current Elementary and Secondary Education Act of 1965 (20 USC 2701 et seq.) (ESEA). A copy of the new legislation is attached for your information.

The Gun-Free Schools Act (Act) states that, as a condition of receiving any assistance under the ESEA, a local educational agency (LEA) must have in effect a policy requiring the expulsion from school for a period of not less than one year of any student who brings a firearm to school, except that the LEA's chief administering officer may modify the expulsion requirement on a case-by-case basis. The Department interprets this provision to permit LEAs to discipline students with disabilities in accordance with the requirements of Part B of the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act (Section 504), and thereby maintain eligibility for Federal financial assistance.

The following questions and answers have been prepared to assist State educational agencies (SEAs) and LEAs in implementing these new requirements.

Q. When does the Gun-Free Schools Act take effect?

A. The requirements of the Gun-Free Schools Act took effect on March 31, 1994.

Q. What does the Gun-Free Schools Act require?

A. The Gun-Free Schools Act requires that LEAs, as a condition of receiving ESEA funds: (1) implement a specific discipline policy applicable to students who bring weapons (see the definition of "weapon" in the answer below) to school; (2) provide to the SEA an assurance that the policy is in effect; and (3) submit to the SEA specific reporting information on discipline imposed under the policy.

Policy

The Act states that no ESEA assistance may be provided to any LEA unless that LEA has in effect a discipline policy requiring the expulsion from school for a period of not less than one year of any student who is determined to have brought

a weapon to a school under the jurisdiction of the LEA. The Act states, however, that the LEA's policy may allow the chief administering officer of the LEA to modify the expulsion requirement on a case-by-case basis.

Assurance

An LEA is required to include, in each application to the SEA for assistance under the ESEA, an assurance that the required policy is in effect.

Reporting

An LEA is required to include, in each application to the SEA for assistance under the ESEA, a description of the circumstances surrounding any expulsions imposed under the policy, including --

- (1) the name of the school concerned;
- (2) the number of students expelled from the school; and
- (3) the type of weapons concerned.

Q. How is the term "weapon" defined?

A. For the purposes of the Gun-Free Schools Act, a "weapon" means a firearm as defined in Section 921 of Title 18 of the United States Code. (A copy of this provision is also attached.)

Q. What is meant by the term "expulsion"?

A. The term "expulsion" is not defined by the Act. However, the legislative history of the Act indicates that, at a minimum, expulsion means removal from the regular school program at the location where the violation occurred.

Q. How does the new legislation affect existing disciplinary policies required under the Drug-Free Schools and Communities Act?

A. The requirements of the Gun-Free Schools Act are consistent with the disciplinary policies required under the Drug-Free Schools and Communities Act (DFSCA). All LEAs that receive financial assistance under any Federal program are already required, under Section 5145 of the DFSCA, to have in effect a disciplinary policy that contains a range of sanctions, including expulsion. The DFSCA and regulations at 34 CFR Part 86 (Drug-Free Schools and Campuses) require that the policy and sanctions be applicable to all students. The Gun-Free

Schools Act establishes as a condition of receipt of funds under the ESEA a minimum disciplinary sanction that must be imposed against a student who brings a firearm to school -- i.e., expulsion for at least one year, subject to case-by-case modifications.

Q. Does the Gun-Free Schools Act alter a school district's obligations under the Federal civil rights laws?

A. No. The Gun-Free Schools Act does not amend or create an exception to Federal civil rights laws. In implementing the Gun-Free Schools Act, school districts must comply with the nondiscrimination requirements of Title VI of the Civil Rights Act of 1964 (prohibiting discrimination on the basis of race, color, or national origin), Title IX of the Education Amendments of 1972 (prohibiting discrimination on the basis of gender), Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act (prohibiting discrimination on the basis of disability), and the Age Discrimination Act of 1975 (prohibiting discrimination on the basis of age).

Q. Do the requirements of the Gun-Free Schools Act conflict with requirements that apply to students with disabilities?

A. No. Compliance with the Gun-Free Schools Act may be achieved consistently with the requirements that apply to students with disabilities as long as discipline of such students is determined on a case-by-case basis in accordance with the disability laws. Students with disabilities may be expelled for behavior unrelated to their disabilities as long as the procedural safeguards required by IDEA and Section 504 are followed. Under Section 504, the determination of whether the child's behavior is caused by the disability, however, must be determined through a reevaluation by individuals personally familiar with the child and knowledgeable about special education. In addition, the IDEA requires that educational services must continue, although they may be provided in another setting, for students with disabilities who are properly expelled.

If it is determined that the student's action in bringing a firearm to school is related to the student's disability, IDEA and Section 504 do not permit the LEA to expel the student. However, under IDEA and Section 504, a student with a disability may be suspended for up to ten days, which permits the LEA to address any immediate threat to the student or the safety of others. LEAs may also seek a court order to remove a student who is considered to be dangerous. In addition, the child's placement may be changed, in accordance with the

procedures under those laws, if it is determined that, in light of the behavior, the child's placement is not appropriate.

Q. Does the Act require LEAs to amend applications for ESEA funds that have already been awarded?

A. No. Although the legislation took effect on March 31, 1994, the assurance required under the Act need not be submitted until an LEA files with the SEA its first application for ESEA funds after that date. However, the SEA may require that the assurance be filed earlier.

Q. When must an LEA revise its disciplinary policies?

A. The Secretary believes that Congress intended that the required policy be implemented immediately. Thus, as a condition of receiving ESEA funds, an LEA must undertake good faith efforts to revise its disciplinary policies immediately unless it already has in effect a policy that meets the new requirements.

Q. What if the revised policy cannot be fully implemented at this time due to conflicting State or local laws, administrative impediments, or other unique circumstances?

A. Receipt of ESEA funds is conditioned upon compliance with the requirements of the Gun-Free Schools Act. The Secretary recognizes that there may be circumstances that adversely affect an LEA's ability to implement fully a discipline policy that meets these requirements. Therefore, an LEA may submit to the SEA the assurance required by the Act if the LEA has:

(1) made a good faith effort to begin promptly the process of implementing a policy that complies with the Act; and

(2) developed a plan to complete the implementation process as soon as possible.

In situations where a conflicting State law prevents full implementation of the required policy, SEAs may accept an LEA's assurance if the SEA determines that the appropriate State officials are making good faith efforts to bring about the revision of the State legislation.

Appropriate documentation must be maintained to demonstrate, upon request, the adequacy of efforts to implement fully the required policy.

PART B—GUN-FREE SCHOOLS

SEC. 1031. SHORT TITLE.

This part may be cited as the "Gun-Free Schools Act of 1994".

SEC. 1032. GUN-FREE REQUIREMENTS IN ELEMENTARY AND SECONDARY SCHOOLS.

The Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.) is amended—

- (1) by redesignating title X as title IX;*
- (2) by redesignating sections 8001 through 8005 as sections 9001 through 9005, respectively; and*
- (3) by inserting after title VII the following new title:*

"TITLE VIII—GUN-FREE SCHOOLS

"SEC. 8001. GUN-FREE REQUIREMENTS.

"(a) REQUIREMENTS.—

"(1) IN GENERAL.—No assistance may be provided to any local educational agency under this Act unless such agency has in effect a policy requiring the expulsion from school for a period of not less than one year of any student who is determined to have brought a weapon to a school under the jurisdiction of the agency except such policy may allow the chief administering officer of the agency to modify such expulsion requirement for a student on a case-by-case basis.

"(2) DEFINITION.—For the purpose of this section, the term "weapon" means a firearm as such term is defined in section 921 of title 18, United States Code.

"(b) REPORT TO STATE.—Each local educational agency requesting assistance from the State educational agency that is to be provided from funds made available to the State under this Act shall provide to the State, in the application requesting such assistance—

"(1) an assurance that such local educational agency has in effect the policy required by subsection (a); and

"(2) a description of the circumstances surrounding any expulsions imposed under the policy required by subsection (a), including—

"(A) the name of the school concerned;

"(B) the number of students expelled from such school;

and

"(C) the types of weapons concerned."

CANAL ZONE

Applicability of section to Canal Zone, see section 14 of this title.

CROSS REFERENCES

Red Cross, fraudulent wearing or display of sign of, see section 706 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 14 of this title.

CHAPTER 44—FIREARMS

Sec.	
921.	Definitions.
922.	Unlawful acts.
923.	Licensing.
924.	Penalties.
925.	Exceptions: Relief from disabilities.
926.	Rules and regulations.
926A.	Interstate transportation of firearms.
927.	Effect on State law.
928.	Separability clause. ¹
929.	Use of restricted ammunition.
930.	Possession of firearms and dangerous weapons in Federal facilities.

AMENDMENTS

- 1988—Pub. L. 100-690, title VI, § 6215(b), Nov. 18, 1988, 102 Stat. 4362, added item 930.
- 1986—Pub. L. 99-308, § 107(b), May 19, 1986, 100 Stat. 460, added item 926A.
- 1984—Pub. L. 98-473, title II, § 1006(b), Oct. 12, 1984, 98 Stat. 2139, added item 929.
- 1968—Pub. L. 90-618, title I, § 102, Oct. 22, 1968, 82 Stat. 1214, reenacted chapter analysis without change.
- Pub. L. 90-351, title IV, § 902, June 19, 1968, 82 Stat. 226, added chapter 44 and items 921 to 928.

CROSS REFERENCES

Unlawful possession or receipt of firearms, see title VII of Pub. L. 90-351, June 19, 1968, 82 Stat. 236, set out in the Appendix to this title.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 922 of this title; title 26 section 4182; title 42 section 3795.

§ 921. Definitions

(a) As used in this chapter—

(1) The term "person" and the term "whoever" include any individual, corporation, company, association, firm, partnership, society, or joint stock company.

(2) The term "interstate or foreign commerce" includes commerce between any place in a State and any place outside of that State, or within any possession of the United States (not including the Canal Zone) or the District of Columbia, but such term does not include commerce between places within the same State but through any place outside of that State. The term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States (not including the Canal Zone).

(3) The term "firearm" means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or

(D) any destructive device. Such term does not include an antique firearm.

(4) The term "destructive device" means—

(A) any explosive, incendiary, or poison gas—

(i) bomb,

(ii) grenade,

(iii) rocket having a propellant charge of more than four ounces,

(iv) missile having an explosive or incendiary charge of more than one-quarter ounce,

(v) mine, or

(vi) device similar to any of the devices described in the preceding clauses;

(B) any type of weapon (other than a shotgun or a shotgun shell which the Secretary finds is generally recognized as particularly suitable for sporting purposes) by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter; and

(C) any combination of parts either designed or intended for use in converting any device into any destructive device described in subparagraph (A) or (B) and from which a destructive device may be readily assembled.

The term "destructive device" shall not include any device which is neither designed nor redesigned for use as a weapon; any device, although originally designed for use as a weapon, which is redesigned for use as a signaling, pyrotechnic, line throwing, safety, or similar device; surplus ordnance sold, loaned, or given by the Secretary of the Army pursuant to the provisions of section 4684(2), 4685, or 4686 of title 10; or any other device which the Secretary of the Treasury finds is not likely to be used as a weapon, is an antique, or is a rifle which the owner intends to use solely for sporting, recreational or cultural purposes.

(5) The term "shotgun" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

(6) The term "short-barreled shotgun" means a shotgun having one or more barrels less than eighteen inches in length and any weapon made from a shotgun (whether by alteration, modification or otherwise) if such a weapon as modified has an overall length of less than twenty-six inches.

(7) The term "rifle" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

(8) The term "short-barreled rifle" means a rifle having one or more barrels less than sixteen inches in length and any weapon made from a rifle (whether by alteration, modification, or otherwise) if such weapon, as modified,

¹ So in original. Does not conform to section catchline.

in effect until the Secretary determines, in consultation with such agency or consortium and representatives of the affected private school children, teachers, or other educational personnel that there will no longer be any failure or inability on the part of such agency or consortium to meet the applicable requirements of section 14503 or any other provision of this Act.

"(c) **PAYMENT FROM STATE ALLOTMENT.**—When the Secretary arranges for services pursuant to this section, the Secretary shall, after consultation with the appropriate public and private school officials, pay the cost of such services, including the administrative costs of arranging for those services, from the appropriate allocation or allocations under this Act.

"(d) **PRIOR DETERMINATION.**—Any by-pass determination by the Secretary under this Act as in effect on the day preceding the date of enactment of the Improving America's Schools Act of 1994 shall remain in effect to the extent the Secretary determines that such determination is consistent with the purpose of this section.

"SEC. 14507. PROHIBITION AGAINST FUNDS FOR RELIGIOUS WORSHIP OR INSTRUCTION.

"Nothing contained in this Act shall be construed to authorize the making of any payment under this Act for religious worship or instruction.

"SEC. 14508. APPLICABILITY TO HOME SCHOOLS.

"Nothing in this Act shall be construed to affect home schools.

"SEC. 14509. GENERAL PROVISION REGARDING NONRECIPIENT NONPUBLIC SCHOOLS.

"Nothing in this Act shall be construed to permit, allow, encourage, or authorize any Federal control over any aspect of any private, religious, or home school, whether or not a home school is treated as a private school or home school under State law. This section shall not be construed to bar private, religious, or home schools from participation in programs or services under this Act.

"SEC. 14510. SCHOOL PRAYER.

"Any State or local educational agency that is adjudged by a Federal court of competent jurisdiction to have willfully violated a Federal court order mandating that such local educational agency remedy a violation of the constitutional right of any student with respect to prayer in public schools, in addition to any other judicial remedies, shall be ineligible to receive Federal funds under this Act until such time as the local educational agency complies with such order. Funds that are withheld under this section shall not be reimbursed for the period during which the local educational agency was in willful noncompliance.

"SEC. 14511. GENERAL PROHIBITIONS.

"(a) **PROHIBITION.**—None of the funds authorized under this Act shall be used—

"(1) to develop or distribute materials, or operate programs or courses of instruction directed at youth that are designed to promote or encourage, sexual activity, whether homosexual or heterosexual;

"(2) to distribute or to aid in the distribution by any organization of legally obscene materials to minors on school grounds;

"(3) to provide sex education or HIV prevention education in schools unless such instruction is age appropriate and includes the health benefits of abstinence; or

"(4) to operate a program of condom distribution in schools.

"(b) **LOCAL CONTROL.**—Nothing in this section shall be construed to—

"(1) authorize an officer or employee of the Federal Government to mandate, direct, review, or control a State, local educational agency, or school's instructional content, curriculum, and related activities;

"(2) limit the application of the General Education Provisions Act;

"(3) require the distribution of scientifically or medically false or inaccurate materials or to

prohibit the distribution of scientifically or medically true or accurate materials; or

"(4) create any legally enforceable right.

"SEC. 14512. PROHIBITION ON FEDERAL MONITORING, DIRECTION, AND CONTROL.

"Nothing in this Act shall be construed to authorize an officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school's curriculum, program of instruction, or allocation of State or local resources, or mandate a State or any subdivision thereof to spend any funds or incur any costs not paid for under this Act.

"SEC. 14513. REPORT.

"The Secretary shall report to the Congress not later than 180 days of the date of enactment of the Improving America's Schools Act of 1994 regarding how the Secretary shall ensure that audits conducted by Department employees of activities assisted under this Act comply with changes to this Act made by the Improving America's Schools Act of 1994, particularly with respect to permitting children with similar educational needs to be served in the same educational settings, where appropriate.

"SEC. 14514. REQUIRED PARTICIPATION PROHIBITED.

"Notwithstanding any other provision of law, no State shall be required to participate in any program under the Goals 2000: Educate America Act, or to have content standards or student performance standards approved or certified under such Act, in order to receive assistance under this Act.

"PART F—GUN POSSESSION

"SEC. 14601. GUN-FREE REQUIREMENTS.

"(a) **SHORT TITLE.**—This section may be cited as the "Gun-Free Schools Act of 1994".

"(b) **REQUIREMENTS.**—

"(1) **IN GENERAL.**—Except as provided in paragraph (2), each State receiving Federal funds under this Act shall have in effect a State law requiring local educational agencies to expel from school for a period of not less than one year—a student who is determined to have brought a weapon to a school under the jurisdiction of local educational agencies in that State, except that such State law shall allow the chief administering officer of such local educational agency to modify such expulsion requirement for a student on a case-by-case basis.

"(2) **CONSTRUCTION.**—Nothing in this title shall be construed to prevent a State from allowing a local educational agency that has expelled a student from such a student's regular school setting from providing educational services to such student in an alternative setting.

"(3) **SPECIAL RULE.**—(A) Any State that has a law in effect prior to the date of enactment of the Improving America's Schools Act of 1994 which is in conflict with the not less than one year expulsion requirement described in paragraph (1) shall have the period of time described in subparagraph (B) to comply with such requirement.

"(B) The period of time shall be the period beginning on the date of enactment of the Improving America's Schools Act and ending one year after such date.

"(4) **DEFINITION.**—For the purpose of this section, the term "weapon" means a firearm as such term is defined in section 921 of title 18, United States Code.

"(5) **SPECIAL RULE.**—The provisions of this section shall be construed in a manner consistent with the Individuals with Disabilities Education Act.

"(6) **REPORT TO STATE.**—Each local educational agency requesting assistance from the State educational agency that is to be provided from funds made available to the State under this Act shall provide to the State, in the application requesting such assistance—

"(A) an assurance that such local educational agency is in compliance with the State law required by subsection (b); and

"(B) a description of the circumstances surrounding any expulsions imposed under the State law required by subsection (b), including—

"(A) the name of the school concerned;

"(B) the number of students expelled from such school; and

"(C) the type of weapons concerned.

"(7) **REPORTING.**—Each State shall report the information described in subsection (c) to the Secretary on an annual basis.

"(8) **REPORT TO CONGRESS.**—Two years after the date of enactment of the Improving America's Schools Act of 1994, the Secretary shall report to Congress if any State is not in compliance with the requirements of this title.

"SEC. 14602. POLICY REGARDING CRIMINAL JUSTICE SYSTEM REFERRAL.

"(a) **IN GENERAL.**—No funds shall be made available under this Act to any local educational agency unless such agency has a policy requiring referral to the criminal justice or juvenile delinquency system of any student who brings a firearm or weapon to a school served by such agency.

"(b) **DEFINITIONS.**—For the purpose of this section, the terms "firearm" and "school" have the same meaning given to such terms by section 921(a) of title 18, United States Code.

"SEC. 14603. DATA AND POLICY DISSEMINATION UNDER IDEA.

"The Secretary shall—

"(1) widely disseminate the policy of the Department in effect on the date of enactment of the Improving America's Schools Act of 1994 with respect to disciplining children with disabilities;

"(2) collect data on the incidence of children with disabilities (as such term is defined in section 602(a)(1) of the Individuals with Disabilities Education Act) engaging in life threatening behavior or bringing weapons to schools; and

"(3) submit a report to Congress not later than January 31, 1995, analyzing the strengths and problems with the current approaches regarding disciplining children with disabilities.

"PART G—EVALUATIONS

"SEC. 14701. EVALUATIONS.

"(a) **EVALUATIONS.**—

"(1) **IN GENERAL.**—Except as provided in paragraph (2), the Secretary is authorized to reserve not more than 0.50 percent of the amount appropriated to carry out each program authorized under this Act—

"(A) to carry out comprehensive evaluations of categorical programs and demonstration projects, and studies of program effectiveness, under this Act, and the administrative impact of such programs on schools and local educational agencies in accordance with subsection (b);

"(B) to evaluate the aggregate short- and long-term effects and cost efficiencies across Federal programs under this Act and related Federal preschool, elementary and secondary programs under other Federal law; and

"(C) to strengthen the usefulness of grant recipient evaluations for continuous program progress through improving the quality, timeliness, efficiency, and utilization of program information on program performance.

"(2) **SPECIAL RULES.**—(A) Paragraph (1) shall not apply to any program under title I.

"(B) If funds are made available under any program assisted under this Act (other than a program under title I) for evaluation activities, then the Secretary shall reserve no additional funds pursuant to the authority in subsection (a)(1) to evaluate such program, but shall coordinate the evaluation of such program with the national evaluation described in subsection (b).

"(b) NATIONAL EVALUATIONS.

"(1) **IN GENERAL.**—The Secretary shall use the funds made available under subsection (a) to carry out—

"(A) independent studies of categorical and demonstration programs under this Act and the administrative impact of such programs on

November 16, 1994

Note to: Jose Cerda

Subject: Gun-Free Guidance

As discussed, I have attached a draft copy of the more detailed guidance we intend to send to Governors and Chief State School Officers. We are drafting more questions and responses and hopefully will have them ready before our conference in early December. The responses I have attached are DRAFT, I reviewed them and have asked for several changes to be made. I think we need to make the responses more "user friendly."

I will send you the final version as soon as they are complete. In the meantime if you have any questions please give me a call. I can be reached at 260-1856.

Bill Modzeleski

**GUIDANCE CONCERNING STATE AND LOCAL
RESPONSIBILITIES UNDER THE
GUN-FREE SCHOOLS ACT OF 1994**

DRAFT

This guidance is to provide you with information concerning State and local responsibilities under the Gun-Free Schools Act (GFSA), which was enacted on October 20, 1994 as part of the Improving America's Schools Act of 1994 (the reauthorization of the Elementary and Secondary Education Act of 1965 (ESEA)), Public Law 103-382. Preliminary information, including a copy of this new legislation, was mailed to you in a letter dated_____.

The GFSA states that each State receiving Federal funds under the Improving America's Schools Act of 1994 must have in effect a State law requiring local educational agencies to expel from school for a period of not less than one year a student who is determined to have brought a weapon to school. Each State's law also must allow the chief administering officer of the local educational agency (LEA) to modify the expulsion requirement on a case-by-case basis.

The legislation explicitly states that GFSA must be construed to be consistent with the Individuals with Disabilities Education Act (IDEA). Therefore, by using the case-by-case exception, LEAs will be able to discipline students with disabilities in accordance with the requirements of Part B of the IDEA and Section 504 of the Rehabilitation Act (Section 504), and thereby maintain eligibility for Federal financial assistance.

The following questions and answers have been prepared to assist States, State educational agencies (SEAs) and LEAs in implementing these new requirements.

Q. When does the Gun-Free Schools Act take effect?

A. The requirements of the GFSA become effective with the receipt of grants made with funds using the Department's Fiscal Year 1995 appropriations under ESEA competitive grant programs and the Impact Aid program, and for other ESEA programs, July 1, 1995.

Q. What entities are affected by the provisions of the Gun-Free Schools Act?

A. Each State, as well as its State educational agency and local educational agencies will have responsibilities under the provisions of the GFSA. Private schools are not subject to the provisions of the GFSA. However, private school students that participate in LEA programs or activities are subject to the one-year expulsion requirement only to the extent that they are under the supervision and control of the LEA.

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Q. What does the Gun-Free Schools Act require of States?

A. The GFSA requires that each State receiving Federal funds under the Improving America's Schools Act of 1994 must have in effect a State law requiring local educational agencies to expel from school for a period of not less than one year a student who is determined to have brought a weapon to school. Each State's law also must allow the LEA's chief administering officer to modify the expulsion requirement on a case-by-case basis.

In addition, States must report to the Secretary, on an annual basis, concerning information submitted by LEAs to SEAs. Specifically, States must report on LEA compliance with the one year reporting requirement, and on expulsions imposed under the State law, including the number of students expelled in each LEA and the types of weapons involved

Q. What does the Gun-Free Schools Act require of SEAs?

A. SEAs must review applications submitted by LEAs requesting assistance to be provided with Improving America's Schools Act funds to ensure that the LEA application contains:

(1) an assurance that the LEA is in compliance with the State law requiring the one-year expulsion; and
(2) a description of the circumstances surrounding expulsions imposed under the one-year expulsion requirement, including:

- (A) the name of the school concerned;
- (B) the number of students expelled from the school; and
- (C) the type of weapons concerned.

Q. What does the Gun-Free Schools Act require of LEAs?

The GFSA requires that LEAs comply with the State law requiring the one-year expulsion. LEAs must include in their applications for assistance provided with Improving America's Schools Act funds:

(1) an assurance that the LEA is in compliance with the State law requiring the one-year expulsion;
(2) a description of the circumstances surrounding expulsions imposed under the one-year expulsion requirement, including:

- (A) the name of the school concerned;
- (B) the number of students expelled from the school; and
- (C) the type of weapons concerned.

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LEAs must also implement a policy requiring referral to the criminal justice or juvenile delinquency system of any student who brings a firearm or weapon to school.

Q. When must the requirements of the GFSA be implemented?

A. States, SEAs, and LEAs must take prompt action to implement the requirements of the GFSA. However, if any State has an existing law in conflict with the one-year expulsion requirement, that State has one year (until October 20, 1995) to come into compliance.

Q. How is the term "weapon" defined?

A. For the purposes of the GFSA, a "weapon" means a firearm as defined in Section 921 of Title 18 of the United States Code. (A copy of this provision is also attached.)

Q. What is meant by the term "expulsion"?

A. The term "expulsion" is not defined by the GFSA; however, at a minimum, expulsion means removal from the regular school program at the location where the violation occurred. The statute does state that nothing shall prevent a State from allowing an LEA that has expelled a student from the student's regular school setting from providing educational services to the student in an alternative setting.

Q. Is it permissible to expel a student for a "school year" rather than a year?

A. No. The statute explicitly states that expulsion shall be for a period of not less than one year.

Q. Does the expulsion requirement apply only to violations occurring in the school building?

A. ???

Q. What is meant by the term "chief administering officer"?

A. The term "chief administering officer" is not defined by the GFSA. Each LEA should determine, using its own operating framework, which officer or entity (e.g., Superintendent, Board, etc.) has the power to modify the expulsion requirement on a case-by-case basis.

Q. Does the Gun-Free Schools Act alter a school district's obligations under the Federal civil rights laws?

A. No. The GFSA does not amend or create an exception to Federal civil rights laws. In implementing the Gun-Free Schools Act,

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school districts must comply with the nondiscrimination requirements of Title VI of the Civil Rights Act of 1964 (prohibiting discrimination on the basis of race, color, or national origin), Title IX of the Education Amendments of 1972 (prohibiting discrimination on the basis of gender), Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act (prohibiting discrimination on the basis of disability), and the Age Discrimination Act of 1975 (prohibiting discrimination on the basis of age).

Q. Do the requirements of the Gun-Free Schools Act conflict with requirements that apply to students with disabilities?

A. No. Compliance with the Gun-Free Schools Act may be achieved consistently with the requirements that apply to students with disabilities as long as discipline of such students is determined on a case-by-case basis in accordance with the disability laws. Students with disabilities may be expelled for behavior unrelated to their disabilities as long as the procedural safeguards required by IDEA and Section 504 are followed. Under Section 504, the determination of whether the child's behavior is caused by the disability, however, must be determined through a reevaluation by individuals personally familiar with the child and knowledgeable about special education. In addition, the IDEA requires that educational services must continue, although they may be provided in another setting, for students with disabilities who are properly expelled.

If it is determined that the student's action in bringing a firearm to school is related to the student's disability, IDEA and Section 504 do not permit the LEA to expel the student. However, under IDEA and Section 504, a student with a disability may be suspended for up to ten days, which permits the LEA to address any immediate threat to the student or the safety of others. LEAs may also seek a court order to remove a student who is considered to be dangerous. In addition, the child's placement may be changed, in accordance with the procedures under those laws, if it is determined that, in light of the behavior, the child's placement is not appropriate.

Q. What constitutes "educational services" under IDEA?

A. (Judith)

Q. Does the Act require LEAs to amend applications for ESEA funds that have already been awarded?

A. No. Although the legislation was enacted on October 20, 1994, the assurance required under the GFSA need not be submitted until an LEA files with the SEA its first application for

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Improving America's Schools Act funds after that date. However, the SEA may require that the assurance be filed earlier.

- Q. What if the revised policy cannot be fully implemented at this time due to conflicting State or local laws, administrative impediments, or other unique circumstances?
- A. Receipt of ESEA funds is conditioned upon compliance with the requirements of the GFSA. The Secretary recognizes that there may be circumstances that adversely affect an LEA's ability to implement fully a discipline policy that meets these requirements. Therefore, an LEA may submit to the SEA the assurance required by the GFSA if the LEA has:
- (1) made a good faith effort to begin promptly the process of implementing a policy that complies with the GFSA; and
 - (2) developed a plan to complete the implementation process as soon as possible.

In situations where a conflicting State law prevents full implementation of the required policy, SEAs may accept an LEA's assurance if the SEA determines that the appropriate LEA officials are making good faith efforts to bring about the revision of the LEA policy.

Appropriate documentation must be maintained to demonstrate, upon request, the adequacy of efforts to implement fully the required policy.



U. S. DEPARTMENT OF EDUCATION

OFFICE OF
ELEMENTARY AND SECONDARY EDUCATION

DRUG PLANNING AND OUTREACH STAFF

Jose Cerda.

Attached, FYI, is a briefing
packet I put together for a meeting
at the Dept. of Justice. I thought
you'd find some of the info useful

Bill Mordant

CONTENTS

- SAMPLE OF SPECIFIC GUN INCIDENTS AT SCHOOLS
- UPDATE ON SCHOOL-ASSOCIATED VIOLENT DEATHS
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- GUN-FREE SCHOOLS (GOALS 2000 AMENDMENT TO ESEA, EXPIRED)
- GUIDANCE CONCERNING STATE AND LOCAL RESPONSIBILITIES UNDER THE GUN-FREE SCHOOLS ACT OF 1994 (GOALS 2000 3/94)
- GUN-FREE SCHOOLS ACT OF 1994 (ESEA AMENDMENT 10/94)

TO : Interested Parties
FROM : Bill Modzeleski
SUBJECT : Sample of Specific Gun Incidents at Schools

In order to help illustrate the types of gun specific offenses that occur in our schools I have pulled examples from our data base. The incidents listed are from the 1993-1994 school year. As can be seen from the incidents they occur in every part of the country, during every part of the year, and in a variety of different grades. Further, the data shows that gun incidents range from possession to homicide.

SAMPLE OF SPECIFIC GUN INCIDENTS IN SCHOOLS:

FOR THE

1993-1994 SCHOOL YEAR

SEPTEMBER

o Fairfax County, Virginia (September 1993): A 14-year old youth was charged with carrying a concealed weapon (.25 caliber Beretta automatic) at Annandale High School. The youth was held in the youth detention facility.

o Washington, DC (September 1993): A 14-year old District Youth was held on charges that he and another young male allegedly fired at least 15 shots outside Shaw Junior High School as classes ended. No one was injured but on the second day of classes the incident sent students running for cover.

o Atlanta, Georgia (September 1993): A ninth-grade student (Marcus Taylor age 15) died after being shot in a crowded lunchroom at Atlanta's Harper High School by another student with whom he had been feuding for months. Another 10-grader was wounded in the shooting. The student was shot with a .22-caliber handgun that was obtained from home. The two students who were shot attacked the perpetrator earlier in the week. About 150 students were in the cafeteria when the shooting began.

This is the first student homicide at a metro school since 1989, when a Harper High student was fatally beaten by another student. incidents involving guns--while still relatively rare--are an increasing concern. A recent poll by the Journal-Constitution found that one out of every three children in metro Atlanta knows someone who has brought a gun to school.

o Dallas, Texas (September 1993): A 15-year old Dallas student was fatally shot by a fellow student in a crowded hallway at Roosevelt High School. DeMarkous McLemore, known by the nickname of "Ice Cream" was shot under the chin at point-blank range in what police call a continuing dispute. A 16-year old youth, identified as the shooter, turned himself into police later in the day. The principal of Roosevelt stated that they used metal detectors-- Roosevelt has two walk-through metal detectors, including one that is battery-powered, and several hand held scanning wands--virtually every day for the last two school years. However, the detectors were not in use the day of the shooting because they did not work. This is the second incident in the Dallas area. In August (1993) a Colony High School student (located in the Lewisville school district) was shot in the shoulder at a school orientation program.

o Los Angeles, California (September 1993): A 15-year old boy, an innocent bystander to an argument, was shot and critically wounded at Dorsey High School in Southwest Los Angeles, as classes resumed for the new school year. The shooting occurred as 2,000 students were queuing up to register for classes. The victim was seeking a permit to transfer to Dorsey from his home school in central Los Angeles when an argument between three youths and another student broke out. The three youths returned to the school and fired into a crowd of students.

o Sheridan, Wyoming (September 1993): A man walked onto a school field today with a rifle and a handgun and started firing at children in a gym class, wounding four before killing himself. Two of the students were hospitalized, but none were seriously injured. Kevin Newman, 29 shot at random at sixth- and seventh-graders and died at a hospital later. No reason was given for the shooting, except that Mr Newman recently received a less than honorable discharge from the Navy.

o Montgomery County, Maryland (September 1993): Four Montgomery County high school students have been arrested in separate incidents in the past week for bringing unloaded guns to their schools. The students have been charged with possession of a deadly weapon and recommended for expulsion. The handgun and two pellet guns were seized at three separate high schools. In the 1992-93 school year 15 BB guns and 5 handguns were seized.

o Junction City, Kansas (September 1993): A 14-year old freshman girl eating lunch at the Junction City Senior high School cafeteria was accidentally shot once in the head after an argument between two boy resulted in gunfire. A 15-year old was arrested for the incident. The youth was arguing with another 15-year old when the youth pulled a semi-automatic pistol and shot toward the ceiling. The bullet ricocheted off the concrete ceiling and hit the girl in the head.

o Boise, Idaho (September 1993): A parent surrendered to police after he pulled a gun to rescue his teen-age son, who was losing a fight in a school parking lot.

o Pheonix, Arizona (September 1993): A carload of gang members seeking revenge sneaked onto the campus of South Mountain High School and fired four pistol shots, missing their target but wounding a 16-year old girl who was minding her own business. The shots scattered the lunch-hour crowd millon near a cluster of temporary classrooms.

o Lawndale, California (September 1993): A 17-year old student was shot after an argument with purported gang members near the entrance to Leuzinger High School (Centinela Valley Union High School District). This was the second such shooting at an area school in two weeks. The student was shot with a semiautomatic pistol after he and a friend got into an argument with the gang

earlier in the day.

o Riverside, California (September 1993): A fight between members of two gangs triggered a shooting in front of Poly High School. A 16-year old 10th grader was hit in the arm by the bullet. The Poly incident follow other violence at Riverside schools in the past year. Last May, a brawl among teens outside Norte Vista High School, in the Alvord Unified School District left one 17-year old Norco youth with a serious stab wound. Some of the combatants fired shots as they fled the scene. In March, a 16-year old Norte Vista student was arrested after authorities confiscated a loaded .22 caliber pistol from his pocket.

OCTOBER

o Harrisburg, Pennsylvania (October 1993): Four Linglestown Junior High School students were expelled after a semi-automatic handgun was found in a school locker and a stolen gun was recovered in a student's home. The weapons--one a gift from a parent, were in the school on the same day and were shown off to other students. This was the second incident of students with guns this year in the district of 10,000 pupils. In March, a 12-year old sixth-grader was arrested after he took an unloaded gun to Tri-Community Elementary school and pointed it at other students. At Shippensburg Junior High School this month (October 1993) a student was expelled after he allegedly displayed a semi-automatic gun in the high school parking lot.

o Los Angeles, California (October 1993): Two Woodbridge High School students were suspended after one of them brought a semiautomatic handgun on campus and accidentally fired it during a biology class. No one was injured during the incident which occurred following a dare between two boys. One of the boys brought a 9mm handgun to school on a dare. The boys were playing with the gun when they released the hammer on what they thought was an emptied handgun. It went off but did not hit anyone.

o Baltimore, Maryland (October 1993): Responding to teachers fears about disruptive students and threats of violence, Baltimore school officials will close Frederick Douglass High School for two days to provide training on how to deal with unruly students. The decision to close the school comes after several gun possession arrests--three involving students on school property and heightened fears after a brawl last month at a mall parking lot across the street after school was dismissed.

o Pendleton, Oregon (October 1993): A seventh grade boy pointed a loaded .30-caliber rifle at his home room teacher during morning announcements at Armand Larive Junior High School. The male teacher was able to divert the boy's attention and take the rifle away. The rifle was not fired and no one was hurt. Eighteen other students in the class witnessed the incident.

NOVEMBER

o Fort Lauderdale, Florida (November 1993): A 17-year-old student, angry at being suspended, shot at an assistant principal with a stolen handgun. The suspension stemmed from the student throwing an empty soda can into a classroom. When the classroom teacher told him to pick it up, the student responded with an obscenity. The student, a junior, was arrested a short time later a few blocks from the school. No injuries were reported.

o New Britian, Connecticut (November 1993): A masked gunman shot and critically wounded a student in front of New Britian High School just before classes began. The victim, Miguel De Jesus, 18 years old, was a member of the Latin Kings street gang. He was in critical condition and near death in the hospital's intensive care unit after surgery for multiple gunshot wounds. Mr. DeJesus was returning to school for the first time after a two-week suspension for fighting, was shot as he walked into the building's entrance as school buses were arriving. He was shot by several assailants who jumped out of a car. The shooting caused a considerable amount of disruption at the school, many parents arrived to take their children home.

o San Francisco, California (December 1993): A high school sophomore, relentlessly bullied and tormented by classmates, apparently took matters into his own hands and shot another student in the stomach with a .25-caliber pistol. The 15-year-old suspect was booked into a Santa Clara County juvenile hall and charged with attempted murder and bringing a gun to school. The victim, also 15, was reported to be in serious but stable condition.

o Harrisburg, Pennsylvania (December 1993): Three students at Red Lion Area High School were charged with stealing guns from a firearms collector and selling them to other students or adults for prices as low as a pack of cigarettes.

o Chelsea, Michigan (December 1993): A Chelsea high school teacher walked out of a meeting at Chelsea High School and came back with a gun about an hour after classes ended for the day and fatally shot the school superintendent Joseph Piasecki, 47. Wounded were Principal Ronald Mead and union representative Philip Jones.

JANUARY

o Washington, DC (January 1994): A 14-year-old student, apparently trying to settle a week-old shoving match, pulled out a .44-caliber revolver and threatened to kill another student. No shots were fired. The youth was ordered by the courts to a maximum-security youth facility, pending trial on assault and weapon charges.

o Norfolk, Virginia (January 1994); Gerard Edwards a freshman at Norfolk State University was shot and killed while he slept in his dorm room, his roommate was also shot and is in critical condition. Another student was arrested for the murder. The shooting followed two altercations between students from Washington and students from New York.

o Dade County, Florida (January 1994); A metal detector crew removed a fully-loaded pistol from a seventh-grader's sock at Jose Marti Middle School. A tip from a conscientious student--not the random weapons sweep--deserves credit for the discovery. A student in the Hialeah school's Crime Watch club reported that she saw the 13-year old boy handling the semi-automatic .25 caliber handgun. The school district's metal detector squad had just finished a sweep of three classrooms and a hallway and was about to leave when they were asked to run a baton over the boy.

o Atlanta, Georgia (January 1994): Three Atlanta teenagers were arrested after a high school basketball game between rivals led to a gun battle that left one student dead and three wounded. A 17-year old supporter of the visiting Mays High School team was killed and two other teens wounded in front of hundreds of students in the parking lot of a shopping mall about a mile from the game's site. Police charged two 18-year-olds and a 19-year-old as parties to the crime. The youths were thrown out of a packed Douglas High School gym after a fight erupted at a concession stand. The students confronted each other late in the mall parking lot.

FEBRUARY

o Kennard, Texas (February 1994): A 17-year-old high school student shot and killed himself inside his first-period classroom at a rural east Texas high school. School officials attempted to talk the student out of shooting himself, however, the student pointed the rifle at them and told them to leave. Shortly afterward, he turned the gun on himself. The student borrowed the rifle from a friend during a hunting season and slipped it into the school by hiding it in his pants leg.

o Los Angeles, California (February 1994): Three teen-agers were wounded in a drive-by shooting after an apparent racial confrontation involving gang members in front of a school: gunfire hit an 18-year-old volunteer teacher's aide in the ribs, a 13-year-old student was wounded in the hand, and a 17-year-old student was shot in the foot. Non of the injuries were fatal; all were in good condition.

o Chelsea, Michigan (February 1994): A chemistry teacher shot a superintendent and wounded a principal and English teacher. He was arraigned on an open charge of murder and other charges. Apparently, the shooting took place shortly after a union grievance meeting regarding an informal personnel file the teacher accused the district of keeping on him.

o Los Angeles, California (February 1994): A 15-year-old youth was arrested on suspicion of firing a sawed-off shotgun into a school bus last week, wounding a 12-year-old girl. The victim was not the intended target. The intended target was believed to be a gang member.

o Woodland Hills, California (February 1994): A gunman sprayed bullets into a crowd of students gathered to watch a fight between rival classmates. Three students were wounded. Police arrested two 17-year old suspects for the attack.

o Baltimore, Maryland (February 1994): A teacher was shot in the face during an apparent car jacking attempt as she left the school parking lot.

o Latrobe, Pennsylvania (February 1994): A gunman held at least two teachers hostage on the second floor of a school for troubled youth. The man entered the Vincent School with a rifle about 7:15 am in search of his estranged wife, who is a teacher there. He took at least two women teachers and perhaps as many as four as hostage.

o Seattle, Washington (February 1994): A teacher was found lying in the school hallway with a gunshot wound to the back. He later died. Neal Summers, 51, was shot around 6:20 am as he entered or was about to enter Whitman Middle School. There were no eyewitnesses to the shooting.

o Fauquier County, Virginia (February 1994): Five teenagers demanded sex this week from two girls outside a junior high school, and one of them aimed a 12-gauge shotgun at the girls when they refused. The girls, both 14, fled into Warrenton Junior High School and were not hurt. The car in which the teenagers were riding was found and later searched by police, they found it contained one shotgun, two pistols empty beer cans and small amounts of marijuana and crack cocaine. Four of the five youths attend Fauquier High School, they left school early and went to the junior high school, where the girls were waiting for a ride home from one of their parents.

o Washington, DC (February 1994): Police state that the gunfire that terrorized hundreds of students at two DC public schools apparently stemmed from two commonplace incidents: a dispute over a girl and a fight over a borrowed coat. In the Dunbar H.S. shooting, police state that a 17-year-old was seeking revenge against several other teenagers, for pinching his girlfriend. The result was a running gun battle that started in an empty third floor hallway and spilled onto the grounds of the school. At least 20 shots were fired during the melee. The 17-year-old was armed with a pistol that contained two so-called cop killer bullets. At Elliot Junior High School about four hours later, a teenager with a handgun brazenly stood in front of the school and fired at least eight shots at a fleeing student who apparently had failed to return an Eddie Bauer winter coat that had been borrowed the previous week from another student. Students, school officials and police site these two incidents as examples of violence becoming a common response to everyday slights.

o Washington, DC (February 1994): A 14-year-old student, apparently trying to settle a week old dispute, pulled out a .44 caliber revolver and threatened to kill another student on a crowded school playground in Southwest Washington. The 14-year-old aimed the pistol at the other student and repeatedly said: "I should kill you, I should kill you." The other student who had been tossing a football with other students said: "Go ahead and do what you have to do." The student stated that he figured that if he had been killed the other student would have signed his own death warrant. He stated, "I figured that if I were dead he'd be killed, and Heaven wouldn't be so bad a place." The confrontation at the Patricia Harris Education Center was interrupted by police.

o Orlando, Florida (February 1994): A gun carried by a fifteen-year-old high school freshman went off accidentally and shot another freshman in the left arm and chest. The student who was carrying the gun reported that he had bought it for ten dollars, and brought it to school for protection because other students had been picking on him.

o Thousand Oaks, California (February 1994): Two Westlake High School football players were wounded during a shooting on a

Thousand Oaks street corner, as animosity between teen-age rivals led to after-school bloodshed for the second time this week in Ventura County. The two juniors were shot at noon just outside North Ranch Park, where they and a dozen friends had converged to watch a scheduled fistfight between two other Westlake High students. The incident began after at least 30 students gathered in a park after completing final exams in the morning, they expected to see a one-on-one punching match between a junior football player and a sophomore student at the park (which is about 2 miles from the school). The sophomore arrived with friends and started beating the football player with a bat--when the player started to run one of his adversaries opened fire with a small handgun, spraying up to eight bullets into a knot of frightened, onlookers.

o Fort Meyers, Florida (February 1994): A teacher who resigned citing stress fatally shot his former superintendent and then turned the gun on himself. Lee County Schools Supervisor James Adams was shot five times outside his office after greeting gunman Larry Shelton by offering to shake hands. After shooting the superintendent Mr Shelton left the building and killed himself in a nearby parking lot. Although Shelton resigned last fall from a job teaching special education, he had since applied for a new teaching position with the district.

o Los Angeles, California (February 1994): A South Gate kindergarten teacher brought a loaded handgun to school and threatened to saw off a shot gun and mow down teachers in the faculty lounge, then kill himself. His bail was raised to \$1 million after police found other weapons in the home he shares with his parents.

o St. Louis, Missouri (February 1994): Ten youths--at least two carrying pistols--burst into a sophomore English classroom at Beaumont High School and threatened to kill a student. The student escaped by jumping out a first-floor window. The confrontation in the classroom immediately followed a gang fight among 12 youths in the Beaumont cafeteria. Some of the students fighting were from outside the school.

o Pittsburgh, Pennsylvania (February 1994): A dispute between two youths known as neighborhood bullies culminated in gunfire inside and outside a bus crowded with Elizabeth Forward Middle School students. One of the youths, Jeffrey Turner 13 of Forward was shot in the forearm. His attacker was injured when the slide of his fathers .45 caliber semiautomatic handgun moved back to reload the weapon and sliced his thumb.

o Whitter, California (February 1994): A 15-year old boy was shot in the back at a high school campus in Whitter, the apparent victim of a gang attack. The shooting happened after 4:00pm when a group of youth in a car drove up to the victim as he stood on a playing field at Frontier High School. He was shot with a .380 caliber handgun.

o Frederick, Oklahoma (February 1994): Several students left school early due to rumors of gang activity and a planned drive-by shooting on school grounds. The rumors were the result of building tensions after a neighborhood shooting exchange and then a fight on the school grounds. School officials and students are concerned about the effect these few students are having on the climate of the school and the neighborhood.

o Detroit, Michigan (February 1994): Three students, in separate incidents, carried weapons in a high school and two junior high schools. A loaded .38-caliber handgun was found in a high school student's duffel bag, a .45-caliber revolver was brought to school by a junior high student and a BB gun was fired in a lunchroom at another junior high school. No injuries were reported.

o Des Moines, Iowa (February 1994): Two students were arrested on gun possession charges. One of the boys was carrying a .32-caliber revolver and the other was carrying a .357 Magnum revolver. Neither gun was loaded. Apparently the reason why the students carried the guns was to protect themselves; exactly what they were protecting themselves from could not be identified.

o Muskegon, Michigan (February 1994): A ten-year-old students at Carr Elementary School aimed an unloaded but realistic-looking BB gun at two classmates, threatening to shoot them. The child was said to be an intense follower of an "outlaw-type rap singer," and told police that he thought jail would be a fun place to be.

o Washington, DC (February 1994): A 14-year-old student, apparently trying to settle a week-old shoving match, pulled out a .44-caliber revolver and threatened to kill another student. No shots were fired. The youth was ordered by the courts to a maximum-security youth facility, pending trial on assault and weapon charges.

o Detroit, Michigan (February 1994): Three students, in separate incidents, carried weapons in a high school and two junior high schools. A loaded .38-caliber handgun was found in a high school student's duffel bag, a .45-caliber revolver was brought to school by a junior high student and a BB gun was fired in a lunchroom at another junior high school. No injuries were reported.

o Tulsa, Oklahoma (February 1994): The superintendent of Tulsa schools closed the campuses of all the district's high schools after three East Central High School students were shot at a fast-food restaurant near campus. The decision to close the campuses was also based on concern that students might use lunch hour to bring weapons, drugs or alcohol onto school property. State school administrators were advising all public school districts to close their campuses.

o Detroit, Michigan (February 1994): A special education student was shot to death in his car in the parking lot of Osborne High School. The student, who was said to be well-liked and a good student, was the second in his family to be shot. Police cited the incident as proof of the need for improved school security.

MARCH

o Washington, DC (March 1994): An 8 year old boy was charged by police with carrying a loaded gun to school, showing it to his friends and firing it. No one was injured in the incident which occurred near the playground swings at Webb Elementary School. The boy told police he thought it was a cap pistol. The incident is the fifth time a weapon has discharged inside or on the grounds of a DC public school since school began.

o Woodland Hills, California (March 1994): A school district police officer shot and wounded a man who tried to run him down in the El Camino Real High School parking lot. The man, who was a suspected auto-thief, was shot once in the thigh.

o West Palm Beach, Florida (March 1994): A thirteen-year-old student at John F. Kennedy Middle School left a basketball game on school grounds and returned soon afterwards carrying a gun with which he shot two of his schoolmates. The incident was apparently a continuation of a fight over a video game. After the shooting, the boy sat down under a tree, and told school officials that he had done it because "I have the devil in my eyes."

o Washington, DC (March 1994): D.C. police arrested a city vocational school student in an attack on another student that led to the pistol-whipping of one school security guard and the beating of another after they broke up the fight. The incident occurred at the entrance to Margaret Murray Washington Vocational Health School. A 17-year old girl was charged with assault with a dangerous weapon after she attacked another student. The victim received bruises on an hand and an arm. The fight was broken up by security personnel. However, a short time later, a brother of one of the students went to the school with a friend and started fighting with the aides. One security officer suffered head injuries, when one of the males pulled out a revolver and pistol-whipped him.

o Boston, Massachusetts (March 1994): A 14-year-old freshman and an 11-year-old were nabbed with a sawed-off shotgun after a chase. The school principal noticed some youngsters leaving the school and racing away, and alerted school police. Two officers followed the kids and then observed the 14-year-old driver and passenger. The young driver tried to run away when the police approached the car. The youth claimed that the car was owned by a cousin, but police later learned it belonged to a resident.

o Des Moines, Iowa (March 1994): A loaded .2-caliber handgun with a 2-inch barrel was taken from a middle school student. The student brought the gun from home. The weapon had been in a file cabinet in his brother's bedroom. The reason the student took the gun to school was unknown.

o Boston, Massachusetts (March 1994): A 15-year-old high school freshman pulled a loaded .38-caliber snub-nosed revolver on two unarmed school police officers. The officers wrestled the weapon away and no one was hurt. The youth was charged with illegal possession of a firearm and illegal possession of a controlled substance with intent to distribute.

o Los Angeles, California (March 1994): A school police officer shot and wounded a man who tried to drive over the officer while helping an accomplice steal a car from the school's parking lot. The assailant was arrested after crashing into a barrier as he tried to escape.

o Los Angeles, California (March 1994): A kindergarten teacher was rearrested for threatening teachers and the principal of Montara Street Elementary School, after having been arrested a week earlier for bringing a loaded weapon into school property. Parents were concerned because they had not been notified the first time the teacher was arrested.

o San Francisco, California (March 1994): The school district of San Francisco offered a reward for information regarding the shooting death of a student from Wallenberg High School, the first time this technique had been used by the school district. Information was sought regarding four young men who had been involved in a fight with Robert Tran and his friends. The fight had broken up, but a few minutes later the group of four returned and shot Tran.

o Washington, DC (March 1994): An eight year old boy was arrested for carrying a gun to Web Elementary School. He showed the gun to several friends just before classes began. Apparently, the gun went off when the boy and friends were handling it. No one was injured in the incident. The child told school officials that he had found the .22-caliber handgun near his home in Lincoln Park and took it to school with him.

o Detroit, Michigan (March 1994): Gang members slipped through locked doors and metal detectors at Northwestern High School to pistol whip a member of another gang and shoot up a gymnasium in front of students. The incident was apparently in retaliation for a fight which the attacking gang had lost earlier in the day.

APRIL

o San Francisco, California (April 1994): In response to a man shooting a pistol into the air across the street from where elementary school kids played in the playground, children at the school were taught how to duck and cover from random gunfire.

o Portland, Orleans (April 1994): A seven-year-old child was charged with possession of a firearm after he brought a semi-automatic pistol to school to settle a dispute with a classmate. At one point during the exchange, the boy pointed the gun at the other student, and police say that he may have pulled the trigger, but the gun would not have gone off because the chamber was empty. They note that the situation was dangerous, however because the other six chambers of the gun were loaded.

o Prince George's County, Maryland (April 1994): A teacher at Largo High School was shot and seriously wounded in a school bathroom.

o Los Angeles, California (April 1994): A high school student was shot and killed outside of Century High School in what appeared to be a gang-related revenge attack by a boy who had recently lost a fight to the victim.

o Omaha, Nebraska (April 1994): Acting on a tip from other students, the principal of Harry Anderson Middle School searched the locker of a 13-year-old student and found an unloaded gun and 500 bullets. The boy was said to have brought the gun to school to lend to a 14-year-old who had lost a fight a few days earlier. The 13-year-old was sent home to his parents, and the 14-year-old was sent to a juvenile detention center.

o Pullman, Michigan (April 1994): A fourth grader was suspended from Pullman Elementary school for bringing a gun to school and showing it to other students on the school playground. The boy said he got the gun from a family friend.

o Dallas, Texas (April 1994): During a class on emergency medical treatment, students were startled by a gun shot which pierced through the classroom wall and wounded two people. The class was applauded for its willingness to help its injured classmates, despite the possibility that there could have been additional bullets. Three 16-year-olds were arrested in connection with the stolen gun which shot the stray bullet.

o Los Angeles, California (April 1994): A 10-year-old boy pulled a .380 caliber semiautomatic pistol from his backpack, then pressed it against his temple. The handgun was owned by his father, who kept it stashed under a mattress. The only possible clue to the boy's grief was a one-day suspension he had received from one of his teachers.

o Prince George's County, Maryland (April 1994): An argument over a girl led to a fight between two National Christian Academy students. The fight ended when one student shot and critically wounded the other. The incident took place in full view of a group of students. The shooter was charged with assault with intent to murder, among other charges.

o Harrisburg, Pennsylvania (April 1994): A middle school student who allegedly brought a sawed-off shotgun to school successfully evaded police after his gun was confiscated. This was the 23rd gun which had been found in midstate Pennsylvania schools during the academic year.

o Butte, Montana (April 1994): A ten-year-old boy shot a gun onto a crowded playground at Margaret Leary Elementary School. The shots, which were made in an attempt to settle an argument, hit an 11-year-old fifth grader who was standing next to the intended target.

o Los Angeles, California (April 1994): An 11-year-old boy died after being shot in the head by a classmate on a crowded elementary school playground. He was standing next to the intended target and about 10 feet from the shooter. The shooting resulted from a 10-year-old boy being upset over an argument from the previous day and therefore fired a pistol three times.

o St. Louis, Missouri (April 1994): A .25-caliber semiautomatic pistol was found in a locker at a magnet high school. The gun was the fifth confiscated within a two year time frame. The student was expelled.

o Butte, Montana (April 1994): Jeremy Bullock, 11 died a day after being shot in the head by and angry 10-year-old classmate on a crowded elementary school playground in Butte, Montana. The 10-year old was being held at a psychiatric center.

o Prince George's County, Maryland (April 1994): A teacher came upon a 17-year-old youth with a gun in a bathroom of Largo High School. The youth shot the teacher. The teacher was in critical condition. The gun used in the incident belonged to the youth's father who is a county police officer.

o Prince George's County, Maryland (April 1994): A 9-year old student emptied his book bag and discovered his father's loaded handgun stuffed in amid the other items. The boy turned the gun over to his teacher at Magnolia Elementary School in Landam, no one was injured. The boy's father, a US Park Police officer used his son's bookbag to store his 9mm Heckler and Koch weapon.

o Prince George's County, Maryland (April 1994): A high school student at a parochial school in Prince George's County was shot and critically wounded in a classroom after he and another student argued over a girl. The shooting at the National Christian Academy in Oxon Hill, occurred shortly before 11:30 am

and in full view of students who had just been dismissed from a physical science class. As the class began to empty, Quentin Carson, 16, approached another youth as he stood talking with a group of friends. An argument ensued, and Carson pulled a .22-caliber revolver from his waistband and fired three shots into the chest of Rodriguez Durden, 17, an honor student. Mr Durden was rushed to the hospital in critical condition.

o Rockville, Maryland (April 1994): Two 14-year old students were arrested at a Rockville middle school and charged with possession of a handgun after a loaded revolver was found in a locker. The students were arrested at Parkland Middle School. The gun was brought from home--it was a loaded .38-caliber.

o Burke, Virginia (April 1994): A 13-year old girl took a handgun to Lake Braddock Secondary School after firing it in a friends house while playing with it. The girl took the gun to school at 7:00 pm and gave it to a boy who placed it in his locker, a school administrator became aware of the incident and reported it to police.

o Washington, DC (April 1994): Police confiscated a semiautomatic handgun from a 12-year-old boy who brought the weapon to school to win a bet. The boy brought the gun to Walker-Jones Elementary School. The student bet other students that he could bring a gun to school.

o Newark, New Jersey (April 1994): In two weeks, Paterson high schools experienced two major incidents of violence. A student in one high school was found with a loaded gun and a metal pipe. Also, a girl at another high school in the district set her math teacher's hair on fire with a cigarette lighter. The teacher lost an inch of hair and had to be treated by the school nurse.

o Dallas, Texas (April 1994): A student at Lanier High School accidentally shot himself while loading a gun he was carrying. He had the gun to use as protection for himself and two friends against gang members who had confronted the three boys earlier in the day.

o Norristown, Pennsylvania (April 1994): A thirteen-year-old boy allegedly shot a twelve-year-old schoolmate in the face as she got off the school bus. The girl's condition was listed as serious at a hospital after the incident. Other students at East Norristown Middle School reported that the tall, popular girl had a history of taunting the frail boy, by putting lipstick and hairspray on him and beating him up.

o Oakland, California (April 1994): During a religion class at Patten Christian Academy, a man burst into the classroom with two shot wounds in his arm and shoulder. A few minutes later, two men suspected of shooting the unexpected visitor arrived at the school, peeking in rear windows looking for the victim, and yelling at him. The fight apparently broke out over a mutual

girlfriend.

o Los Angeles, California (April 1994): Two days after shooting himself once in the temple, a ten-year-old boy was taken off life-support systems at Los Angeles County-USC Medical Center. The boy shot himself a day after he received a one-day suspension for using profanity in class. He had been given a note asking his parents to come in to discuss the incident, but he never gave the note to them. He brought the gun and ammunition from home in his backpack. The District Attorney was considering bringing charges against the boy's father, who owned the gun.

o Los Angeles, California (April 1994): Two high school students were shot in a pre-arranged fight, to which both sides brought baseball bats, 2-by-4s and other weapons including guns. One was shot in the back of the head and another in the shoulder. Both were expected to recover fully.

o Harrisburg, Pennsylvania (April 1994): A student was accidentally shot in a high school lavatory when another student dropped a .22 caliber handgun while displaying it. The victim was wounded in the leg. The 16-year-old assailant possessing the handgun was not arrested or charged.

o Robards, Kentucky (April 1994): A 12-year-old boy shot and killed himself while teaching his 7-year-old brother how to play Russian roulette. The youth were at home alone waiting for their school bus when the 12-year-old got a .38-caliber pistol from his parent's bedroom. The parents had left for work.

o Harrisburg, Pennsylvania (April 1994): A 13-year-old, frequently taunted by students on the bus, carried a .25 caliber semiautomatic pistol to school and shot it through the school bus window. The shot critically wounded a 12-year-old student departing the bus. The youth was charged with attempted murder, assault, and weapon possession.

MAY

o Nashville, Tennessee (May 1994): A 13-year-old student was shot in the head while he and other students in his class watched a video. He was taken to a local hospital, where he died about an hour after the shooting. A 14-year-old student, who was seated behind the victim and apparently a friend of the victim, was charged with criminally negligent homicide in the shooting, as well as weapons possession. The incident appeared to be an accident.

o St. Louis, Missouri (May 1994): While walking to school with his aunt and five-year-old cousin, a seven-year-old boy was shot in the leg. Police believed that the shot was fired from a passing car, and was meant for someone else.

o Prince William County (May 1994): A man walked into a Prince William County special education school, allegedly brandished a 9mm handgun at the principal and demanded to see his 4-year old son, who attends the school and is in his mother's custody. The principal talked to the man until police, alerted by a school secretary, arrived and arrested the man. No one was injured.

o New York, New York (May 1994): A 15-year old girl was shot in the head on a sidewalk in front of Springfield Gardens High School as school was about to begin. A 16-year old youth was arrested for shooting the girl. He told police he was testing a new gun by firing it in the air a half block from the school. The girl is in critical condition and while she is expected to live she is in danger of losing her eye.

o Miami, Florida (May 1994): A student at a North Miami high school was charged with the shooting death of another student in the parking lot of the school. The accused student said that he was holding the gun for a friend, and police believed that the shooting may have been accidental.

o Nashville, Tennessee (May 1994): A 13-year-old student was shot in the head while he and other students in his class watched a video. He was taken to a local hospital, where he died about an hour after the shooting. A 14-year-old student, who was seated behind the victim and apparently a friend of the victim, was charged with criminally negligent homicide in the shooting, as well as weapons possession. The incident appeared to be an accident.

o San Francisco, California (May 1994): A twenty-four year old man was arrested on the grounds of an elementary school carrying a duffle bag containing a sword, a knife, and a flare gun, as well as other weapons. The man told police that he intended to sit outside the school and "admire his weapons."

o Memphis, Tennessee (May 1994): Two boys, ages 12 and 13,

pulled a gun in a classroom and robbed a teacher of nearly \$4,000 collected to finance student activities. One youngster was surrounded by police armed with shotguns after he fired a pistol at a one of the pursuer. The other escaped. Police found a .357-caliber Magnum revolver. Where the youth obtained the weapon was unknown.

o Hayward, California (May 1994): Four youths drove onto the campus of Mt. Eden High School and shot into a group of P.E. students near the gymnasium. An 18-year-old student was struck by a bullet under the left armpit. Students did not know who the gunmen were.

JULY

o Washington, DC (July 1994): A woman walked into a day-care center filled with children and fatally shot the teacher, traumatizing the youngsters but not injuring any. The victim taught at the day-care for a decade and had known her assailant since childhood. The assailant was arrested at her home, and criminal homicide charges were pending. Motive: unknown.

o Riverside, California (July 1994): Animosity between blacks and Hispanics drove a gunman to fire more than a dozen rounds that critically injured a 2-year old girl and felled three other at an Eastside elementary school. Detectives stated that they (the four youth involved) were looking for the first group of Hispanics they could find. The incident happened at 7:00 pm while a group of hispanic youth were playing in the schools basketball courts.

o Riverside, California (July 1994): A three-year-old was one of four people shot and wounded on the basketball courts of an elementary school. Hispanic gunmen sprayed the court with more than a dozen bullets in retaliation for an earlier fight between blacks and Hispanics.

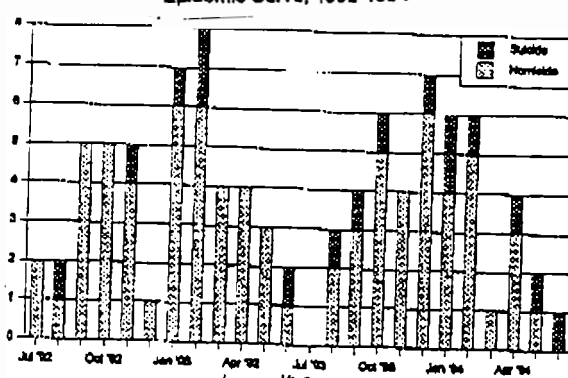
Progress Report: 15 July 1994

School-Associated Violent Deaths, United States, 1992-1994
CDC IRB Protocol # 1321

Background. The Division of Violence Prevention (DOVP) is working with the U.S. Departments of Education and Justice and the National School Safety Center to complete a descriptive study of violent deaths that occur in--or on the way to or from--elementary, middle, and secondary schools in the United States. The objectives of the investigation are: 1) to estimate the risk of school-associated homicide, suicide, and firearm-related fatality; and 2) to identify common features of these deaths. The study will rely on existing public records and interviews with law enforcement officers, school officials, and local journalists involved in the investigation of each case.

Progress to Date. The study protocol has been drafted and approved by the CDC Institutional Review Board. Pilot testing of the interview instrument has been completed and the final instrument is being prepared. The study will include cases that occurred between 1 July 1992 and 30 June 1994. As of 15 July 1994, a total of 176 potential cases have been identified. Of these, 92 have been confirmed, and 23 remain under investigation. Preliminary findings in the table below are limited to confirmed cases. Figure One shows the Epidemic Curve from July 1992 through June 1994. A map of case locations appears on the following page.

Fig.1 School-Associated Violent Deaths
Epidemic Curve, 1992-1994



* As of 8/26/94

Variable	Results			
Age	< 20 years:	61 (81%)	≥20 years:	14 (19%)
Gender	male:	77 (86%)	female:	13 (14%)
Cause of Death	homicide:	76 (83%)	suicide:	16 (17%)

Time-Line to Completion of Project.

June, July 1994

August, September 1994

October, November 1994

January 1995

Complete case finding and confirmation.

Data collection, preliminary analysis (frequencies).

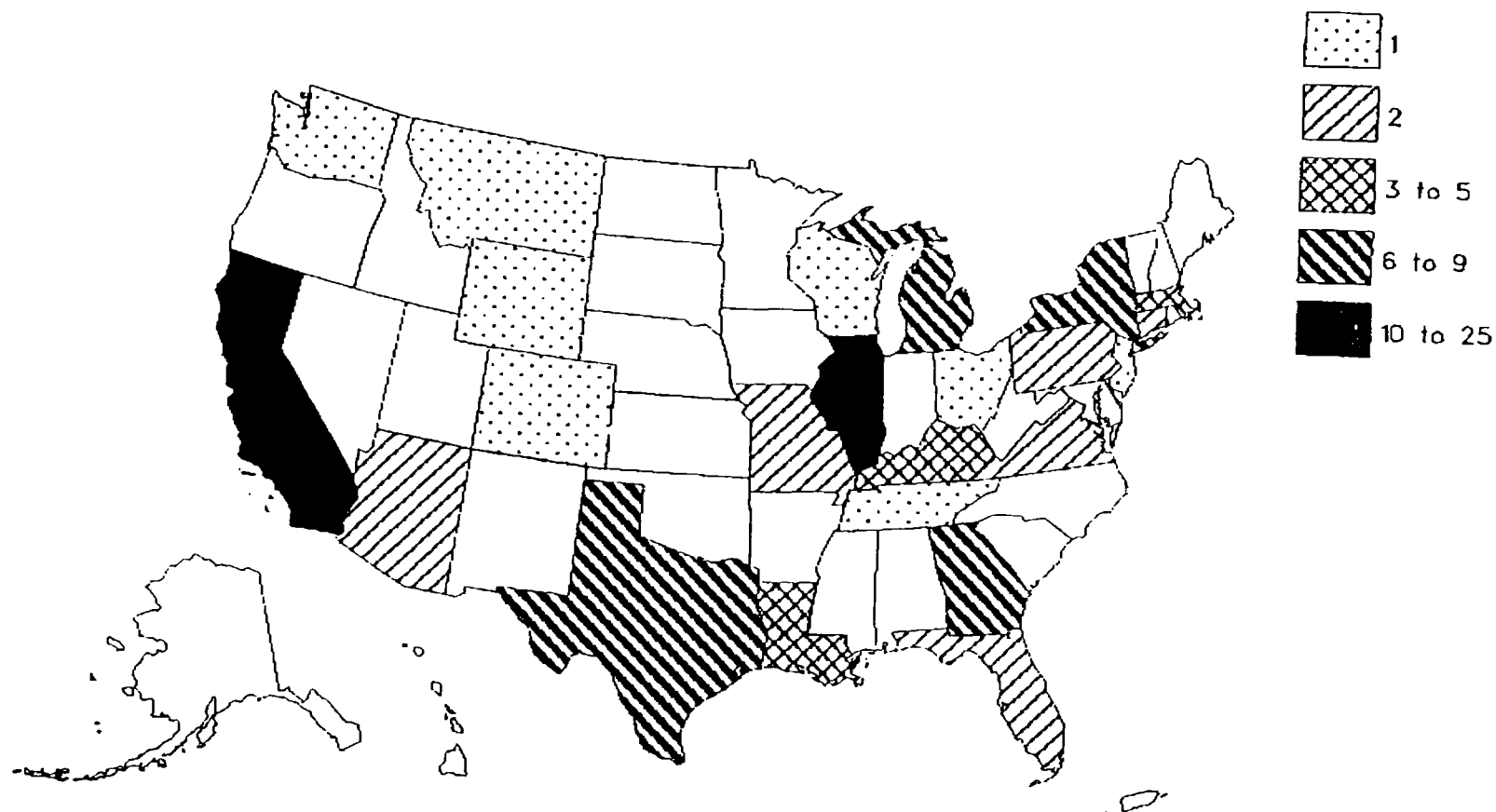
Data analysis.

Prepare final report, MMWR publication.

School-Associated Violent Deaths Case Finding Progress

15 July, 1994

Confirmed Cases, N=92



October 7, 1994

Note to: Interested Parties

Subject: Research on Guns in Schools

There has been a considerable number of surveys conducted on school crime and violence. We have analyzed these surveys and other research conducted since 1978 and have pulled the data and/or findings related specifically to guns in schools. An overview of the findings related specifically to guns follows.

Bill Modzeleski

OVERVIEW OF RESEARCH FINDINGS RELATED TO GUNS AND SCHOOLS

1994: National School Boards Association
 Violence in the Schools How America's School Boards Are
 Safeguarding Our Children

This report is based upon a survey of 729 National Affiliate school districts. The questionnaire asked districts about the extent to which violence was a problem in their school district, the types of violence their district had experienced, as well as their opinions of the causes of school violence.

o Types of violence experienced in the 1992-93 school year.

	<u>Overall</u>	<u>Urban</u>	<u>Suburban</u>	<u>Rural</u>
Student/Student	78%	93	81	69
Weapons in School	61%	91	61	45
Student v Teacher	28%	61	25	20
Race/ethnic	28%	52	35	10
Gang	24%	60	25	10
Shooting/Knife	13%	40	10	8
Drive by Shoot	9%	24	10	5
Rape	7%			
Gay/lesbian	3%			

1993: Gun Acquisition and Possession in Selected Samples
Research conducted by: Joseph F. Sheley, and James C.
Wright of Tulane University--for the: National
Institute of Justice

The results of this study are drawn from voluntary questionnaires
anonymously completed by:

- o 835 male serious offenders incarcerated in 6 juvenile
correctional facilities in 4 states.
- o 758 male students in 10 inner city high schools near the
facilities.

Both students and inmates came from environments marked by crime
and violence.

Key Findings: The study found that:

- o 83% of inmates and 22% of the students possessed guns.
- o 55% of inmates carried guns all or most of the time in the
year or two before being incarcerated; 12% of the students
did so, with another 23% carrying guns now and then.
- o 69% of the students had males in their families who owned
guns. Two-fifths of the students reported that males in
their families carried guns routinely outside the home.
More than half (57%) of students had friends who owned guns;
and 42% had friends who carried guns routinely outside the
home.
- o 45% of students had been threatened with a gun or shot at,
while on the way to or from school in the last few years.
One in ten had been stabbed, and one in three beaten up in
or on the way to school. Nearly a fifth (17%) had been
wounded with some form of weapon other than a knife or a gun
in or near the school.
- o The firearms of choice were high quality, powerful
revolvers. Closely followed by automatic and semiautomatic
handguns and then shotguns.
- o Most of those surveyed thought it would be easy to acquire a
gun. Only 13% of inmates and 35% of students said it would
be a lot of trouble or nearly impossible.
- o 35% of the inmates and 10% of the students agreed or
strongly agreed that "it is okay to shoot a person if that
is what it takes to get something you want." Was it "okay
to shoot some guy who doesn't belong in your neighborhood?"
29% of the inmates and 10% of the students agreed or
strongly agreed that it was.

1993: Metropolitan Life Insurance Company
The Metropolitan Life Survey of The American Teacher 1993

This is the latest in a series of surveys sponsored by MetLife that focuses on the opinions and experiences of the American teacher. This report examines issues related to violence in public schools, based on the perceptions and experiences of teachers, students and law enforcement officials. While the large majority of students and teachers feel safe and have not personally been involved in a violent incident in and around their schools, teacher and student experiences and perceptions frequently differ, with students seeing and fearing violence more than do teachers. Law enforcement officials express the highest levels of concern about violence in their local public schools. Overall, teacher and student experiences with issues related to safety and violence in schools show strong associations with such factors related to their school environment as the quality of education a school provides, a school's ability to help students succeed academically, the level of parental involvement in school life, and the percentage of low income or minority students in a school.

The Major Findings of the Survey

- o Most secondary school students do not know how many of their peers carry weapons to school on a regular basis, though few believe that it is more than ten percent. A majority of teachers think that zero to 10 percent of students carry weapons to school.
 - * A majority of law enforcement officials (68%) think a small minority of students carry weapons such as handguns or knives to school. This is consistent among officials from urban, suburban and rural police departments.
 - * Less than ten percent of teachers and students believe any students carry guns to school, in contrast, one-third of teachers who believe their schools provide lesser quality education (only fair or poor) believe that students tend to carry guns to school.

Among students, teachers and law enforcement officials, most believe that when students do carry weapons to school it is most likely that they will carry knives.

- * In comparison to teachers and students, a larger proportion of law enforcement officials think that students who carry weapons carry guns. Less than ten percent of teachers and students believe any students carry guns to school.

Contrary to students' beliefs regarding their peers, a sizable portion of students (13%) say they have carried a weapon to school at one time.

- * This is consistent among urban, suburban and rural students. More than one-third (36%) of students who generally get poor grades (C's, D's, or F's) claim they have carried a weapon to school.
- * Twenty-two percent of boys and young men, compared to 4% of girls and young women, claim to have carried a weapon to school at some time.

Overall, teachers, students, and law enforcement officials believe that students carry weapons for four main reasons: protection to and from school, to impress their friends, for self esteem or for protection in school.

- * Law enforcement officials are more likely to believe self-defense is a reason to carry weapons than are teachers or students. Students place more emphasis on impressing other and feeling important as motivations.
- * The vast majority of public school teachers (98%) have never carried a weapon. Those teachers who have taken some form of precaution most frequently carry mace (44%).

The types of violence students say they have experienced or taken part in closely mirror the types of violence that teachers and students think of as major problems in their schools.

- * The most common aggressive acts are pushing, shoving, grabbing and slapping, verbal insults and threats to their peers.
- * Five percent of secondary school students say they have threatened someone, in or around school, with a knife or gun.

1993: The Harvard School of Public Health and the Joyce Foundation, Chicago, Illinois
A Survey of Experiences, Perceptions, and Apprehensions about Guns Among Young People in America

Between April 19 and May 21, 1993, 2508 students were surveyed in 96 public and private elementary, middle and senior high schools (sixth through twelfth grade).

- o More than one in five (22%) of the students claimed that they carried a weapon to school during the last school year, and 4% saying the weapon was a handgun.
- o 9% say they have shot a gun at someone else.
- o 11% say they have been shot at by someone with a gun during the past year.
- o 22% say they would feel "safer" having a handgun on their person if they were going to be in a physical fight. Forty-four percent said that they believe their families would want to fight off an attacker, even if it meant firing a gun, while 40% said that their families would not want to do so.
- o 39% know someone personally who has either been killed or injured from gun fire.
- o 59% say they could get a handgun, "if I wanted one." Two in three who know where to get a handgun say they could get one within a 24-hour period. Rates varied by race: blacks (72%), whites (55%), Latinos (69%), and Asians (47%).

1993: Police Executive Research Forum
 Police Executives View of School Crime

Crime in public schools has become an increasing problem in recent years, despite efforts by school administrators, teachers, parents and students to establish a safe environment for learning and other experiences traditionally associated with quality education.

Traditionally, most school administrators have handled crimes committed on public school property without reporting the incidents to the police. However, in recent years, the volume and severity of offenses, as well as the nature of weapons used, has led to the hiring of larger numbers of school security officers and police have been called more often to intervene in schools. Yet, calls for police to deal with serious crimes in schools are sometimes delayed for long periods of time. Teachers and administrators are often hesitant to involve law enforcement. In such an environment, where police response is not given a high priority, offenders within the schools know that, in most cases, the consequences of their actions will be minimal. Thus, failure to involve the police when serious offenses have been committed creates a climate in the public schools that says crime in school is regarded as less important than crime on the streets.

For the purposes of this study violence was defined as "assaults against students, teachers, or school staff with weapons, aggravated assaults without weapons and/or sexual assault" Firearm related crimes were defined as "threats, robberies, assaults and non-assaults against students, teachers, or school staff using firearms, as well as unlawful possession or concealment of firearms." Weapon is an all-inclusive term that refers to any instrument used to threaten, injure or kill a person.

FINDINGS:

- o In general 55% (262) of 476 police executives rate crime in schools as a problem, while 42.4% (202) rate firearm-related crimes in schools as a problem.
- o Sixty percent of the police departments responding to the survey stated that they have designated public school liaisons, who provide their agencies with critical links to local schools.
- o There are encouraging signs about the potential for better relations and improved response.

 --Most calls (48.8%) to police are generated by school personnel, rather than students or parents.

 --A large number of law enforcement officials had

1993: USA TODAY
SURVEY ON SCHOOL SAFETY
USA TODAY Weekend August 13-15, 1993

In a survey of 65,000 teens USA Today found:

OVERALL

o 37% of students don't feel safe in school (this is almost double a similar USA Weekend survey taken in 1989.

o 43% of public school kids avoid school restrooms, 20% avoid hallways; and 45% avoid the school grounds.

o 26% of girls, 49% of boys were hit last year at school. 29% of girls were threatened; 30% of boys were in fights.

o 67% say lockers aren't a safe place for valuables. 22% have been robbed of an item worth more than \$10.

o 55% of youth in grades 10-12 know weapons are regularly in school. 20% of all teen wouldn't report a kid carrying a gun (In 1989 41% of 10-12 graders said they knew somebody who carried a weapon to school).

o 79% say violence often is caused by stupid things like bumping into someone. Followed by, in order: boyfriend-girl friend disputes, outsiders, racism, gangs.

weekly meetings with local school administrators
(29.8%).

--Nearly all respondents (94.5%) revealed that they receive calls to respond to possession of illegal firearms at public schools.

- o Over half of 472 major police agencies (51.1% or 241) in the nations do not keep data on crimes committed on public school property. Most departments are not required to gather such data by national or state reporting agencies.
- o Over half (52%) of 461 major police agencies have no policy or procedure for responding to firearms, threats or serious crimes in public schools, which prompts questions on how efficiently these law enforcement agencies handle incidents at schools when they do occur. A significant number of police executives are not aware of the policies and procedure of their local schools that directly affect crime and violence and the school systems responses to victims and suspects.
- o Review of over 130 general order manuals showed that very few police and sheriffs departments had written policy on response to crimes committed on school property.

How Respondents Rate Incidence of Crimes in General as a Problem in Schools:

A very serious problem--	33	6.9%
A major problem	103	21.6%
A problem	262	55%
A minor Problem	74	15.5%
Not a problem	4	.8%

1992: National Institute on Drug Abuse
University of Michigan Institute for Social Research

National High School Senior Survey - Monitoring the
Future

Approximately 2,400 seniors in approximately 130 public and private high schools throughout the U.S. except Hawaii and Alaska were polled for this survey, the 16th in an annual series begun in 1975.

STUDENT VICTIMIZATION TRENDS

During the past eleven years, threats and injuries to high school seniors and theft and vandalism of their property have been on the rise.

	<u>1980</u>	<u>1985</u>	<u>1990</u>	<u>1991</u>	<u>1992</u>
Threatened with a weapon	11%	15%	13%	16%	19%
Threatened without a weapon	19%	26%	25%	26%	29%
Theft of student's property	34%	39%	42%	42%	40%
Injured with a weapon	5%	6%	6%	7%	9%
Injured without a weapon	11%	14%	14%	15%	23%
Vandalism/ students property	25%	27%	29%	28%	32%

1991: Bureau of Justice Statistics
School Crime: A National Crime Victimization Survey
Report

Based on a nationally representative sample of more than 10,000 young people who were interviewed from January through June 1989 who had attended public or private school during any time during the 6 months preceding the survey. Responses refer to the 6-month time period prior to the survey.

- o More than 400,000 students 12 to 19 years old were estimated to have been victims of violent crimes at school.
- o 9% of students were crime victims in or around their school over a 6-month period: 7% of all students were property crime victims, and 2% were victims of one or more violent crimes, primarily simple assaults.
- o An estimated 430,000 students (2% of all students) had at least once taken something to school to protect themselves from attack or harm. This includes guns, knives, brass knuckles, razor blades, spiked jewelry and other objects capable of hurting an assailant.
- o 15% of the students reported there were gangs in their schools.
- o 16% said that a student had attacked or threatened a school teacher.
- o Among the students who said gangs were or might be found in their schools, 37% said gang members never fought at school, 19% said there were gang fights once or twice a year and 12% said there were gang fights at least once a week.
- o High school seniors were the least likely students to be crime victims. ninth grade students were more likely to be crime victims than were students in all higher grades.
- o Victims of violent crimes were about 3 times as likely as nonvictims to report they were afraid of being attacked at school (53% versus 19%). The overwhelming majority of students who had not been victimized reported no fear of attack, either at school (81%) or on the way to and from school (87%).

1991: Bureau of Justice Statistics
Teenage Victims: A National Crime Victimization Survey
Report

This report presents information on crimes of violence and theft collected by the National Crime Survey (NCS) for 1985 to 1988. The NSC obtains information about crimes, included those not reported to the police, from individuals age 12 or older in a nationally representative sample of households.

- o From 1985 to 1988, persons age 12 to 19 were victims of 1.9 million crimes of theft annually. Teenagers were much more likely than adults to be victims of crimes of violence. On average, every 1,000 teenagers experienced 67 violent crimes each year, compared to 26 for every 1,000 adults age 20 or older.
- o About one-half of all violent crimes and 63% of crimes of theft against teens age 12 to 19 took place on the street, in a school building or on school property. Street crimes were 3 times more likely than crimes in school buildings to have been committed by an offender with a weapon (37% versus 12%).
- o Adolescents age 12 to 15 were about twice as likely as older teens to experience crimes in a school building or on school property. About 37% of violent crimes and 81% of crimes of theft against younger teenagers occurred at school, compared with 17% of the violent crimes and 39% of the crimes of theft against older teens.
- o Police reporting rates for violent crimes against teenagers were much higher for incidents that occurred on the street than for those at school. About 37% of violent crimes that occurred on the street were reported to the police, compared with 9% of violent crimes that took place in school buildings and 22% of those on school property.
- o Many crimes taking place in school may not have been reported to the police because school officials had been notified and had resolved the incidents. 37% of the violent crimes in school buildings and 32% of those on school property, the police were not called primarily because the crime was reported to someone else, compared to 5% of street violent crimes.

1990: Texas A&M University
Rural Communities Near Large Metropolitan Areas: Safe
Havens from Adolescent Violence?

Participants in the study were 1,004 eighth- and tenth-graders from 23 small Central Texas communities.

- o More than one-half of the boys (53.2%) and one-fifth (20.5%) of girls reported having been in at least 1 physical fight involving weapons during the previous year. One-fifth of boys and 6.4% of girls said they had been in 3 fights.
- o One-fourth of the students said they had carried a weapon at school in the past year.
- o Slightly more than 6% of the boys said they had carried a handgun and 1.6 % said they had carried one nearly every day.
- o 42.3% of the students said they could get a handgun if they wanted to.
- o While at school or on a school bus during the previous year, 34.1% of students reported having been threatened with bodily harm thought not actually hurt, 15.2% claimed that they had something taken from them by force or threat of bodily harm, 14.1% said they had been physically attacked and 6.8% admitted that someone tried to force them to have sex when they did not want to.
- o More than 20% felt that threatening to use a weapon would help prevent fights. Nearly 17% thought acting tough would deter altercations.

1990: Youth Risk Behavior Surveillance System
Youth Risk Behavior Survey

The 1990 national school-based survey is a component of the Youth Risk Behavior Surveillance System, which periodically measures the prevalence of priority health-risk behaviors among youth through comparable national, state and local surveys. The survey polled a representative sample of 11,631 students in grades 9 - 12 in the 50 states, the District of Columbia, Puerto Rico and the Virgin Islands.

- o Nearly 20% of all students in grades 9 - 12 reported they had carried a weapon at least once during the 30 days preceding the survey (not necessarily to school).
- o Male students (31.5 %) were significantly more likely than female students (8.1%) to report having carried a weapon.
- o Hispanic (41.1%) and black (39.4%) male students were significantly more likely to report having carried a weapon than were white (28.6%) male students.
- o Of the students who reported having carried weapons during the 30 days preceding the survey, 25% said they did so only once; 32.2% said 2 or 3 times; 7.4% said 4 or 5 times; and 35.5% said 6 or more times.

1987: American School Health Association
Association for the Advancement of Health Education
Society for Public Health Education
National Adolescent Student Health Survey

Contact Information: National Alliance for Health, Physical
Education, Recreation and Dance
Publication Sales
800/321-07989

Approximately 11,000 eighth- and tenth-graders from a nationally representative sample of more than 200 public and private schools in 20 states participated in the study during the fall 1987.

- o One-half of the boys and 28% of the girls were in at least 1 fight during the past year.
- o One-third reported someone threatened to hurt them, 14% were robbed and 13% reported being attacked while at school or in a school bus.
- o 4 out of every 10 boys (41%) and 24 % of the girls reported they could obtain a handgun if they wanted one.
- o 23% of the boys reported having carried a knife to school at least once during the past year; 7% said they carry a knife to school on a daily basis.
- o 3% of the boys reported having carried a handgun to school at least once during the school year; 1% reported carrying a handgun on a daily basis.

1986 - U. S. Bureau of the Census for the U.S. Bureau of Justice Statistics

1987: National Crime Survey for 1986

School Crime: Annual Statistical Snapshot

Kids and Crime, School Safety Newsjournal, Spring 1988

- o According to the 1986 and 1987 National Crime Survey, nearly 3 million incidents of attempted or completed street crime (assault, rape, robbery and theft) took place inside schools or on school property.
- o The vast majority of crimes against person are thefts. During 1987, almost 2.5 million thefts in or around schools were reported by National Crime Survey respondents.
- o Almost 465,000 violent victimizations occurred in or around schools during 1987. Among these were 75,900 aggravated assaults (50,980 with injury); 36,850 robberies (22,610 with injury); and almost 350,000 simple assaults (nearly 110,000 with injury).
- o Even though the school-age population has declined markedly since 1982, the number of violent crimes has remained high, ranging from a low of about 420,000 in 1986 and 1982 to a high of almost 465,000 in 1987.
- o 1 in 6 youths between the ages of 12 and 19 was the victim of a street crime during 1986 compared to about 1 in 9 adults.
- o 1 out of 18 youths was assaulted, robbed or raped during 1986.
- o One-half or more of the attempted and completed violent crimes against girls and 12 to 15-year-old boys are committed by someone known to them.
- o Only about one-third of all violent crimes committed or attempted against youths during 1986 were reported to the police.
- o Murders of school-age youths (5 to 19 years of age) totaled 1,840 during 1986, according to the FBI.

1978: National Institute of Education
Violent Schools vs Safe Schools: The Safe School Study
Report to the Congress

This 3-part study conducted in 1976-1977 combined a survey of principals from 4,000 public elementary and secondary schools nationwide; a survey of 642 public junior and senior high schools, which interviewed the principals, teachers and students; and an intensive, qualitative study of 10 schools selected because their previous problems of crime and violence had been dramatically reversed in a short period of time.

- o Approximately 282,000 (1.3%) students are physically attacked in America's secondary schools each month. About 2.4 million (11%) have something stolen from them in a typical month.
- o Almost 8% of urban junior and senior high school students missed at least one day of classes a month because they were afraid to go to school. 3% (600,000) reported that they are afraid most of the time.
- o Nearly 5,200 of the nations million secondary school teachers are physically attacked at school each month, about 1,000 of whom are seriously enough hurt to require medical attention. About 130,000 have something stolen in a months time. Around 6,000 have something taken from them by force, weapons or threats.
- o Over 25% of all schools are subject to vandalism in a given month. The average cost of an act of vandalism is \$81. 10% of schools are burglarized, at an average cost per burglary of \$183. The annual cost of school crime is estimated to be around \$200 million.
- o Most offenses are committed by current students. Victims and offenders are generally of the same age and sex (usually male). In a majority of cases, victims and offenders are also of the same race. The chances of interracial violence are highest in schools where students of one race outnumber those of another.

1 (2) by redesignating sections 8001 through
2 8005 as sections 9001 through 9005, respectively;
3 and

4 (3) by inserting after title VII the following new
5 title:

6 **“TITLE VIII—GUN-FREE**
7 **SCHOOLS**

8 **“SEC. 8001. GUN-FREE REQUIREMENTS.**

9 **“(a) REQUIREMENTS.—**

10 **“(1) IN GENERAL.—**No assistance may be pro-
11 vided to any local educational agency under this Act
12 unless such agency has in effect a policy requiring
13 the expulsion from school for a period of not less
14 than one year of any student who is determined to
15 . . . have brought a weapon to a school under the juris-
16 diction of the agency except such policy may allow
17 the chief administering officer of the agency to mod-
18 ify such expulsion requirement for a student on a
19 case-by-case basis.

20 **“(2) DEFINITION.—**For the purpose of this sec-
21 tion, the term “weapon” means a firearm as such
22 term is defined in section 921 of title 18, United
23 States Code.

24 **“(b) REPORT TO STATE.—**Each local educational
25 agency requesting assistance from the State educational

1 agency that is to be provided from funds made available
2 to the State under this Act shall provide to the State, in
3 the application requesting such assistance—

4 “(1) an assurance that such local educational
5 agency has in effect the policy required by sub-
6 section (a); and

7 “(2) a description of the circumstances sur-
8 rounding any expulsions imposed under the policy
9 required by subsection (a), including—

10 “(A) the name of the school concerned;

11 “(B) the number of students expelled from
12 such school; and

13 “(C) the types of weapons concerned.”

14 **PART C—ENVIRONMENTAL TOBACCO SMOKE**

15 **SEC. 1041. SHORT TITLE.**

16 This part may be cited as the “Pro-Children Act of
17 1994”.

18 **SEC. 1042. DEFINITIONS.**

19 As used in this part:

20 (1) **CHILDREN.**—The term “children” means
21 individuals who have not attained the age of 18.

22 (2) **CHILDREN’S SERVICES.**—The term “chil-
23 dren’s services” means the provision on a routine or
24 regular basis of health, day care, education, or li-
25 brary services—

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25 brary services—

GUIDANCE CONCERNING STATE AND LOCAL
RESPONSIBILITIES UNDER THE
GUN-FREE SCHOOLS ACT OF 1994

This guidance is to provide you with information concerning State and local responsibilities under the Gun-Free Schools Act, which was enacted on March 31, 1994 as part of the Goals 2000: Educate America Act. The Gun-Free Schools Act amends the current Elementary and Secondary Education Act of 1965 (20 USC 2701 et seq.) (ESEA). A copy of the new legislation is attached for your information.

The Gun-Free Schools Act (Act) states that, as a condition of receiving any assistance under the ESEA, a local educational agency (LEA) must have in effect a policy requiring the expulsion from school for a period of not less than one year of any student who brings a firearm to school, except that the LEA's chief administering officer may modify the expulsion requirement on a case-by-case basis. The Department interprets this provision to permit LEAs to discipline students with disabilities in accordance with the requirements of Part B of the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act (Section 504), and thereby maintain eligibility for Federal financial assistance.

The following questions and answers have been prepared to assist State educational agencies (SEAs) and LEAs in implementing these new requirements.

Q. When does the Gun-Free Schools Act take effect?

A. The requirements of the Gun-Free Schools Act took effect on March 31, 1994.

Q. What does the Gun-Free Schools Act require?

A. The Gun-Free Schools Act requires that LEAs, as a condition of receiving ESEA funds: (1) implement a specific discipline policy applicable to students who bring weapons (see the definition of "weapon" in the answer below) to school; (2) provide to the SEA an assurance that the policy is in effect; and (3) submit to the SEA specific reporting information on discipline imposed under the policy.

Policy

The Act states that no ESEA assistance may be provided to any LEA unless that LEA has in effect a discipline policy requiring the expulsion from school for a period of not less than one year of any student who is determined to have brought

a weapon to a school under the jurisdiction of the LEA. The Act states, however, that the LEA's policy may allow the chief administering officer of the LEA to modify the expulsion requirement on a case-by-case basis.

Assurance

An LEA is required to include, in each application to the SEA for assistance under the ESEA, an assurance that the required policy is in effect.

Reporting

An LEA is required to include, in each application to the SEA for assistance under the ESEA, a description of the circumstances surrounding any expulsions imposed under the policy, including --

- (1) the name of the school concerned;
- (2) the number of students expelled from the school; and
- (3) the type of weapons concerned.

Q. How is the term "weapon" defined?

A. For the purposes of the Gun-Free Schools Act, a "weapon" means a firearm as defined in Section 921 of Title 18 of the United States Code. (A copy of this provision is also attached.)

Q. What is meant by the term "expulsion"?

A. The term "expulsion" is not defined by the Act. However, the legislative history of the Act indicates that, at a minimum, expulsion means removal from the regular school program at the location where the violation occurred.

Q. How does the new legislation affect existing disciplinary policies required under the Drug-Free Schools and Communities Act?

A. The requirements of the Gun-Free Schools Act are consistent with the disciplinary policies required under the Drug-Free Schools and Communities Act (DFSCA). All LEAs that receive financial assistance under any Federal program are already required, under Section 5145 of the DFSCA, to have in effect a disciplinary policy that contains a range of sanctions, including expulsion. The DFSCA and regulations at 34 CFR Part 86 (Drug-Free Schools and Campuses) require that the policy and sanctions be applicable to all students. The Gun-Free

Schools Act establishes as a condition of receipt of funds under the ESEA a minimum disciplinary sanction that must be imposed against a student who brings a firearm to school -- i.e., expulsion for at least one year, subject to case-by-case modifications.

Q. Does the Gun-Free Schools Act alter a school district's obligations under the Federal civil rights laws?

A. No. The Gun-Free Schools Act does not amend or create an exception to Federal civil rights laws. In implementing the Gun-Free Schools Act, school districts must comply with the nondiscrimination requirements of Title VI of the Civil Rights Act of 1964 (prohibiting discrimination on the basis of race, color, or national origin), Title IX of the Education Amendments of 1972 (prohibiting discrimination on the basis of gender), Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act (prohibiting discrimination on the basis of disability), and the Age Discrimination Act of 1975 (prohibiting discrimination on the basis of age).

Q. Do the requirements of the Gun-Free Schools Act conflict with requirements that apply to students with disabilities?

A. No. Compliance with the Gun-Free Schools Act may be achieved consistently with the requirements that apply to students with disabilities as long as discipline of such students is determined on a case-by-case basis in accordance with the disability laws. Students with disabilities may be expelled for behavior unrelated to their disabilities as long as the procedural safeguards required by IDEA and Section 504 are followed. Under Section 504, the determination of whether the child's behavior is caused by the disability, however, must be determined through a reevaluation by individuals personally familiar with the child and knowledgeable about special education. In addition, the IDEA requires that educational services must continue, although they may be provided in another setting, for students with disabilities who are properly expelled.

If it is determined that the student's action in bringing a firearm to school is related to the student's disability, IDEA and Section 504 do not permit the LEA to expel the student. However, under IDEA and Section 504, a student with a disability may be suspended for up to ten days, which permits the LEA to address any immediate threat to the student or the safety of others. LEAs may also seek a court order to remove a student who is considered to be dangerous. In addition, the child's placement may be changed, in accordance with the

procedures under those laws, if it is determined that, in light of the behavior, the child's placement is not appropriate.

Q. Does the Act require LEAs to amend applications for ESEA funds that have already been awarded?

A. No. Although the legislation took effect on March 31, 1994, the assurance required under the Act need not be submitted until an LEA files with the SEA its first application for ESEA funds after that date. However, the SEA may require that the assurance be filed earlier.

Q. When must an LEA revise its disciplinary policies?

A. The Secretary believes that Congress intended that the required policy be implemented immediately. Thus, as a condition of receiving ESEA funds, an LEA must undertake good faith efforts to revise its disciplinary policies immediately unless it already has in effect a policy that meets the new requirements.

Q. What if the revised policy cannot be fully implemented at this time due to conflicting State or local laws, administrative impediments, or other unique circumstances?

A. Receipt of ESEA funds is conditioned upon compliance with the requirements of the Gun-Free Schools Act. The Secretary recognizes that there may be circumstances that adversely affect an LEA's ability to implement fully a discipline policy that meets these requirements. Therefore, an LEA may submit to the SEA the assurance required by the Act if the LEA has:

(1) made a good faith effort to begin promptly the process of implementing a policy that complies with the Act; and

(2) developed a plan to complete the implementation process as soon as possible.

In situations where a conflicting State law prevents full implementation of the required policy, SEAs may accept an LEA's assurance if the SEA determines that the appropriate State officials are making good faith efforts to bring about the revision of the State legislation.

Appropriate documentation must be maintained to demonstrate, upon request, the adequacy of efforts to implement fully the required policy.

PART B—GUN-FREE SCHOOLS

SEC. 1031. SHORT TITLE.

This part may be cited as the "Gun-Free Schools Act of 1994".

SEC. 1032. GUN-FREE REQUIREMENTS IN ELEMENTARY AND SECONDARY SCHOOLS.

The Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.) is amended—

- (1) by redesignating title X as title IX;*
- (2) by redesignating sections 8001 through 8005 as sections 9001 through 9005, respectively; and*
- (3) by inserting after title VII the following new title:*

"TITLE VIII—GUN-FREE SCHOOLS

"SEC. 8001. GUN-FREE REQUIREMENTS.

"(a) REQUIREMENTS.—

"(1) IN GENERAL.—No assistance may be provided to any local educational agency under this Act unless such agency has in effect a policy requiring the expulsion from school for a period of not less than one year of any student who is determined to have brought a weapon to a school under the jurisdiction of the agency except such policy may allow the chief administering officer of the agency to modify such expulsion requirement for a student on a case-by-case basis.

"(2) DEFINITION.—For the purpose of this section, the term "weapon" means a firearm as such term is defined in section 921 of title 18, United States Code.

"(b) REPORT TO STATE.—Each local educational agency requesting assistance from the State educational agency that is to be provided from funds made available to the State under this Act shall provide to the State, in the application requesting such assistance—

"(1) an assurance that such local educational agency has in effect the policy required by subsection (a); and

"(2) a description of the circumstances surrounding any expulsions imposed under the policy required by subsection (a), including—

"(A) the name of the school concerned;

"(B) the number of students expelled from such school;

and

"(C) the types of weapons concerned."

CANAL ZONE

Applicability of section to Canal Zone, see section 14 of this title.

CROSS REFERENCES

Red Cross, fraudulent wearing or display of sign of, see section 706 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 14 of this title.

CHAPTER 44—FIREARMS

Sec.	
921.	Definitions.
922.	Unlawful acts.
923.	Licensing.
924.	Penalties.
925.	Exceptions: Relief from disabilities.
926.	Rules and regulations.
926A.	Interstate transportation of firearms.
927.	Effect on State law.
928.	Separability clause. ¹
929.	Use of restricted ammunition.
930.	Possession of firearms and dangerous weapons in Federal facilities.

AMENDMENTS

- 1988—Pub. L. 100-690, title VI, § 6215(b), Nov. 18, 1988, 102 Stat. 4362, added item 930.
 1986—Pub. L. 99-308, § 107(b), May 19, 1986, 100 Stat. 460, added item 926A.
 1984—Pub. L. 98-473, title II, § 1006(b), Oct. 12, 1984, 98 Stat. 2139, added item 929.
 1968—Pub. L. 90-618, title I, § 102, Oct. 22, 1968, 82 Stat. 1214, reenacted chapter analysis without change.
 Pub. L. 90-351, title IV, § 902, June 19, 1968, 82 Stat. 226, added chapter 44 and items 921 to 928.

CROSS REFERENCES

Unlawful possession or receipt of firearms, see title VII of Pub. L. 90-351, June 19, 1968, 82 Stat. 236, set out in the Appendix to this title.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 922 of this title; title 26 section 4182; title 42 section 3795.

§ 921. Definitions

(a) As used in this chapter—

(1) The term "person" and the term "whoever" include any individual, corporation, company, association, firm, partnership, society, or joint stock company.

(2) The term "interstate or foreign commerce" includes commerce between any place in a State and any place outside of that State, or within any possession of the United States (not including the Canal Zone) or the District of Columbia, but such term does not include commerce between places within the same State but through any place outside of that State. The term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States (not including the Canal Zone).

(3) The term "firearm" means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or

(D) any destructive device. Such term does not include an antique firearm.

(4) The term "destructive device" means—

(A) any explosive, incendiary, or poison gas—

(i) bomb,

(ii) grenade,

(iii) rocket having a propellant charge of more than four ounces,

(iv) missile having an explosive or incendiary charge of more than one-quarter ounce,

(v) mine, or

(vi) device similar to any of the devices described in the preceding clauses;

(B) any type of weapon (other than a shotgun or a shotgun shell which the Secretary finds is generally recognized as particularly suitable for sporting purposes) by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter; and

(C) any combination of parts either designed or intended for use in converting any device into any destructive device described in subparagraph (A) or (B) and from which a destructive device may be readily assembled.

The term "destructive device" shall not include any device which is neither designed nor redesigned for use as a weapon; any device, although originally designed for use as a weapon, which is redesigned for use as a signaling, pyrotechnic, line throwing, safety, or similar device; surplus ordnance sold, loaned, or given by the Secretary of the Army pursuant to the provisions of section 4684(2), 4685, or 4686 of title 10; or any other device which the Secretary of the Treasury finds is not likely to be used as a weapon, is an antique, or is a rifle which the owner intends to use solely for sporting, recreational or cultural purposes.

(5) The term "shotgun" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

(6) The term "short-barreled shotgun" means a shotgun having one or more barrels less than eighteen inches in length and any weapon made from a shotgun (whether by alteration, modification or otherwise) if such a weapon as modified has an overall length of less than twenty-six inches.

(7) The term "rifle" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

(8) The term "short-barreled rifle" means a rifle having one or more barrels less than sixteen inches in length and any weapon made from a rifle (whether by alteration, modification, or otherwise) if such weapon, as modified,

¹ So in original. Does not conform to section catchline.

in effect until the Secretary determines, in consultation with such agency or consortium and representatives of the affected private school children, teachers, or other educational personnel that there will no longer be any failure or inability on the part of such agency or consortium to meet the applicable requirements of section 14503 or any other provision of this Act.

"(c) **PAYMENT FROM STATE ALLOTMENT.**—When the Secretary arranges for services pursuant to this section, the Secretary shall, after consultation with the appropriate public and private school officials, pay the cost of such services, including the administrative costs of arranging for those services, from the appropriate allocation or allocations under this Act.

"(d) **PRIOR DETERMINATION.**—Any by-pass determination by the Secretary under this Act as in effect on the day preceding the date of enactment of the Improving America's Schools Act of 1994 shall remain in effect to the extent the Secretary determines that such determination is consistent with the purpose of this section.

"SEC. 14507. PROHIBITION AGAINST FUNDS FOR RELIGIOUS WORSHIP OR INSTRUCTION.

"Nothing contained in this Act shall be construed to authorize the making of any payment under this Act for religious worship or instruction.

"SEC. 14508. APPLICABILITY TO HOME SCHOOLS.

"Nothing in this Act shall be construed to affect home schools.

"SEC. 14509. GENERAL PROVISION REGARDING NONRECIPIENT NONPUBLIC SCHOOLS.

"Nothing in this Act shall be construed to permit, allow, encourage, or authorize any Federal control over any aspect of any private, religious, or home school, whether or not a home school is treated as a private school or home school under State law. This section shall not be construed to bar private, religious, or home schools from participation in programs or services under this Act.

"SEC. 14510. SCHOOL PRAYER.

"Any State or local educational agency that is adjudged by a Federal court of competent jurisdiction to have willfully violated a Federal court order mandating that such local educational agency remedy a violation of the constitutional right of any student with respect to prayer in public schools, in addition to any other judicial remedies, shall be ineligible to receive Federal funds under this Act until such time as the local educational agency complies with such order. Funds that are withheld under this section shall not be reimbursed for the period during which the local educational agency was in willful noncompliance.

"SEC. 14511. GENERAL PROHIBITIONS.

"(a) **PROHIBITION.**—None of the funds authorized under this Act shall be used—

"(1) to develop or distribute materials, or operate programs or courses of instruction directed at youth that are designed to promote or encourage, sexual activity, whether homosexual or heterosexual;

"(2) to distribute or to aid in the distribution by any organization of legally obscene materials to minors on school grounds;

"(3) to provide sex education or HIV prevention education in schools unless such instruction is age appropriate and includes the health benefits of abstinence; or

"(4) to operate a program of condom distribution in schools.

"(b) **LOCAL CONTROL.**—Nothing in this section shall be construed to—

"(1) authorize an officer or employee of the Federal Government to mandate, direct, review, or control a State, local educational agency, or schools' instructional content, curriculum, and related activities;

"(2) limit the application of the General Education Provisions Act;

"(3) require the distribution of scientifically or medically false or inaccurate materials; or to

prohibit the distribution of scientifically or medically true or accurate materials; or

"(4) create any legally enforceable right.

"SEC. 14512. PROHIBITION ON FEDERAL Mandates, Direction, and Control.

"Nothing in this Act shall be construed to authorize an officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school's curriculum, program of instruction, or allocation of State or local resources, or mandate a State or any subdivision thereof to spend any funds or incur any costs not paid for under this Act.

"SEC. 14513. REPORT.

"The Secretary shall report to the Congress not later than 180 days of the date of enactment of the Improving America's Schools Act of 1994 regarding how the Secretary shall ensure that audits conducted by Department employees of activities assisted under this Act comply with changes to this Act made by the Improving America's Schools Act of 1994, particularly with respect to permitting children with similar educational needs to be served in the same educational settings, where appropriate.

"SEC. 14514. REQUIRED PARTICIPATION PROHIBITED.

"Notwithstanding any other provision of law, no State shall be required to participate in any program under the Goals 2000: Educate America Act, or to have content standards or student performance standards approved or certified under such Act, in order to receive assistance under this Act.

"PART F—GUN POSSESSION

"SEC. 14601. GUN-FREE REQUIREMENTS.

"(a) **SHORT TITLE.**—This section may be cited as the 'Gun-Free Schools Act of 1994'.

"(b) **REQUIREMENTS.**—

"(1) **IN GENERAL.**—Except as provided in paragraph (3), each State receiving Federal funds under this Act shall have in effect a State law requiring local educational agencies to expel from school for a period of not less than one year—a student who is determined to have brought a weapon to a school under the jurisdiction of local educational agencies in that State, except that such State law shall allow the chief administering officer of such local educational agency to modify such expulsion requirement for a student on a case-by-case basis.

"(2) **CONSTRUCTION.**—Nothing in this title shall be construed to prevent a State from allowing a local educational agency that has expelled a student from such a student's regular school setting from providing educational services to such student in an alternative setting.

"(3) **SPECIAL RULE.**—(A) Any State that has a law in effect prior to the date of enactment of the Improving America's Schools Act of 1994 which is in conflict with the not less than one year expulsion requirement described in paragraph (1) shall have the period of time described in subparagraph (B) to comply with such requirement.

"(B) The period of time shall be the period beginning on the date of enactment of the Improving America's Schools Act and ending one year after such date.

"(1) **DEFINITION.**—For the purpose of this section, the term 'weapon' means a firearm as such term is defined in section 921 of title 18, United States Code.

"(c) **SPECIAL RULE.**—The provisions of this section shall be construed in a manner consistent with the Individuals with Disabilities Education Act.

"(d) **REPORT TO STATE.**—Each local educational agency requesting assistance from the State educational agency that is to be provided from funds made available to the State under this Act shall provide to the State, in the application requesting such assistance—

"(1) an assurance that such local educational agency is in compliance with the State law required by subsection (b), and

"(2) a description of the circumstances surrounding any expulsions imposed under the State law required by subsection (b), including—

"(A) the name of the school concerned;

"(B) the number of students expelled from such school, and

"(C) the type of weapons concerned.

"(e) **REPORTING.**—Each State shall report the information described in subsection (c) to the Secretary on an annual basis.

"(f) **REPORT TO CONGRESS.**—Two years after the date of enactment of the Improving America's Schools Act of 1994, the Secretary shall report to Congress if any State is not in compliance with the requirements of this title.

"SEC. 14602. POLICY REGARDING CRIMINAL JUSTICE SYSTEM REFERRAL.

"(a) **IN GENERAL.**—No funds shall be made available under this Act to any local educational agency unless such agency has a policy requiring referral to the criminal justice or juvenile delinquency system of any student who brings a firearm or weapon to a school served by such agency.

"(b) **DEFINITIONS.**—For the purpose of this section, the terms 'firearm' and 'school' have the same meaning given to such terms by section 921(a) of title 18, United States Code.

"SEC. 14603. DATA AND POLICY DISSEMINATION UNDER IDEA.

"The Secretary shall—

"(1) widely disseminate the policy of the Department in effect on the date of enactment of the Improving America's Schools Act of 1994 with respect to disciplining children with disabilities;

"(2) collect data on the incidence of children with disabilities (as such term is defined in section 602(a)(1) of the Individuals With Disabilities Education Act) engaging in life threatening behavior or bringing weapons to schools; and

"(3) submit a report to Congress not later than January 31, 1995, analyzing the strengths and problems with the current approaches regarding disciplining children with disabilities.

"PART G—EVALUATIONS

"SEC. 14701. EVALUATIONS.

"(a) **EVALUATIONS.**—

"(1) **IN GENERAL.**—Except as provided in paragraph (2), the Secretary is authorized to expend not more than 0.50 percent of the amount appropriated to carry out each program authorized under this Act—

"(A) to carry out comprehensive evaluations of categorical programs and demonstration projects, and studies of program effectiveness, under this Act, and the administrative impact of such programs on schools and local educational agencies in accordance with subsection (b);

"(B) to evaluate the aggregate short- and long-term effects and cost efficiencies across Federal programs under this Act and related Federal preschool, elementary and secondary programs under other Federal law; and

"(C) to strengthen the usefulness of grant recipient evaluations for continuous program progress through improving the quality, timeliness, efficiency, and utilization of program information on program performance.

"(2) **SPECIAL RULE.**—(A) Paragraph (1) shall not apply to any program under title I.

"(B) If funds are made available under any program assisted under this Act (other than a program under title I) for evaluation activities, then the Secretary shall reserve no additional funds pursuant to the authority in subsection (a)(1) to evaluate such program, but shall coordinate the evaluation of such program with the national evaluation described in subsection (b).

"(D) NATIONAL EVALUATIONS.—

"(1) **IN GENERAL.**—The Secretary shall use the funds made available under subsection (a) to carry out—

"(A) independent studies of categorical and demonstration programs under this Act and the administrative impact of such programs on

November 21, 1994

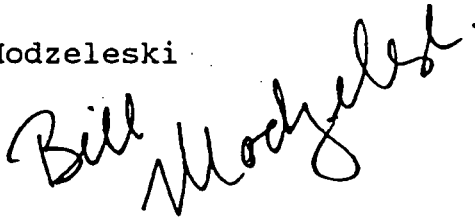
Note to: Kay Kahler

Subject: Material on Guns in Schools

I apologize for sending you so much material but unfortunately, I did not have time to synthesize it. What I have attached is:

- o Summary of Barron Assessment Center. Center states that their "recidivism rate for bringing weapons into school a second time is 9%."
- o Informal survey conducted by National School Safety Center showing how many guns have been confiscated in selected school systems.
- o Summary of the school-violence problem.
- o Summary of research on guns in schools.
- o Overview of gun incidents in schools in the 1993-1994 school year.
- o Overview of school-related homicide study.

Bill Modzeleski

A handwritten signature in cursive script that reads "Bill Modzeleski". The signature is written in dark ink and is positioned below the typed name.

c. Michele Cavataio

THE PROBLEM

GUNS AND VIOLENCE:

- o American children are extremely vulnerable to firearms violence. In 1991, children and adolescents (ages 0-19) were the victims of nearly 3,000 homicides, 1,500 suicides, and over 500 unintentional shootings. Among teenagers 15 to 19 years old, one of every four deaths is attributable to a firearm injury. Between 1985 and 1990, the risk of dying from a firearm injury increased by 87% for teenagers 15 to 19 years of age.
- o Firearm homicide is the leading cause of death among young black males 15-24 years of age, and young black males in their twenties face the greatest risk of any age-race-sex group. For 1988-1991, the homicide rate for all young U.S. men aged 15-24 was nearly nine times higher than that for young men in the industrialized country with the next highest rate (Italy)--the rate for young black men 15-24 years of age was 37 times higher.

JUVENILE CRIME:

- o Juveniles account for a disproportionate share of the reported violent crime increases. Between 1988 and 1992, juvenile arrests for murder increased by 51%, compared with 9 percent for those aged 18 and older.
- o Involvement of younger juveniles in violent crimes is increasing. Between 1990 and 1992, the number of juveniles under age 15 arrested for violent crimes increased 25 percent. Juveniles are responsible for a small but significant percentage of all violent crime arrests. In 1992, juveniles were responsible for 17.5 percent of all violent crime arrests.

SCHOOLS:

- o Nearly 3 million thefts and incidents of violent crime occur on or near school campuses each year. This equates to nearly 16,000 incidents per school day or one every six seconds.
- o Nearly one in five students in grades 9-12 reported they had carried a weapon at least once in a 30-day period.
- o Data collected by ED and other national organizations indicate that approximately 33 persons (students, teachers, faculty, and others) were killed in schools, on their way to school, or on school property during the 1991-93 school year. In the first three months of the 1993-94 school year, there were six homicides.

FIREARMS CONFISCATED AT SCHOOL

	<u>1992-93</u>	<u>1993-94</u>	<u>1994-95</u>
Atlanta		101	
Baltimore City Public Schools		67	
Baton Rouge		49	As of 2/12/94
Boise, ID (20 includes knives)		10	
Boston		17	6/04/94
Broward County, FL		38	3/05/94
Clayton, GA		34	
Cleveland Public Schools		56	
Clouts, CA		2	
Columbus Public Schools		30	7
Cobb		42	
Coweta		7	
Dade County Public Schools		193	
Dallas Independent School District		71	
Dekalb		55	
Des Moines		5	3/04/9
Fresno		43	
Fulton		32	
Guilford County, NC		45	
Gwinnett		12	
Houston Independent School District		42	10
Henry, GA		5	
Indianapolis Public Schools		10	2
LAUSD	256	191	
Lincoln County, OR		4	
Los Angeles Unified School District		126	
Louisville		30	4/23/94
Marietta City		7	
Mecklenburg County, NC		50	
Memphis, TN		70	3/22/94
Minneapolis Public Schools		2	1
Nashville Public Schools		38	
New Orleans Parrish School District		64	
New York City Public Schools		150	
Norfolk Public Schools		4	
Oakland Unified School District		48	
Palm Beach	26	39	
Philadelphia School District		85	
Phoenix		24	
Pittsburgh		3	3/24/94
Portland Public Schools		55	
Prince George's		28	4/21/94
Raleigh, NC		9	7/06/94
Salem-Keizer, SD		5	
San Diego Unified School District		14	
Seattle School District #1		24	4
St. Paul Public Schools		5	
Tucson Unified School District		32	
Tulsa Public Schools		46	
Washington, DC		30	

BOSTON PUBLIC SCHOOLS



BARRON ASSESSMENT COUNSELING CENTER PARKMAN SCHOOL, WEST ZONE

FRANKLIN A. TUCKER
Program Director

RAFFAEL DeGRUTTOLA
Assistant Program Director

May 3, 1964

To: William Modyeleski

From: Barron Assessment and Counseling Center

Re: Prescriptions For Meeting The Needs of Four Students Found In
Possession of Guns In School Settings

The United States appears to be in the middle of a critical stage in its development. Many of the American people appear to be losing faith in the future. People are exhibiting signs of anxiety about the future of this great nation in a newly emerging world order with the collapse of communism in the Soviet Union and Eastern Europe. This breakdown resulted in the growth in power and economic resilience in Western Europe in general and in Germany and Japan in particular. Now! as the result of the loosening of the chains of totalitarianism, the world has developed a global economy, which is not fully understood by the leading industrial nations, and, as a result, has led to economic stagnation in Western Europe and Japan and ethnic conflicts in different parts of the world. The American people are beginning to question whether this nation and its people still have a rendezvous with destiny, as was articulated by President Franklin D. Roosevelt during one of the darkest periods in American history. This was during the depression of the 1930's.

Why has the United States entered such a dangerous and uncertain period of time? Many educational leaders believe the genesis of this fear and uncertainty can be found within the acute infrastructure weaknesses found in American society. THE PURPOSE AND FUNCTION OF THE BARRON ASSESSMENT CENTER IS TO HELP MEET AND ADDRESS SOME OF THE ACUTE INFRASTRUCTURE WEAKNESSES FOUND IN SOCIETY, IN PARTICULAR TO SERVE AS A BEACON LIGHT IN URBAN AREAS LIKE BOSTON.

These infrastructure weaknesses have been amply manifested in the breakdown of the family as an institution, which is the basis for the development of individual self-esteem and a sound value system. This breakdown is exacerbating the disintegration of the extended family, which in the past served as a cohesive force in deterring lawlessness in the community and enforcing compliance with society's norms. Evolving from these breakdowns are the soaring

crime rate, both violent and non-violent, which saps our nation's human, natural, and financial resources, encourages youth gang violence, mood modifier abuse, both drugs and alcohol, and drug trafficking. Other manifestations of this breakdown is the frightening adolescent suicide rate, teenage pregnancy, with its attending reliance on public assistance, psychological, physical, and sexual abuse; plus the difficult and volatile AIDS epidemic. Religion as an institution appears to be playing a less relevant role in modifying or moderating adolescent behavior as it did in the past. Charities and volunteer agencies appear to be overwhelmed by the demands the less fortunate are making on them. Law enforcement agencies and the court system at all levels, also, appear to be overwhelmed and rendered inoperative as a result of these infrastructure weaknesses. Finally, and to the dismay of America leaders and the American people, the failure of public education to produce educated and self-reliant young men and women who can compete on the world scene as independent and productive members of society.

The Barron Assessment and Counseling Center was approved by the Boston Public Schools in October, 1986. The establishment of the Center was in response to the urgent problems escalating in Boston communities, and thus in the schools, namely young people carrying weapons, therefore an increase in violent incidents. The Center was established to provide services to all students citywide who were found in possession of a weapon on school property, or while going to and from school. The Barron Center opened its doors in March, 1987 and serviced 125 students between March and June, 1987. During the 87-88 academic year, the Center met the needs of 333 students. During the 88-89 academic year, the Center serviced the needs of 256 students. In 89-90 the Center addressed the needs of 323 students. In 90-91 476 students had their needs met and addressed at the Center. In 91-92 510 students were assessed, evaluated, and counseled at the Center. Finally, in 92-93 the Center serviced the needs of 524 students. The Center as a result has serviced the needs of over 3,000 students in six and a half years of operation. The Center has already assessed, evaluated, and counseled 500 students so far for the 93-94 academic year. The recidivism rate for bringing weapons into school a second time is 9%. Students are assigned to the Center for five to ten days in order to assess, evaluate, and counsel these students.

Again, the concern revolves about attempting to meet and address the non-educational, emotional, and academic needs of these troubled students. Again, the basis of these problems can be found

in the infrastructure weaknesses found in society. Only by meeting these problems are we going to meet and address the problems of youth gang violence, mood modifier abuse, the dropout rate, adolescent suicide, teenage pregnancy, and last, but not least, enable students to function productively in urban, suburban, and rural school settings. IF WE CAN SOLVE THESE PROBLEMS WE CAN AVOID THE VESTIGES OF NEGATIVE POLARIZATION IN URBAN, SUBURBAN, AND RURAL SETTINGS WHICH ULTIMATELY LEADS TO THE POLICE BEING VIEWED AS LATTER DAY ROMAN CENTURIONS TRYING TO MAINTAIN LAW AND ORDER IN A SOCIETY WHERE THE INFRASTRUCTURES ARE DETERIORATING.

The limited time that students are assigned to the Barron Assessment and Counseling Center is the only drawback to meeting and addressing the plethora of non-educational, emotional, and academic problems these students have.

The Center has developed a long term draft proposal to meet and address the non-educational, emotional, and academic problems urban, suburban, and rural students bring to school settings. This long term combined therapeutic/academic center will service the needs of students for three months, six months, or an academic year. SUCH A CENTER WILL ENABLE SCHOOL SYSTEMS TO MAKE DRASTIC BUDGET CUTS IN THE AREA OF SPECIAL NEEDS FUNDING.

INTERVENTION STRATEGIES

The American Psychological Association report on youth violence indicates that those programs that have been evaluated and show promise include interventions aimed at reducing risk factors or at strengthening families and children to help them resist the effects of detrimental life circumstances.

Effective intervention programs share two primary characteristics: (1) they draw on the understanding of developmental and sociocultural risk factors leading to antisocial behavior; and (2) they use theory-based intervention strategies with known efficacy in changing behavior, tested program designs, and validated techniques to assess outcomes. They also:

- begin as early as possible.
- address aggression as part of a constellation of antisocial behaviors in the child or youth.
- they include multiple components that reinforce each other across the child's everyday social contexts: family, school, peer groups, media, and community.

We know that prevention programs directed early in life can reduce factors that increase risk for antisocial behavior in childhood and adolescence. Among the interventions that show promise are:

- Home visitor programs for at-risk families, which include prenatal and post natal counseling and continued contact with family and child in the first few years of life.
- Preschool programs that address diverse intellectual, emotional, and social needs and the development of cognitive and decision-making processes.

School-based primary prevention programs for children and adolescents are effective with children and youth who are not seriously violence-prone, but these programs have not yet been demonstrated to have major effects on seriously and persistently aggressive youth. Evaluations of such school-based programs show they can improve prosocial competence and reduce at-risk behavior among youth who are not seriously violence-prone by promoting nonviolent norms, lessening the opportunity for violent acts, and preventing the sporadic violence that emerges temporarily during adolescence.

Primary prevention programs of the type that promote social and cognitive skills seem to have the greatest impact on attitudes about violent behavior among children and youth. Skills that aid children in learning alternatives to violent behaviors include social perspective-taking, alternative solution generation (conflict resolution), self-esteem enhancement, peer negotiation skills, problem solving skills training, and anger management.

October 7, 1994

Note to: Interested Parties

Subject: Research on Guns in Schools

There has been a considerable number of surveys conducted on school crime and violence. We have analyzed these surveys and other research conducted since 1978 and have pulled the data and/or findings related specifically to guns in schools. An overview of the findings related specifically to guns follows.

Bill Modzeleski

OVERVIEW OF RESEARCH FINDINGS RELATED TO GUNS AND SCHOOLS

1994: National School Boards Association
 Violence in the Schools How America's School Boards Are
 Safeguarding Our Children

This report is based upon a survey of 729 National Affiliate school districts. The questionnaire asked districts about the extent to which violence was a problem in their school district, the types of violence their district had experienced, as well as their opinions of the causes of school violence.

o Types of violence experienced in the 1992-93 school year.

	<u>Overall</u>	<u>Urban</u>	<u>Suburban</u>	<u>Rural</u>
Student/Student	78%	93	81	69
Weapons in School	61%	91	61	45
Student v Teacher	28%	61	25	20
Race/ethnic	28%	52	35	10
Gang	24%	60	25	10
Shooting/Knife	13%	40	10	8
Drive by Shoot	9%	24	10	5
Rape	7%			
Gay/lesbian	3%			

1993: Gun Acquisition and Possession in Selected Samples
Research conducted by: Joseph F. Sheley, and James C.
Wright of Tulane University--for the: National
Institute of Justice

The results of this study are drawn from voluntary questionnaires
anonymously completed by:

- o 835 male serious offenders incarcerated in 6 juvenile
correctional facilities in 4 states.
- o 758 male students in 10 inner city high schools near the
facilities.

Both students and inmates came from environments marked by crime
and violence.

Key Findings: The study found that:

- o 83% of inmates and 22% of the students possessed guns.
- o 55% of inmates carried guns all or most of the time in the
year or two before being incarcerated; 12% of the students
did so, with another 23% carrying guns now and then.
- o 69% of the students had males in their families who owned
guns. Two-fifths of the students reported that males in
their families carried guns routinely outside the home.
More than half (57%) of students had friends who owned guns;
and 42% had friends who carried guns routinely outside the
home.
- o 45% of students had been threatened with a gun or shot at,
while on the way to or from school in the last few years.
One in ten had been stabbed, and one in three beaten up in
or on the way to school. Nearly a fifth (17%) had been
wounded with some form of weapon other than a knife or a gun
in or near the school.
- o The firearms of choice were high quality, powerful
revolvers. Closely followed by automatic and semiautomatic
handguns and then shotguns.
- o Most of those surveyed thought it would be easy to acquire a
gun. Only 13% of inmates and 35% of students said it would
be a lot of trouble or nearly impossible.
- o 35% of the inmates and 10% of the students agreed or
strongly agreed that "it is okay to shoot a person if that
is what it takes to get something you want." Was it "okay
to shoot some guy who doesn't belong in your neighborhood?"
29% of the inmates and 10% of the students agreed or
strongly agreed that it was.

1993: Metropolitan Life Insurance Company
The Metropolitan Life Survey of The American Teacher 1993

This is the latest in a series of surveys sponsored by MetLife that focuses on the opinions and experiences of the American teacher. This report examines issues related to violence in public schools, based on the perceptions and experiences of teachers, students and law enforcement officials. While the large majority of students and teachers feel safe and have not personally been involved in a violent incident in and around their schools, teacher and student experiences and perceptions frequently differ, with students seeing and fearing violence more than do teachers. Law enforcement officials express the highest levels of concern about violence in their local public schools. Overall, teacher and student experiences with issues related to safety and violence in schools show strong associations with such factors related to their school environment as the quality of education a school provides, a school's ability to help students succeed academically, the level of parental involvement in school life, and the percentage of low income or minority students in a school.

The Major Findings of the Survey

- o Most secondary school students do not know how many of their peers carry weapons to school on a regular basis, though few believe that it is more than ten percent. A majority of teachers think that zero to 10 percent of students carry weapons to school.
 - * A majority of law enforcement officials (68%) think a small minority of students carry weapons such as handguns or knives to school. This is consistent among officials from urban, suburban and rural police departments.
 - * Less than ten percent of teachers and students believe any students carry guns to school, in contrast, one-third of teachers who believe their schools provide lesser quality education (only fair or poor) believe that students tend to carry guns to school.

Among students, teachers and law enforcement officials, most believe that when students do carry weapons to school it is most likely that they will carry knives.

- * In comparison to teachers and students, a larger proportion of law enforcement officials think that students who carry weapons carry guns. Less than ten percent of teachers and students believe any students carry guns to school.

Contrary to students' beliefs regarding their peers, a sizable portion of students (13%) say they have carried a weapon to school at one time.

- * This is consistent among urban, suburban and rural students. More than one-third (36%) of students who generally get poor grades (C's, D's, or F's) claim they have carried a weapon to school.
- * Twenty-two percent of boys and young men, compared to 4% of girls and young women, claim to have carried a weapon to school at some time.

Overall, teachers, students, and law enforcement officials believe that students carry weapons for four main reasons: protection to and from school, to impress their friends, for self esteem or for protection in school.

- * Law enforcement officials are more likely to believe self-defense is a reason to carry weapons than are teachers or students. Students place more emphasis on impressing other and feeling important as motivations.
- * The vast majority of public school teachers (98%) have never carried a weapon. Those teachers who have taken some form of precaution most frequently carry mace (44%).

The types of violence students say they have experienced or taken part in closely mirror the types of violence that teachers and students think of as major problems in their schools.

- * The most common aggressive acts are pushing, shoving, grabbing and slapping, verbal insults and threats to their peers.
- * Five percent of secondary school students say they have threatened someone, in or around school, with a knife or gun.

1993: The Harvard School of Public Health and the Joyce Foundation, Chicago, Illinois
A Survey of Experiences, Perceptions, and Apprehensions about Guns Among Young People in America

Between April 19 and May 21, 1993, 2508 students were surveyed in 96 public and private elementary, middle and senior high schools (sixth through twelfth grade).

- o More than one in five (22%) of the students claimed that they carried a weapon to school during the last school year, and 4% saying the weapon was a handgun.
- o 9% say they have shot a gun at someone else.
- o 11% say they have been shot at by someone with a gun during the past year.
- o 22% say they would feel "safer" having a handgun on their person if they were going to be in a physical fight. Forty-four percent said that they believe their families would want to fight off an attacker, even if it meant firing a gun, while 40% said that their families would not want to do so.
- o 39% know someone personally who has either been killed or injured from gun fire.
- o 59% say they could get a handgun, "if I wanted one." Two in three who know where to get a handgun say they could get one within a 24-hour period. Rates varied by race: blacks (72%), whites (55%), Latinos (69%), and Asians (47%).

1993: Police Executive Research Forum
 Police Executives View of School Crime

Crime in public schools has become an increasing problem in recent years, despite efforts by school administrators, teachers, parents and students to establish a safe environment for learning and other experiences traditionally associated with quality education.

Traditionally, most school administrators have handled crimes committed on public school property without reporting the incidents to the police. However, in recent years, the volume and severity of offenses, as well as the nature of weapons used, has led to the hiring of larger numbers of school security officers and police have been called more often to intervene in schools. Yet, calls for police to deal with serious crimes in schools are sometimes delayed for long periods of time. Teachers and administrators are often hesitant to involve law enforcement. In such an environment, where police response is not given a high priority, offenders within the schools know that, in most cases, the consequences of their actions will be minimal. Thus, failure to involve the police when serious offenses have been committed creates a climate in the public schools that says crime in school is regarded as less important than crime on the streets.

For the purposes of this study violence was defined as "assaults against students, teachers, or school staff with weapons, aggravated assaults without weapons and/or sexual assault" Firearm related crimes were defined as "threats, robberies, assaults and non-assaults against students, teachers, or school staff using firearms, as well as unlawful possession or concealment of firearms." Weapon is an all-inclusive term that refers to any instrument used to threaten, injure or kill a person.

FINDINGS:

- o In general 55% (262) of 476 police executives rate crime in schools as a problem, while 42.4% (202) rate firearm-related crimes in schools as a problem.
- o Sixty percent of the police departments responding to the survey stated that they have designated public school liaisons, who provide their agencies with critical links to local schools.
- o There are encouraging signs about the potential for better relations and improved response.

--Most calls (48.8%) to police are generated by school personnel, rather than students or parents.

--A large number of law enforcement officials had

weekly meetings with local school administrators (29.8%).

--Nearly all respondents (94.5%) revealed that they receive calls to respond to possession of illegal firearms at public schools.

- o Over half of 472 major police agencies (51.1% or 241) in the nations do not keep data on crimes committed on public school property. Most departments are not required to gather such data by national or state reporting agencies.
- o Over half (52%) of 461 major police agencies have no policy or procedure for responding to firearms, threats or serious crimes in public schools, which prompts questions on how efficiently these law enforcement agencies handle incidents at schools when they do occur. A significant number of police executives are not aware of the policies and procedure of their local schools that directly affect crime and violence and the school systems responses to victims and suspects.
- o Review of over 130 general order manuals showed that very few police and sheriffs departments had written policy on response to crimes committed on school property..

How Respondents Rate Incidence of Crimes in General as a Problem in Schools:

A very serious problem--	33	6.9%
A major problem .	103	21.6%
A problem	262	55%
A minor Problem	74	15.5%
Not a problem	4	.8%

1993: USA TODAY
SURVEY ON SCHOOL SAFETY
USA TODAY Weekend August 13-15, 1993

In a survey of 65,000 teens USA Today found:

OVERALL

- o 37% of students don't feel safe in school (this is almost double a similar USA Weekend survey taken in 1989.
- o 43% of public school kids avoid school restrooms, 20% avoid hallways; and 45% avoid the school grounds.
- o 26% of girls, 49% of boys were hit last year at school. 29% of girls were threatened; 30% of boys were in fights.
- o 67% say lockers aren't a safe place for valuables. 22% have been robbed of an item worth more than \$10.
- o 55% of youth in grades 10-12 know weapons are regularly in school. 20% of all teen wouldn't report a kid carrying a gun (In 1989 41% of 10-12 graders said they knew somebody who carried a weapon to school).
- o 79% say violence often is caused by stupid things like bumping into someone. Followed by, in order: boyfriend-girl friend disputes, outsiders, racism, gangs.

1992: National Institute on Drug Abuse
University of Michigan Institute for Social Research

National High School Senior Survey - Monitoring the
Future

Approximately 2,400 seniors in approximately 130 public and private high schools throughout the U.S. except Hawaii and Alaska were polled for this survey, the 16th in an annual series begun in 1975.

STUDENT VICTIMIZATION TRENDS

During the past eleven years, threats and injuries to high school seniors and theft and vandalism of their property have been on the rise.

	<u>1980</u>	<u>1985</u>	<u>1990</u>	<u>1991</u>	<u>1992</u>
Threatened with a weapon	11%	15%	13%	16%	19%
Threatened without a weapon	19%	26%	25%	26%	29%
Theft of student's property	34%	39%	42%	42%	40%
Injured with a weapon	5%	6%	6%	7%	9%
Injured without a weapon	11%	14%	14%	15%	23%
Vandalism/ students property	25%	27%	29%	28%	32%

1991: Bureau of Justice Statistics
School Crime: A National Crime Victimization Survey
Report

Based on a nationally representative sample of more than 10,000 young people who were interviewed from January through June 1989 who had attended public or private school during any time during the 6 months preceding the survey. Responses refer to the 6-month time period prior to the survey.

- o More than 400,000 students 12 to 19 years old were estimated to have been victims of violent crimes at school.
- o 9% of students were crime victims in or around their school over a 6-month period: 7% of all students were property crime victims, and 2% were victims of one or more violent crimes, primarily simple assaults.
- o An estimated 430,000 students (2% of all students) had at least once taken something to school to protect themselves from attack or harm. This includes guns, knives, brass knuckles, razor blades, spiked jewelry and other objects capable of hurting an assailant.
- o 15% of the students reported there were gangs in their schools.
- o 16% said that a student had attacked or threatened a school teacher.
- o Among the students who said gangs were or might be found in their schools, 37% said gang members never fought at school, 19% said there were gang fights once or twice a year and 12% said there were gang fights at least once a week.
- o High school seniors were the least likely students to be crime victims. ninth grade students were more likely to be crime victims than were students in all higher grades.
- o Victims of violent crimes were about 3 times as likely as nonvictims to report they were afraid of being attacked at school (53% versus 19%). The overwhelming majority of students who had not been victimized reported no fear of attack, either at school (81%) or on the way to and from school (87%).

1991: Bureau of Justice Statistics
Teenage Victims: A National Crime Victimization Survey
Report

This report presents information on crimes of violence and theft collected by the National Crime Survey (NCS) for 1985 to 1988. The NCS obtains information about crimes, included those not reported to the police, from individuals age 12 or older in a nationally representative sample of households.

- o From 1985 to 1988, persons age 12 to 19 were victims of 1.9 million crimes of theft annually. Teenagers were much more likely than adults to be victims of crimes of violence. On average, every 1,000 teenagers experienced 67 violent crimes each year, compared to 26 for every 1,000 adults age 20 or older.
- o About one-half of all violent crimes and 63% of crimes of theft against teens age 12 to 19 took place on the street, in a school building or on school property. Street crimes were 3 times more likely than crimes in school buildings to have been committed by an offender with a weapon (37% versus 12%).
- o Adolescents age 12 to 15 were about twice as likely as older teens to experience crimes in a school building or on school property. About 37% of violent crimes and 81% of crimes of theft against younger teenagers occurred at school, compared with 17% of the violent crimes and 39% of the crimes of theft against older teens.
- o Police reporting rates for violent crimes against teenagers were much higher for incidents that occurred on the street than for those at school. About 37% of violent crimes that occurred on the street were reported to the police, compared with 9% of violent crimes that took place in school buildings and 22% of those on school property.
- o Many crimes taking place in school may not have been reported to the police because school officials had been notified and had resolved the incidents. 37% of the violent crimes in school buildings and 32% of those on school property, the police were not called primarily because the crime was reported to someone else, compared to 5% of street violent crimes.

1990: Texas A&M University

Rural Communities Near Large Metropolitan Areas: Safe Havens from Adolescent Violence?

Participants in the study were 1,004 eighth- and tenth-graders from 23 small Central Texas communities.

- o More than one-half of the boys (53.2%) and one-fifth (20.5%) of girls reported having been in at least 1 physical fight involving weapons during the previous year. One-fifth of boys and 6.4% of girls said they had been in 3 fights.
- o One-fourth of the students said they had carried a weapon at school in the past year.
- o Slightly more than 6% of the boys said they had carried a handgun and 1.6 % said they had carried one nearly every day.
- o 42.3% of the students said they could get a handgun if they wanted to.
- o While at school or on a school bus during the previous year, 34.1% of students reported having been threatened with bodily harm thought not actually hurt, 15.2% claimed that they had something taken from them by force or threat of bodily harm, 14.1% said they had been physically attacked and 6.8% admitted that someone tried to force them to have sex when they did not want to.
- o More than 20% felt that threatening to use a weapon would help prevent fights. Nearly 17% thought acting tough would deter altercations.

Progress Report: 15 July 1994

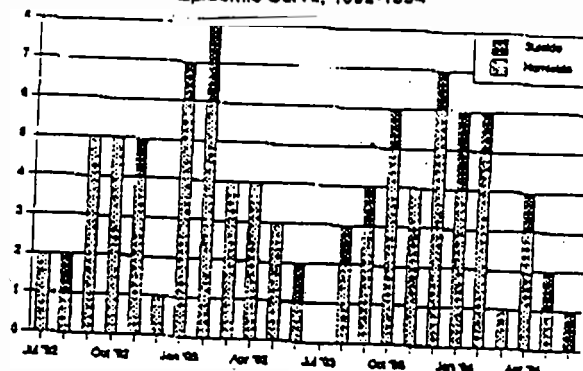
School-Associated Violent Deaths, United States, 1992-1994
CDC IRB Protocol # 1321

Background. The Division of Violence Prevention (DOVP) is working with the U.S. Departments of Education and Justice and the National School Safety Center to complete a descriptive study of violent deaths that occur in--or on the way to or from--elementary, middle, and secondary schools in the United States. The objectives of the investigation are: 1) to estimate the risk of school-associated homicide, suicide, and firearm-related fatality; and 2) to identify common features of these deaths. The study will rely on existing public records and interviews with law enforcement officers, school officials, and local journalists involved in the investigation of each case.

Progress to Date. The study protocol has been drafted and approved by the CDC Institutional Review Board. Pilot testing of the interview instrument has been completed and the final instrument is being prepared. The study will include cases that occurred between 1 July 1992 and 30 June 1994. As of 15 July 1994, a total of 176 potential cases have been identified. Of these, 92 have been confirmed, and 23 remain under investigation. Preliminary findings in the table below are limited to confirmed cases.

Figure One shows the Epidemic Curve from July 1992 through June 1994. A map of case locations appears on the following page.

Fig.1 School-Associated Violent Deaths
Epidemic Curve, 1992-1994



Variable	Results			
Age	< 20 years:	61 (81%)	≥20 years:	14 (19%)
Gender	male:	77 (86%)	female:	13 (14%)
Cause of Death	homicide:	76 (83%)	suicide:	16 (17%)

Time-Line to Completion of Project.

June, July 1994

August, September 1994

October, November 1994

January 1995

Complete case finding and confirmation.

Data collection, preliminary analysis (frequencies).

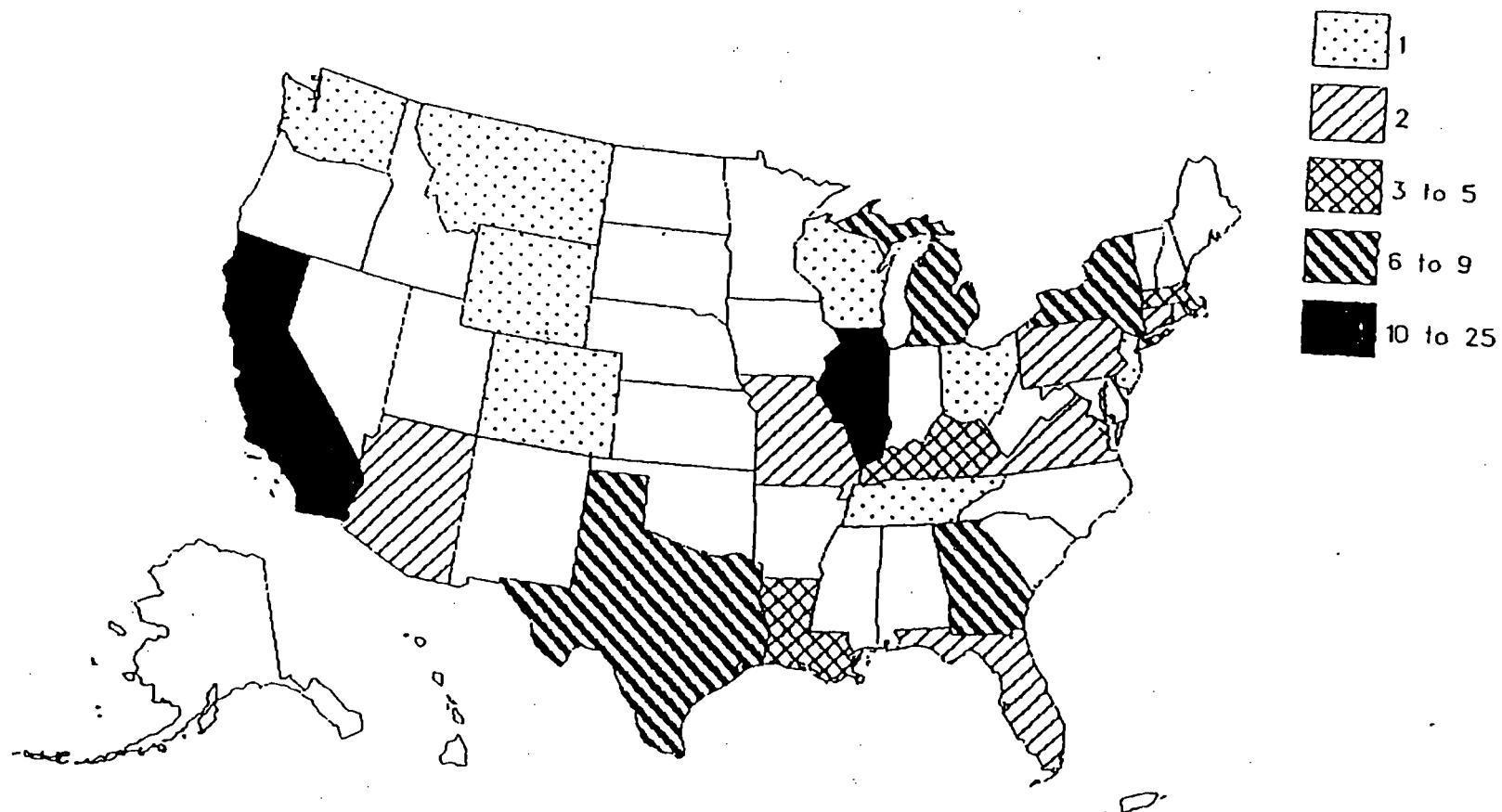
Data analysis.

Prepare final report, MMWR publication.

School-Associated Violent Deaths Case Finding Progress

15 July, 1994

Confirmed Cases, N=92



TO : Interested Parties
FROM : Bill Modzeleski
SUBJECT : Sample of Specific Gun Incidents at Schools

In order to help illustrate the types of gun specific offenses that occur in our schools I have pulled examples from our data base. The incidents listed are from the 1993-1994 school year. As can be seen from the incidents they occur in every part of the country, during every part of the year, and in a variety of different grades. Further, the data shows that gun incidents range from possession to homicide.

SAMPLE OF SPECIFIC GUN INCIDENTS IN SCHOOLS:

FOR THE

1993-1994 SCHOOL YEAR

SEPTEMBER

o Fairfax County, Virginia (September 1993): A 14-year old youth was charged with carrying a concealed weapon (.25 caliber Beretta automatic) at Annandale High School. The youth was held in the youth detention facility.

o Washington, DC (September 1993): A 14-year old District Youth was held on charges that he and another young male allegedly fired at least 15 shots outside Shaw Junior High School as classes ended. No one was injured but on the second day of classes the incident sent students running for cover.

o Atlanta, Georgia (September 1993): A ninth-grade student (Marcus Taylor age 15) died after being shot in a crowded lunchroom at Atlanta's Harper High School by another student with whom he had been feuding for months. Another 10-grader was wounded in the shooting. The student was shot with a .22-caliber handgun that was obtained from home. The two students who were shot attacked the perpetrator earlier in the week. About 150 students were in the cafeteria when the shooting began.

This is the first student homicide at a metro school since 1989, when a Harper High student was fatally beaten by another student. incidents involving guns--while still relatively rare--are an increasing concern. A recent poll by the Journal-Constitution found that one out of every three children in metro Atlanta knows someone who has brought a gun to school.

o Dallas, Texas (September 1993): A 15-year old Dallas student was fatally shot by a fellow student in a crowded hallway at Roosevelt High School. DeMarkous McLemore, known by the nickname of "Ice Cream" was shot under the chin at point-blank range in what police call a continuing dispute. A 16-year old youth, identified as the shooter, turned himself into police later in the day. The principal of Roosevelt stated that they used metal detectors-- Roosevelt has two walk-through metal detectors, including one that is battery-powered, and several hand held scanning wands--virtually every day for the last two school years. However, the detectors were not in use the day of the shooting because they did not work. This is the second incident in the Dallas area. In August (1993) a Colony High School student (located in the Lewisville school district) was shot in the shoulder at a school orientation program.

o Los Angeles, California (September 1993): A 15-year old boy, an innocent bystander to an argument, was shot and critically wounded at Dorsey High School in Southwest Los Angeles, as classes resumed for the new school year. The shooting occurred as 2,000 students were queuing up to register for classes. The victim was seeking a permit to transfer to Dorsey from his home school in central Los Angeles when an argument between three youths and another student broke out. The three youths returned to the school and fired into a crowd of students.

o Sheridan, Wyoming (September 1993): A man walked onto a school field today with a rifle and a handgun and started firing at children in a gym class, wounding four before killing himself. Two of the students were hospitalized, but none were seriously injured. Kevin Newman, 29 shot at random at sixth- and seventh-graders and died at a hospital later. No reason was given for the shooting, except that Mr Newman recently received a less than honorable discharge from the Navy.

o Montgomery County, Maryland (September 1993): Four Montgomery County high school students have been arrested in separate incidents in the past week for bringing unloaded guns to their schools. The students have been charged with possession of a deadly weapon and recommended for expulsion. The handgun and two pellet guns were seized at three separate high schools. In the 1992-93 school year 15 BB guns and 5 handguns were seized.

o Junction City, Kansas (September 1993): A 14-year old freshman girl eating lunch at the Junction City Senior high School cafeteria was accidentally shot once in the head after an argument between two boy resulted in gunfire. A 15-year old was arrested for the incident. The youth was arguing with another 15-year old when the youth pulled a semi-automatic pistol and shot toward the ceiling. The bullet ricocheted off the concrete ceiling and hit the girl in the head.

o Boise, Idaho (September 1993): A parent surrendered to police after he pulled a gun to rescue his teen-age son, who was losing a fight in a school parking lot.

o Pheonix, Arizona (September 1993): A carload of gang members seeking revenge sneaked onto the campus of South Mountain High School and fired four pistol shots, missing their target but wounding a 16-year old girl who was minding her own business. The shots scattered the lunch-hour crowd millon near a cluster of temporary classrooms.

o Lawndale, California (September 1993): A 17-year old student was shot after an argument with purported gang members near the entrance to Leuzinger High School (Centinela Valley Union High School District). This was the second such shooting at an area school in two weeks. The student was shot with a semiautomatic pistol after he and a friend got into an argument with the gang

earlier in the day.

o Riverside, California (September 1993): A fight between members of two gangs triggered a shooting in front of Poly High School. A 16-year old 10th grader was hit in the arm by the bullet. The Poly incident follow other violence at Riverside schools in the past year. Last May, a brawl among teens outside Norte Vista High School, in the Alvord Unified School District left one 17-year old Norco youth with a serious stab wound. Some of the combatants fired shots as they fled the scene. In March, a 16-year old Norte Vista student was arrested after authorities confiscated a loaded .22 caliber pistol from his pocket.

OCTOBER

o Harrisburg, Pennsylvania (October 1993): Four Linglestown Junior High School students were expelled after a semi-automatic handgun was found in a school locker and a stolen gun was recovered in a student's home. The weapons--one a gift from a parent, were in the school on the same day and were shown off to other students. This was the second incident of students with guns this year in the district of 10,000 pupils. In March, a 12-year old sixth-grader was arrested after he took an unloaded gun to Tri-Community Elementary school and pointed it at other students. At Shippensburg Junior High School this month (October 1993) a student was expelled after he allegedly displayed a semi-automatic gun in the high school parking lot.

o Los Angeles, California (October 1993): Two Woodbridge High School students were suspended after one of them brought a semiautomatic handgun on campus and accidentally fired it during a biology class. No one was injured during the incident which occurred following a dare between two boys. One of the boys brought a 9mm handgun to school on a dare. The boys were playing with the gun when they released the hammer on what they thought was an emptied handgun. It went off but did not hit anyone.

o Baltimore, Maryland (October 1993): Responding to teachers fears about disruptive students and threats of violence, Baltimore school officials will close Frederick Douglass High School for two days to provide training on how to deal with unruly students. The decision to close the school comes after several gun possession arrests--three involving students on school property and heightened fears after a brawl last month at a mall parking lot across the street after school was dismissed.

o Pendleton, Oregon (October 1993): A seventh grade boy pointed a loaded .30-caliber rifle at his home room teacher during morning announcements at Armand Larive Junior High School. The male teacher was able to divert the boy's attention and take the rifle away. The rifle was not fired and no one was hurt. Eighteen other students in the class witnessed the incident.

NOVEMBER

o Fort Lauderdale, Florida (November 1993): A 17-year-old student, angry at being suspended, shot at an assistant principal with a stolen handgun. The suspension stemmed from the student throwing an empty soda can into a classroom. When the classroom teacher told him to pick it up, the student responded with an obscenity. The student, a junior, was arrested a short time later a few blocks from the school. No injuries were reported.

o New Britian, Connecticut (November 1993): A masked gunman shot and critically wounded a student in front of New Britian High School just before classes began. The victim, Miguel De Jesus, 18 years old, was a member of the Latin Kings street gang. He was in critical condition and near death in the hospital's intensive care unit after surgery for multiple gunshot wounds. Mr. DeJesus was returning to school for the first time after a two-week suspension for fighting, was shot as he walked into the building's entrance as school buses were arriving. He was shot by several assailants who jumped out of a car. The shooting caused a considerable amount of disruption at the school, many parents arrived to take their children home.

o San Francisco, California (December 1993): A high school sophomore, relentlessly bullied and tormented by classmates, apparently took matters into his own hands and shot another student in the stomach with a .25-caliber pistol. The 15-year-old suspect was booked into a Santa Clara County juvenile hall and charged with attempted murder and bringing a gun to school. The victim, also 15, was reported to be in serious but stable condition.

o Harrisburg, Pennsylvania (December 1993): Three students at Red Lion Area High School were charged with stealing guns from a firearms collector and selling them to other students or adults for prices as low as a pack of cigarettes.

o Chelsea, Michigan (December 1993): A Chelsea high school teacher walked out of a meeting at Chelsea High School and came back with a gun about an hour after classes ended for the day and fatally shot the school superintendent Joseph Piasecki, 47. Wounded were Principal Ronald Mead and union representative Philip Jones.

JANUARY

- o Washington, DC (January 1994): A 14-year-old student, apparently trying to settle a week-old shoving match, pulled out a .44-caliber revolver and threatened to kill another student. No shots were fired. The youth was ordered by the courts to a maximum-security youth facility, pending trial on assault and weapon charges.
- o Norfolk, Virginia (January 1994); Gerard Edwards a freshman at Norfolk State University was shot and killed while he slept in his dorm room, his roommate was also shot and is in critical condition. Another student was arrested for the murder. The shooting followed two altercations between students from Washington and students from New York.
- o Dade County, Florida (January 1994); A metal detector crew removed a fully-loaded pistol from a seventh-grader's sock at Jose Marti Middle School. A tip from a conscientious student-not the random weapons sweep--deserves credit for the discovery. A student in the Hialeah school's Crime Watch club reported that she saw the 13-year old boy handling the semi-automatic .25 caliber handgun. The school district's metal detector squad had just finished a sweep of three classrooms and a hallway and was about to leave when they were asked to run a baton over the boy.
- o Atlanta, Georgia (January 1994): Three Atlanta teenagers were arrested after a high school basketball game between rivals led to a gun battle that left one student dead and three wounded. A 17-year old supporter of the visiting Mays High School team was killed and two other teens wounded in front of hundreds of students in the parking lot of a shopping mall about a mile from the game's site. Police charged two 18-year-olds and a 19-year-old as parties to the crime. The youths were thrown out of a packed Douglas High School gym after a fight erupted at a concession stand. The students confronted each other late in the mall parking lot.

FEBRUARY

- o Kennard, Texas (February 1994): A 17-year-old high school student shot and killed himself inside his first-period classroom at a rural east Texas high school. School officials attempted to talk the student out of shooting himself, however, the student pointed the rifle at them and told them to leave. Shortly afterward, he turned the gun on himself. The student borrowed the rifle from a friend during a hunting season and slipped it into the school by hiding it in his pants leg.
- o Los Angeles, California (February 1994): Three teen-agers were wounded in a drive-by shooting after an apparent racial confrontation involving gang members in front of a school: gunfire hit an 18-year-old volunteer teacher's aide in the ribs, a 13-year-old student was wounded in the hand, and a 17-year-old student was shot in the foot. None of the injuries were fatal; all were in good condition.
- o Chelsea, Michigan (February 1994): A chemistry teacher shot a superintendent and wounded a principal and English teacher. He was arraigned on an open charge of murder and other charges. Apparently, the shooting took place shortly after a union grievance meeting regarding an informal personnel file the teacher accused the district of keeping on him.
- o Los Angeles, California (February 1994): A 15-year-old youth was arrested on suspicion of firing a sawed-off shotgun into a school bus last week, wounding a 12-year-old girl. The victim was not the intended target. The intended target was believed to be a gang member.
- o Woodland Hills, California (February 1994): A gunman sprayed bullets into a crowd of students gathered to watch a fight between rival classmates. Three students were wounded. Police arrested two 17-year old suspects for the attack.
- o Baltimore, Maryland (February 1994): A teacher was shot in the face during an apparent car jacking attempt as she left the school parking lot.
- o Latrobe, Pennsylvania (February 1994): A gunman held at least two teachers hostage on the second floor of a school for troubled youth. The man entered the Vincent School with a rifle about 7:15 am in search of his estranged wife, who is a teacher there. He took at least two women teachers and perhaps as many as four as hostage.
- o Seattle, Washington (February 1994): A teacher was found lying in the school hallway with a gunshot wound to the back. He later died. Neal Summers, 51, was shot around 6:20 am as he entered or was about to enter Whitman Middle School. There were no eyewitnesses to the shooting.

o Fauquier County, Virginia (February 1994): Five teenagers demanded sex this week from two girls outside a junior high school, and one of them aimed a 12-gauge shotgun at the girls when they refused. The girls, both 14, fled into Warrenton Junior High School and were not hurt. The car in which the teenagers were riding was found and later searched by police, they found it contained one shotgun, two pistols empty beer cans and small amounts of marijuana and crack cocaine. Four of the five youths attend Fauquier High School, they left school early and went to the junior high school, where the girls were waiting for a ride home from one of their parents.

o Washington, DC (February 1994): Police state that the gunfire that terrorized hundreds of students at two DC public schools apparently stemmed from two commonplace incidents: a dispute over a girl and a fight over a borrowed coat. In the Dunbar H.S. shooting, police state that a 17-year-old was seeking revenge against several other teenagers, for pinching his girlfriend. The result was a running gun battle that started in an empty third floor hallway and spilled onto the grounds of the school. At least 20 shots were fired during the melee. The 17-year-old was armed with a pistol that contained two so-called cop killer bullets. At Elliot Junior High School about four hours later, a teenager with a handgun brazenly stood in front of the school and fired at least eight shots at a fleeing student who apparently had failed to return an Eddie Bauer winter coat that had been borrowed the previous week from another student. Students, school officials and police site these two incidents as examples of violence becoming a common response to everyday slights.

o Washington, DC (February 1994): A 14-year-old student, apparently trying to settle a week old dispute, pulled out a .44 caliber revolver and threatened to kill another student on a crowded school playground in Southwest Washington. The 14-year-old aimed the pistol at the other student and repeatedly said: "I should kill you, I should kill you." The other student who had been tossing a football with other students said: "Go ahead and do what you have to do." The student stated that he figured that if he had been killed the other student would have signed his own death warrant. He stated, "I figured that if I were dead he'd be killed, and Heaven wouldn't be so bad a place." The confrontation at the Patricia Harris Education Center was interrupted by police.

o Orlando, Florida (February 1994): A gun carried by a fifteen-year-old high school freshman went off accidentally and shot another freshman in the left arm and chest. The student who was carrying the gun reported that he had bought it for ten dollars, and brought it to school for protection because other students had been picking on him.

o Thousand Oaks, California (February 1994): Two Westlake High School football players were wounded during a shooting on a

Thousand Oaks street corner, as animosity between teen-age rivals led to after-school bloodshed for the second time this week in Ventura County. The two juniors were shot at noon just outside North Ranch Park, where they and a dozen friends had converged to watch a scheduled fistfight between two other Westlake High students. The incident began after at least 30 students gathered in a park after completing final exams in the morning, they expected to see a one-on-one punching match between a junior football player and a sophomore student at the park (which is about 2 miles from the school). The sophomore arrived with friends and started beating the football player with a bat--when the player started to run one of his adversaries opened fire with a small handgun, spraying up to eight bullets into a knot of frightened, onlookers.

o Fort Meyers, Florida (February 1994): A teacher who resigned citing stress fatally shot his former superintendent and then turned the gun on himself. Lee County Schools Supervisor James Adams was shot five times outside his office after greeting gunman Larry Shelton by offering to shake hands. After shooting the superintendent Mr Shelton left the building and killed himself in a nearby parking lot. Although Shelton resigned last fall from a job teaching special education, he had since applied for a new teaching position with the district.

o Los Angeles, California (February 1994): A South Gate kindergarten teacher brought a loaded handgun to school and threatened to saw off a shot gun and mow down teachers in the faculty lounge, then kill himself. His bail was raised to \$1 million after police found other weapons in the home he shares with his parents.

o St. Louis, Missouri (February 1994): Ten youths--at least two carrying pistols--burst into a sophomore English classroom at Beaumont High School and threatened to kill a student. The student escaped by jumping out a first-floor window. The confrontation in the classroom immediately followed a gang fight among 12 youths in the Beaumont cafeteria. Some of the students fighting were from outside the school.

o Pittsburgh, Pennsylvania (February 1994): A dispute between two youths known as neighborhood bullies culminated in gunfire inside and outside a bus crowded with Elizabeth Forward Middle School students. One of the youths, Jeffrey Turner 13 of Forward was shot in the forearm. His attacker was injured when the slide of his fathers .45 caliber semiautomatic handgun moved back to reload the weapon and sliced his thumb.

o Whitter, California (February 1994): A 15-year old boy was shot in the back at a high school campus in Whitter, the apparent victim of a gang attack. The shooting happened after 4:00pm when a group of youth in a car drove up to the victim as he stood on a playing field at Frontier High School. He was shot with a .380 caliber handgun.

o Frederick, Oklahoma (February 1994): Several students left school early due to rumors of gang activity and a planned drive-by shooting on school grounds. The rumors were the result of building tensions after a neighborhood shooting exchange and then a fight on the school grounds. School officials and students are concerned about the effect these few students are having on the climate of the school and the neighborhood.

o Detroit, Michigan (February 1994): Three students, in separate incidents, carried weapons in a high school and two junior high schools. A loaded .38-caliber handgun was found in a high school student's duffel bag, a .45-caliber revolver was brought to school by a junior high student and a BB gun was fired in a lunchroom at another junior high school. No injuries were reported.

o Des Moines, Iowa (February 1994): Two students were arrested on gun possession charges. One of the boys was carrying a .32-caliber revolver and the other was carrying a .357 Magnum revolver. Neither gun was loaded. Apparently the reason why the students carried the guns was to protect themselves; exactly what they were protecting themselves from could not be identified.

o Muskegon, Michigan (February 1994): A ten-year-old students at Carr Elementary School aimed an unloaded but realistic-looking BB gun at two classmates, threatening to shoot them. The child was said to be an intense follower of an "outlaw-type rap singer," and told police that he thought jail would be a fun place to be.

o Washington, DC (February 1994): A 14-year-old student, apparently trying to settle a week-old shoving match, pulled out a .44-caliber revolver and threatened to kill another student. No shots were fired. The youth was ordered by the courts to a maximum-security youth facility, pending trial on assault and weapon charges.

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o Tulsa, Oklahoma (February 1994): The superintendent of Tulsa schools closed the campuses of all the district's high schools after three East Central High School students were shot at a fast-food restaurant near campus. The decision to close the campuses was also based on concern that students might use lunch hour to bring weapons, drugs or alcohol onto school property. State school administrators were advising all public school districts to close their campuses.

o Detroit, Michigan (February 1994): A special education student was shot to death in his car in the parking lot of Osborne High School. The student, who was said to be well-liked and a good student, was the second in his family to be shot. Police cited the incident as proof of the need for improved school security.

MARCH

o Washington, DC (March 1994): An 8 year old boy was charged by police with carrying a loaded gun to school, showing it to his friends and firing it. No one was injured in the incident which occurred near the playground swings at Webb Elementary School. The boy told police he thought it was a cap pistol. The incident is the fifth time a weapon has discharged inside or on the grounds of a DC public school since school began.

o Woodland Hills, California (March 1994): A school district police officer shot and wounded a man who tried to run him down in the El Camino Real High School parking lot. The man, who was a suspected auto-thief, was shot once in the thigh.

o West Palm Beach, Florida (March 1994): A thirteen-year-old student at John F. Kennedy Middle School left a basketball game on school grounds and returned soon afterwards carrying a gun with which he shot two of his schoolmates. The incident was apparently a continuation of a fight over a video game. After the shooting, the boy sat down under a tree, and told school officials that he had done it because "I have the devil in my eyes."

o Washington, DC (March 1994): D.C. police arrested a city vocational school student in an attack on another student that led to the pistol-whipping of one school security guard and the beating of another after they broke up the fight. The incident occurred at the entrance to Margaret Murray Washington Vocational Health School. A 17-year old girl was charged with assault with a dangerous weapon after she attacked another student. The victim received bruises on an hand and an arm. The fight was broken up by security personnel. However, a short time later, a brother of one of the students went to the school with a friend and started fighting with the aides. One security officer suffered head injuries, when one of the males pulled out a revolver and pistol-whipped him.

o Boston, Massachusetts (March 1994): A 14-year-old freshman and an 11-year-old were nabbed with a sawed-off shotgun after a chase. The school principal noticed some youngsters leaving the school and racing away, and alerted school police. Two officers followed the kids and then observed the 14-year-old driver and passenger. The young driver tried to run away when the police approached the car. The youth claimed that the car was owned by a cousin, but police later learned it belonged to a resident.

o Des Moines, Iowa (March 1994): A loaded .2-caliber handgun with a 2-inch barrel was taken from a middle school student. The student brought the gun from home. The weapon had been in a file cabinet in his brother's bedroom. The reason the student took the gun to school was unknown.

o Boston, Massachusetts (March 1994): A 15-year-old high school freshman pulled a loaded .38-caliber snub-nosed revolver on two unarmed school police officers. The officers wrestled the weapon away and no one was hurt. The youth was charged with illegal possession of a firearm and illegal possession of a controlled substance with intent to distribute.

o Los Angeles, California (March 1994): A school police officer shot and wounded a man who tried to drive over the officer while helping an accomplice steal a car from the school's parking lot. The assailant was arrested after crashing into a barrier as he tried to escape.

o Los Angeles, California (March 1994): A kindergarten teacher was rearrested for threatening teachers and the principal of Montara Street Elementary School, after having been arrested a week earlier for bringing a loaded weapon into school property. Parents were concerned because they had not been notified the first time the teacher was arrested.

o San Francisco, California (March 1994): The school district of San Francisco offered a reward for information regarding the shooting death of a student from Wallenberg High School, the first time this technique had been used by the school district. Information was sought regarding four young men who had been involved in a fight with Robert Tran and his friends. The fight had broken up, but a few minutes later the group of four returned and shot Tran.

o Washington, DC (March 1994): An eight year old boy was arrested for carrying a gun to Web Elementary School. He showed the gun to several friends just before classes began. Apparently, the gun went off when the boy and friends were handling it. No one was injured in the incident. The child told school officials that he had found the .22-caliber handgun near his home in Lincoln Park and took it to school with him.

o Detroit, Michigan (March 1994): Gang members slipped through locked doors and metal detectors at Northwestern High School to pistol whip a member of another gang and shoot up a gymnasium in front of students. The incident was apparently in retaliation for a fight which the attacking gang had lost earlier in the day.

APRIL

o San Francisco, California (April 1994): In response to a man shooting a pistol into the air across the street from where elementary school kids played in the playground, children at the school were taught how to duck and cover from random gunfire.

o Portland, Orleans (April 1994): A seven-year-old child was charged with possession of a firearm after he brought a semi-automatic pistol to school to settle a dispute with a classmate. At one point during the exchange, the boy pointed the gun at the other student, and police say that he may have pulled the trigger, but the gun would not have gone off because the chamber was empty. They note that the situation was dangerous, however because the other six chambers of the gun were loaded.

o Prince George's County, Maryland (April 1994): A teacher at Largo High School was shot and seriously wounded in a school bathroom.

o Los Angeles, California (April 1994): A high school student was shot and killed outside of Century High School in what appeared to be a gang-related revenge attack by a boy who had recently lost a fight to the victim.

o Omaha, Nebraska (April 1994): Acting on a tip from other students, the principal of Harry Anderson Middle School searched the locker of a 13-year-old student and found an unloaded gun and 500 bullets. The boy was said to have brought the gun to school to lend to a 14-year-old who had lost a fight a few days earlier. The 13-year-old was sent home to his parents, and the 14-year-old was sent to a juvenile detention center.

o Pullman, Michigan (April 1994): A fourth grader was suspended from Pullman Elementary school for bringing a gun to school and showing it to other students on the school playground. The boy said he got the gun from a family friend.

o Dallas, Texas (April 1994): During a class on emergency medical treatment, students were startled by a gun shot which pierced through the classroom wall and wounded two people. The class was applauded for its willingness to help its injured classmates, despite the possibility that there could have been additional bullets. Three 16-year-olds were arrested in connection with the stolen gun which shot the stray bullet.

o Los Angeles, California (April 1994): A 10-year-old boy pulled a .380 caliber semiautomatic pistol from his backpack, then pressed it against his temple. The handgun was owned by his father, who kept it stashed under a mattress. The only possible clue to the boy's grief was a one-day suspension he had received from one of his teachers.

o Prince George's County, Maryland (April 1994): An argument over a girl led to a fight between two National Christian Academy students. The fight ended when one student shot and critically wounded the other. The incident took place in full view of a group of students. The shooter was charged with assault with intent to murder, among other charges.

o Harrisburg, Pennsylvania (April 1994): A middle school student who allegedly brought a sawed-off shotgun to school successfully evaded police after his gun was confiscated. This was the 23rd gun which had been found in midstate Pennsylvania schools during the academic year.

o Butte, Montana (April 1994): A ten-year-old boy shot a gun onto a crowded playground at Margaret Leary Elementary School. The shots, which were made in an attempt to settle an argument, hit an 11-year-old fifth grader who was standing next to the intended target.

o Los Angeles, California (April 1994): An 11-year-old boy died after being shot in the head by a classmate on a crowded elementary school playground. He was standing next to the intended target and about 10 feet from the shooter. The shooting resulted from a 10-year-old boy being upset over an argument from the previous day and therefore fired a pistol three times.

o St. Louis, Missouri (April 1994): A .25-caliber semiautomatic pistol was found in a locker at a magnet high school. The gun was the fifth confiscated within a two year time frame. The student was expelled.

o Butte, Montana (April 1994): Jeremy Bullock, 11 died a day after being shot in the head by and angry 10-year-old classmate on a crowded elementary school playground in Butte, Montana. The 10-year old was being held at a psychiatric center.

o Prince George's County, Maryland (April 1994): A teacher came upon a 17-year-old youth with a gun in a bathroom of Largo High School. The youth shot the teacher. The teacher was in critical condition. The gun used in the incident belonged to the youth's father who is a county police officer.

o Prince George's County, Maryland (April 1994): A 9-year old student emptied his book bag and discovered his father's loaded handgun stuffed in amid the other items. The boy turned the gun over to his teacher at Magnolia Elementary School in Landam, no one was injured. The boy's father, a US Park Police officer used his son's bookbag to store his 9mm Heckler and Koch weapon.

o Prince George's County, Maryland (April 1994): A high school student at a parochial school in Prince George's County was shot and critically wounded in a classroom after he and another student argued over a girl. The shooting at the National Christian Academy in Oxon Hill, occurred shortly before 11:30 am

and in full view of students who had just been dismissed from a physical science class. As the class began to empty, Quentin Carson, 16, approached another youth as he stood talking with a group of friends. An argument ensued, and Carson pulled a .22-caliber revolver from his waistband and fired three shots into the chest of Rodriguez Durden, 17, an honor student. Mr Durden was rushed to the hospital in critical condition.

o Rockville, Maryland (April 1994): Two 14-year old students were arrested at a Rockville middle school and charged with possession of a handgun after a loaded revolver was found in a locker. The students were arrested at Parkland Middle School. The gun was brought from home--it was a loaded .38-caliber.

o Burke, Virginia (April 1994): A 13-year old girl took a handgun to Lake Braddock Secondary School after firing it in a friends house while playing with it. The girl took the gun to school at 7:00 pm and gave it to a boy who placed it in his locker, a school administrator became aware of the incident and reported it to police.

o Washington, DC (April 1994): Police confiscated a semiautomatic handgun from a 12-year-old boy who brought the weapon to school to win a bet. The boy brought the gun to Walker-Jones Elementary School. The student bet other students that he could bring a gun to school.

o Newark, New Jersey (April 1994): In two weeks, Paterson high schools experienced two major incidents of violence. A student in one high school was found with a loaded gun and a metal pipe. Also, a girl at another high school in the district set her math teacher's hair on fire with a cigarette lighter. The teacher lost an inch of hair and had to be treated by the school nurse.

o Dallas, Texas (April 1994): A student at Lanier High School accidentally shot himself while loading a gun he was carrying. He had the gun to use as protection for himself and two friends against gang members who had confronted the three boys earlier in the day.

o Norristown, Pennsylvania (April 1994): A thirteen-year-old boy allegedly shot a twelve-year-old schoolmate in the face as she got off the school bus. The girl's condition was listed as serious at a hospital after the incident. Other students at East Norristown Middle School reported that the tall, popular girl had a history of taunting the frail boy, by putting lipstick and hairspray on him and beating him up.

o Oakland, California (April 1994): During a religion class at Patten Christian Academy, a man burst into the classroom with two shot wounds in his arm and shoulder. A few minutes later, two men suspected of shooting the unexpected visitor arrived at the school, peeking in rear windows looking for the victim, and yelling at him. The fight apparently broke out over a mutual

girlfriend.

o Los Angeles, California (April 1994): Two days after shooting himself once in the temple, a ten-year-old boy was taken off life-support systems at Los Angeles County-USC Medical Center. The boy shot himself a day after he received a one-day suspension for using profanity in class. He had been given a note asking his parents to come in to discuss the incident, but he never gave the note to them. He brought the gun and ammunition from home in his backpack. The District Attorney was considering bringing charges against the boy's father, who owned the gun.

o Los Angeles, California (April 1994): Two high school students were shot in a pre-arranged fight, to which both sides brought baseball bats, 2-by-4s and other weapons including guns. One was shot in the back of the head and another in the shoulder. Both were expected to recover fully.

o Harrisburg, Pennsylvania (April 1994): A student was accidentally shot in a high school lavatory when another student dropped a .22 caliber handgun while displaying it. The victim was wounded in the leg. The 16-year-old assailant possessing the handgun was not arrested or charged.

o Robards, Kentucky (April 1994): A 12-year-old boy shot and killed himself while teaching his 7-year-old brother how to play Russian roulette. The youth were at home alone waiting for their school bus when the 12-year-old got a .38-caliber pistol from his parent's bedroom. The parents had left for work.

o Harrisburg, Pennsylvania (April 1994): A 13-year-old, frequently taunted by students on the bus, carried a .25 caliber semiautomatic pistol to school and shot it through the school bus window. The shot critically wounded a 12-year-old student departing the bus. The youth was charged with attempted murder, assault, and weapon possession.

MAY

o Nashville, Tennessee (May 1994): A 13-year-old student was shot in the head while he and other students in his class watched a video. He was taken to a local hospital, where he died about an hour after the shooting. A 14-year-old student, who was seated behind the victim and apparently a friend of the victim, was charged with criminally negligent homicide in the shooting, as well as weapons possession. The incident appeared to be an accident.

o St. Louis, Missouri (May 1994): While walking to school with his aunt and five-year-old cousin, a seven-year-old boy was shot in the leg. Police believed that the shot was fired from a passing car, and was meant for someone else.

o Prince William County (May 1994): A man walked into a Prince William County special education school, allegedly brandished a 9mm handgun at the principal and demanded to see his 4-year old son, who attends the school and is in his mother's custody. The principal talked to the man until police, alerted by a school secretary, arrived and arrested the man. No one was injured.

o New York, New York (May 1994): A 15-year old girl was shot in the head on a sidewalk in front of Springfield Gardens High School as school was about to begin. A 16-year old youth was arrested for shooting the girl. He told police he was testing a new gun by firing it in the air a half block from the school. The girl is in critical condition and while she is expected to live she is in danger of losing her eye.

o Miami, Florida (May 1994): A student at a North Miami high school was charged with the shooting death of another student in the parking lot of the school. The accused student said that he was holding the gun for a friend, and police believed that the shooting may have been accidental.

o Nashville, Tennessee (May 1994): A 13-year-old student was shot in the head while he and other students in his class watched a video. He was taken to a local hospital, where he died about an hour after the shooting. A 14-year-old student, who was seated behind the victim and apparently a friend of the victim, was charged with criminally negligent homicide in the shooting, as well as weapons possession. The incident appeared to be an accident.

o San Francisco, California (May 1994): A twenty-four year old man was arrested on the grounds of an elementary school carrying a duffle bag containing a sword, a knife, and a flare gun, as well as other weapons. The man told police that he intended to sit outside the school and "admire his weapons."

o Memphis, Tennessee (May, 1994): Two boys, ages 12 and 13,

pulled a gun in a classroom and robbed a teacher of nearly \$4,000 collected to finance student activities. One youngster was surrounded by police armed with shotguns after he fired a pistol at a one of the pursuer. The other escaped. Police found a .357-caliber Magnum revolver. Where the youth obtained the weapon was unknown.

o Hayward, California (May 1994): Four youths drove onto the campus of Mt. Eden High School and shot into a group of P.E. students near the gymnasium. An 18-year-old student was struck by a bullet under the left armpit. Students did not know who the gunmen were.