Using Lessons Learned To Prevent School Violence

December 6, 2021

By: Vito Gagliardi, Jr.

Porzio School Update

Co-authored with Kevin Craig, Porzio Compliance Services, LLC

"Those who cannot remember the past are condemned to repeat it." This quote by Philosopher George Santayana has been used in a variety of contexts throughout history holds significant meaning when considered in the context of school violence.

For decades, school leaders, law enforcement officials, parents, students, and communities that have experienced tragic incidents of targeted violence in schools have provided insights, after-action reports, and "lessons learned" from their experiences. Government agencies, non-profit organizations, task forces, and researchers have convened to identify commonalities among these violent acts to develop best practices to prevent, respond to, and recover from violence in schools. After decades of research and advocacy for safer schools, acts of violence continue to go unmitigated despite an abundance of guidance on the subject.

On November 30, 2021, a mass shooting occurred at Oxford High School in Michigan. This incident, the deadliest U.S. school shooting since May of 2018 at the Santa Fe High School in Texas, resulted in the death of four teenagers and multiple others injured. While the facts of each incident are unique and details of the Oxford shooting continue to emerge, a number of commonalities have been identified that raise the question, "Could this incident and others like it have been prevented?" "What measures can schools take to prevent school violence?" and "What actions can school officials legally take when concerns exist around student behavior and potential threats to themselves or others?"

Common Themes Emerge

The U.S. Secret Service and U.S. Department of Education released a guidance document in 2004 (https://www2.ed.gov/admins/lead/safety/threatassessmentguide.pdf), revealing ten key findings, including:

- Incidents of targeted violence at school are rarely sudden, impulsive acts.
- Prior to most incidents, other people knew about the attacker's idea and/or plan to attack.
- Most attackers did not threaten their targets directly prior to advancing the attack.
- There is no accurate or useful "profile" of students who engage in targeted school violence.



- Most attackers engaged in some behavior prior to the incident, that caused concern or indicated a need for help.
- Most attackers were known to have difficulty coping with significant losses or personal failures. Many had considered or attempted suicide.
- Many attackers felt bullied, persecuted, or injured by others prior to the attack.
- Most attackers had access to and had used weapons prior to the attack.
- In many cases, other students were involved in some capacity.
- Despite prompt law enforcement responses, most shooting incidents were stopped by means other than law enforcement intervention.

These findings have been more recently validated by a study released by the U.S. Secret Service in 2019 (https://www.secretservice.gov/sites/default/files/2020-04/Protecting_Americas_Schools.pdf.) Additional findings based on decades of research between the two studies were also identified. These findings include:

- There is no profile of a student attacker, nor is there a profile for the type of school that has been targeted.
- Most attackers used firearms, and firearms were most often acquired from home.
- Most attackers had experienced psychological, behavioral, or developmental symptoms.
- Half of the attackers had interests in violent topics.
- All attackers experienced social stressors involving their relationships with peers and/or romantic partners.
- Nearly every attacker experienced negative home life.
- Most attackers were victims of bullying, which was often observed by others.
- Most attackers had a history of school disciplinary actions, and many had prior contact with law enforcement.
- All attackers exhibited concerning behaviors. Most elicited concern from others, and most communicated their intent to attack.

Since the Oxford shooting occurred less than a week ago, many details remain unknown or are publicly unavailable. Initial indications, however, point to many commonalities between this incident and previous school shootings. Indeed, initial information suggests:

- The shooting was planned and not an impulsive act. Law enforcement officials describe "A mountain of digital evidence" indicating the attack was premeditated.
- Other students saw social media posts and stayed home from school, indicating that others knew about the plan or at least suspected there was a threat.



- Social media posts displaying weapons, searching for ammunition on a school computer, and drawings depicting gun violence and disturbing images and writings observed by teachers caused concern and indicated a need for help.
- Media reports and student social media accounts indicate the shooter may have experienced bullying behavior.
- The shooter had access to weapons in the home.

Reports indicate that many of these warning signs were known by parents, school officials, and students before the incident. While family and protective factors, mental health, social stressors, and other potential issues remain unknown, the warning signs may provide further insight into the shooter's intent and motives. As these details emerge, questions of what was known and when will become key to determining whether this incident could have been prevented had actions been taken to interrupt the shooter's pathway to violence by providing appropriate and timely interventions.

School Violence Prevention

So the question remains, "What measures can schools take to prevent school violence?" There is an abundance of research to suggest that acts of school violence are preventable. Lessons learned from past school shootings point to a number of measures that may contribute to identifying and assessing behavior that may indicate the potential for violence. These measures include:

- Establishing a threat assessment and management team and process. When concerning behavior is brought to the attention of school officials, a multi-disciplinary team that includes administrators, counselors, teachers, mental health professionals, and law enforcement can be vital in determining if a student poses a threat to their own safety or the safety of others. By including a variety of individuals with different information and knowledge of the student, a complete picture of the student's potential for violence can be assessed and mitigation measures put in place. Identifying a threat is only the beginning. Ongoing support and management of the student must also be provided.
- Incorporate a centralized reporting mechanism. Research indicates that usually others knew of a shooter's plan or warnings existed to indicate that the individual posed a threat. Warnings are often identified in writings, drawings, social media posts, or other identifiable actions. Students, parents, teachers, and others must have a mechanism to report concerning behavior. Reporting mechanisms can be in-person, in writing, or through electronic reporting platforms, anonymous reporting applications, or a combination of these. It is important to train and encourage the school community to report concerning behavior and properly coordinate the reports through a centralized process to ensure that all reports are thoroughly investigated and assessed.
- **Partner with Law Enforcement.** Establish a threshold for law enforcement notification and intervention. While law enforcement should not be involved in routine school discipline, the threat assessment process is not discipline. Law enforcement can provide valuable information about a student's background outside of school, access to weapons, and other risk factors that may contribute to the threat assessment process. The



threshold can be included in a local Memorandum of Agreement between education and law enforcement officials and emphasize compliance with privacy laws.

- **Promote a positive school climate.** Bullying and persecution are common factors identified in school shootings. Fostering a positive school climate that encourages respect and empathy may mitigate acts of violence and create a more inclusive and safe school environment for all. Additionally, students who feel connected to their school community are more likely to communicate concerns to caring adults to also help mitigate acts of violence.
- **Provide training for the entire school community.** School safety requires training. Communities cannot reasonably expect students or staff to know how to report concerns, assess threats, or respond to emergencies without adequate training. The entire school community must understand the important roles they play in maintaining a safe school environment. Training the school community, including support staff and substitutes, will instill confidence and establish a culture of security awareness and responsibility.

Legal Aspects of School Safety and Violence Prevention

"What actions can school officials legally take when concerns exist around student behavior and potential threats to themselves or others?"

When presented with troubling signs like those identified prior to the Oxford shooting, school officials can and should remove the student from the school immediately. This is not a punishment or suspension, so no formal due process is needed. The justification is safety. The student technically is placed on home instruction – made so much easier now that video conferencing has been used so frequently for classroom instruction during the pandemic in the past two years – until a qualified mental health professional can determine that the student is not a danger to himself or others.

This approach is more complicated if the student is classified as being in need of special services. But the overall approach is the same: School officials need not predict the future, but they need to act when presented with evidence that something is amiss with a particular student. Too frequently in recent years, a failure to act after suspicions are raised has had deadly consequences.

Remember the Past and Lessons Learned

While it is unrealistic to believe that all incidents of school violence can be prevented, there is ample research to suggest that school violence is preventable if we recognize and act on the warning signs. Now is the time to prioritize school safety by implementing emerging best practices that focus on prevention and familiarizing our school communities and partners with the importance of security awareness and reporting potential threats. To fulfill our obligation to provide a safe school environment, we have to remember the past and use the lessons learned from these tragic events to continuously improve our safety and security measures. This is the only way to ensure that we are not "condemned to repeat" the past.

