



10-1-2020

A Call to Action: What Maryland Schools Are Doing to Protect Children and Why Other States Should Follow Suit

Kelsey Lear

Follow this and additional works at: <https://scholarworks.law.ubalt.edu/ublr>



Part of the [Law Commons](#)

Recommended Citation

Lear, Kelsey (2020) "A Call to Action: What Maryland Schools Are Doing to Protect Children and Why Other States Should Follow Suit," *University of Baltimore Law Review*: Vol. 50 : Iss. 1 , Article 5.

Available at: <https://scholarworks.law.ubalt.edu/ublr/vol50/iss1/5>

This Article is brought to you for free and open access by ScholarWorks@University of Baltimore School of Law. It has been accepted for inclusion in University of Baltimore Law Review by an authorized editor of ScholarWorks@University of Baltimore School of Law. For more information, please contact hmorrell@ubalt.edu.

A CALL TO ACTION: WHAT MARYLAND SCHOOLS ARE
DOING TO PROTECT CHILDREN AND WHY OTHER STATES
SHOULD FOLLOW SUIT

*Kelsey Lear**

I. INTRODUCTION.....	200
II. BACKGROUND	202
A. History of School Shootings.....	203
B. Recent Shootings	204
C. Great Mills High School	205
III. MARYLAND’S CALL TO ACTION.....	206
A. Maryland Safe to Learn Act (MSLA).....	206
1. Funding	207
2. Report on the MSLA of 2018	208
B. Commission to Study Mental Health and Behavioral Health in Maryland	209
C. Guidelines on Trauma-Informed Approach Bill.....	210
IV. FEDERAL RESPONSE AND OTHER STATES	211
A. Federal Approach	211
B. States	212
1. Florida.....	212
2. Texas.....	213
V. RECOMMENDATIONS AND IMPLICATIONS.....	214
A. School Security Measures: The Good, The Bad, and The Unthinkable	214
B. Mental Health Services: The Bare Minimum	216
C. Threat Assessments: The Necessary Evil	217
VI. CONCLUSION	219

I. INTRODUCTION

Gunshots ring out, screams are heard in the background, classrooms go on lockdown, and children are seen with tears in their eyes, embracing fellow students and calling loved ones.¹ This is the new, tragic reality for numerous educational institutions across the country and it's not showing signs of slowing down.² "It's the world now," responds a seventeen-year-old senior who heard shots during his English class, a shooting which resulted in the death of three fellow students.³ Many are asking whether this is the world as we know it, where living with the ever-present threat of gun violence is normalized.⁴ American students are saturated with the stories of those who suddenly lost their lives at the hands of a school shooter.⁵ In light of this prevalent issue and the 2018 high school shooting in

* J.D. Candidate, May 2021, University of Baltimore School of Law, B.S., Business Administration, 2014, Frostburg State University. I would like to thank Professor Donald Stone for his support and guidance throughout the writing process. I would also like to thank my friends and family for their continuous patience and love. Thank you to the *University of Baltimore Law Review* for their dedication to the journal and editing process. I dedicate this Comment to my parents, who both devoted their careers to educating the youth and have inspired this Comment topic.

1. See, e.g., Audra D. S. Burch, 'Are We Going to Die Today?' *Inside a Parkland Classroom as Bullets Flew*, N.Y. TIMES (June 6, 2018), <https://www.nytimes.com/2018/06/06/us/parkland-shooting-class-survivors.html> [<https://perma.cc/P9CS-34JB>].
2. See Christina Walker et al. *10 Years. 180 School Shootings. 366 Victims*, CNN (July 24, 2019), <https://www.cnn.com/interactive/2019/07/us/ten-years-of-school-shootings-trnd/> [<https://perma.cc/SWR9-9J5D>].
3. Jill Cowan et al., *Student Kills 2 at California High School*, N.Y. TIMES (Nov. 14, 2019), <https://www.nytimes.com/2019/11/14/us/santa-clarita-shooting.html> [<https://perma.cc/AF9P-QUP4>].
4. Hannah Batsche, *School Safety: The Industry Shootings Has Created and What We Can Do to Protect Our Children*, 39 CHILD'S. LEGAL RTS. J. 208, 208 (2019).

Students have one prevalent issue on their minds now, more than ever in history: the possibility of a school shooting. Not only do they frequently see it in the news, but in their day-to-day lives it is almost inescapable as well. Some have to participate in mock-shooting drills and go through metal detectors every day before they enter school. Others have bulletproofed backpacks, and tornado shelters that double as a place to hide should a shooter come into their classroom.

- Id.*
5. Jared Soule & Amelia Schonbek, *The Class of 1946-2018 Twenty-Seven School-Shooting Survivors Bear Their Scars, and Bear Witness*, NEW YORK (Oct. 28, 2018), <http://nymag.com/intelligencer/2018/10/school-shooting-survivors.html> [<https://perma.cc/8QUG-EG24>].

St. Mary's County,⁶ Maryland has enacted the Maryland Safe to Learn Act of 2018,⁷ as well as the Commission to Study Mental Health and Behavioral Health in Maryland,⁸ and the Guidelines on Trauma-Informed Approach Bill.⁹

In response to the dramatic increase in school shootings and gun violence amongst school-age children, schools and state governments are searching for workable solutions, ranging from an increase in mental health services, school resource officers and threat assessments, to proposing metal detectors, active shooter drills, mental health screenings in schools, and restructured school design.¹⁰ Maryland's approach serves as a powerful example of how other states can combat gun violence in schools.¹¹

This Comment argues that other states should follow in Maryland's legislative and executive footsteps by implementing change that will improve school systems nationwide, increasing mental health services in schools, and incorporating school resource officers.¹² This Comment also focuses on actions that schools can take to empower educators and law enforcement to address warning signs of violence and keep schools safe.¹³

-
6. Eric Levenson, *Maryland School Shooting: Officer Stops Armed Student Who Shot 2 Others*, CNN, <https://www.cnn.com/2018/03/20/us/great-mills-high-school-shooting/index.html> [<https://perma.cc/VLK8-4K9U>] (Mar. 20, 2018, 7:24 PM).
 7. See MD. CODE ANN., EDUC. §§ 7-1501–12 (West 2018).
 8. See *Commission to Study Mental and Behavioral Health in Maryland*, MARYLAND.GOV, <https://governor.maryland.gov/ltgovernor/mbhcommission/commission-to-study-mental-and-behavioral-health-in-maryland/> [<https://perma.cc/F4JH-GNET>] (Oct. 8, 2020).
 9. See MD. CODE ANN., EDUC. § 7-427.1 (West 2020) (effective July 1, 2020).
 10. See EVERYTOWN FOR GUN SAFETY, KEEPING OUR SCHOOLS SAFE: A PLAN FOR PREVENTING MASS SHOOTINGS AND ENDING ALL GUN VIOLENCE IN AMERICAN SCHOOLS 6 (2020), <https://everytownresearch.org/wp-content/uploads/sites/4/2020/05/WEB-School-Safety-021120A.pdf> [<https://perma.cc/L2HK-FAA8>]; see Richard E. Redding & Sarah M. Shalf, *The Legal Context of School Violence: The Effectiveness of Federal, State and Local Law Enforcement Efforts to Reduce Gun Violence in Schools*, 23 L. & POL'Y 297, 319–27 (2001); see Katherine McKeon Curran, *Mental Health Screenings in Schools: An Analysis of Recent Legislative Developments and the Legal Implications for Parents, Children and the State*, 11 QUINNIAC HEALTH L.J. 87, 90, 141 (2008); see Jessica Campisi, *Building Design a Critical Component in Preventing School Shootings*, EDUC. DIVE (Oct. 11, 2018), <https://www.educationdive.com/news/building-design-a-critical-component-in-preventing-school-shootings/533424/> [<https://perma.cc/6S7Z-YQVL>].
 11. See *infra* Part III.
 12. See *infra* Section V.A–B.
 13. See *infra* Sections V.A–C.

Part II provides a detailed background on school shootings in the United States.¹⁴ Part III explores the Maryland Safe to Learn Act,¹⁵ Commission to Study Mental Health in Maryland,¹⁶ and the Guidelines to Trauma Informed Approach.¹⁷ Part IV details the federal government's role in school safety¹⁸ as well as other states' responses to school safety concerns.¹⁹ Part V sets forth a recommendation for other states to adopt similar guidelines to Maryland.²⁰

II. BACKGROUND

“There have been more mass-shooting deaths in the past 18 years than in all of the 20th century.”²¹ Everytown, a gun safety group, reported that someone was hurt or killed in at least thirty school shootings in the United States in 2019.²² In total, Everytown tracked 130 incidents of gunfire on school grounds in 2019, resulting in thirty-two deaths and seventy-seven injuries.²³ These shootings have devastated elementary schools, middle schools, high schools, and college campuses throughout the country.²⁴ Mass shooting survivors may develop post-traumatic stress disorder as well as anxiety, decline

14. See *infra* Part II.

15. See *infra* Section III.A.

16. See *infra* Section III.B.

17. See *infra* Section III.C.

18. See *infra* Section IV.A.

19. See *infra* Section IV.B.

20. See *infra* Part V.

21. Soule & Schonbek, *supra* note 5.

22. See Ryan W. Miller, *There Have Already Been at Least 30 Shooting Attacks at Schools Resulting in Death or Injury in 2019*, USA TODAY, <https://www.usatoday.com/story/news/nation/2019/11/14/saugus-school-shooting-california-how-many-2019-school-shootings/4190941002/> [https://perma.cc/W9QZ-KC8C] (Nov. 14, 2019, 3:40 PM).

23. See *Gunfire on School Grounds in the United States*, EVERYTOWN FOR GUN SAFETY, <https://maps.everytownresearch.org/gunfire-in-school/#ns> [https://perma.cc/XF6Q-6G5L] (last visited Sept. 12, 2020) (interactive map tracking incidents of gunfire on school grounds since 2013).

24. See Elizabeth Wolfe & Christina Walker, *In 46 Weeks This Year, There Have Been 45 School Shootings*, CNN, <https://www.cnn.com/2019/05/08/us/school-shootings-us-2019-trnd/index.html> [https://perma.cc/NJW2-H7BH] (Nov. 19, 2019, 4:13 AM). CNN defines a school shooting as an event “involv[ing] at least one person being shot (not including the shooter),” “occur[ing] on school property,” and including both purposeful and “accidental discharge of a firearm” or a BB gun. *Id.*

in academic performance, difficulty sleeping, anger, depression, fear, and a variety of other symptoms.²⁵

The recent increase in school shootings has left many people wondering about the cause.²⁶ Law enforcement experts believe that diminished coping skills can prompt students to lash out violently.²⁷ Not only are shootings increasing, the attacks are also becoming deadlier.²⁸

A. *History of School Shootings*

An increase in school shootings in recent years has forced many families to cope with the effects of gun violence.²⁹ The 1999 shooting at Columbine, where two students fatally shot thirteen others and injured more than twenty, was one of the first high school shootings to grip and divide the nation.³⁰ One student remembers being confused and assuming the shooters were pranking them when they loaded the magazines into their guns and pulled gear out of their duffel bags.³¹ In 2004, two gunmen injured four students in the parking lot of Randallstown High School, leaving one victim paralyzed from the waist down.³² In 2007, the Virginia Tech shooter

25. See Batsche, *supra* note 4, at 208; see also Carolyn Fagan, *The Impact of Mass School Shootings on the Mental Health of Survivors: What Parents Need to Know*, PSYCOM, <https://www.psycom.net/mental-health-wellbeing/school-shooting-survivor-mental-health/> [https://perma.cc/5KVD-WLRL] (Oct. 5, 2020).

26. See Walker et al., *supra* note 2.

27. See *id.*

28. See *Gunfire on School Grounds in the United States*, *supra* note 23.

29. See Walker et al., *supra* note 2.

Since 2009, at least 177 of America's schools experienced a shooting. These tragedies are as diverse as our nation, but the depth of trauma is hard to convey. There is no standard definition for what qualifies as a school shooting in the US. Nor is there a universally accepted database. So CNN built our own. We examined 10 years of shootings on K-12 campuses and found two sobering truths: School shootings are increasing, and no type of community is spared.

Id.

30. See Soule & Schonbek, *supra* note 5.

31. See *id.*

32. Jessica Anderson, *Judge Awards \$21.4 Million to Randallstown High Shooting Victim*, BALT. SUN (July 15, 2013, 6:52 PM), <https://www.baltimoresun.com/maryland/baltimore-county/bs-md-co-randallstown-shooting-suit-20130715-story.html> [https://perma.cc/TQ5P-U46N].

shot and killed thirty-two people.³³ At the time, the Virginia Tech shooting was the worst mass-casualty shooting in the nation.³⁴

Then, the unthinkable happened in 2012—the mass-killing of children at Sandy Hook Elementary in Newton, Connecticut.³⁵ Twenty-seven people, including twenty children, were killed at Sandy Hook.³⁶ News of this massacre “reverberated across the country” as citizens felt a new pain—the deaths of our most vulnerable.³⁷

B. Recent Shootings

Recently, two tragic school shootings stand out among the rest: the shootings in Parkland, Florida³⁸ and Santa Fe, Texas.³⁹ Seventeen were killed at Marjory Stoneman Douglas High School in Parkland, Florida, in the deadliest school shooting since Sandy Hook.⁴⁰ Another seventeen were injured, some with life-altering injuries that will require years of both physical and mental therapy.⁴¹

33. See Soule & Schonbek, *supra* note 5. Colin Goddard recalls the eerie truth, that “there were seventeen people in that room with me. I’m one of seven alive today.” *Id.* He was eventually able to return to sports; however, ten years later he is dealing with lead poisoning as a result of the shooting. *Id.*

34. Francis Green, *Virginia Tech Shootings Spurred Campus Safety Measures*, RICHMOND TIMES-DISPATCH (Apr. 10, 2017), https://www.richmond.com/news/virginia-tech-shootings-spurred-campus-safety-measures/article_22bc0a06-419b-5322-982b-55667bcc84cb.html [<https://perma.cc/FS4B-S5K6>]. This tragedy prompted many on-campus and legislative changes. *Id.* Virginia Commonwealth University adopted the LiveSafe app, which allows students to contact emergency personnel directly. *Id.*

35. See Michal Kranz & Rebecca Harrington, *It’s Been 6 Years Since the Sandy Hook Shooting. Here Are the Names and Pictures of the 27 Victims, Including 20 Children, Who Were Murdered That Day*, BUS. INSIDER (Dec. 14, 2018, 8:35 AM), <https://www.businessinsider.com/who-were-the-victims-of-the-sandy-hook-shooting-2017-12> [<https://perma.cc/CYA2-FCZL>].

36. *See id.*

37. *Id.*

38. See Elizabeth Chuck et al., *17 Killed in Mass Shooting at High School in Parkland, Florida*, NBC NEWS, <https://www.nbcnews.com/news/us-news/police-respond-shooting-parkland-florida-high-school-n848101> [<https://perma.cc/JDV4-UMSH>] (Feb. 15, 2018, 10:20 AM).

39. See Jason Hanna et al., *Alleged Shooter at Texas High School Spared People He Liked, Court Document Says*, CNN, <https://www.cnn.com/2018/05/18/us/texas-school-shooting/index.html> [<https://perma.cc/M7B3-AXDH>] (May 19, 2018, 2:53 AM).

40. Chuck et al., *supra* note 38; see also *Mass Shootings in the US Fast Facts*, CNN, <https://www.cnn.com/2019/08/19/us/mass-shootings-fastfacts/index.html> [<https://perma.cc/4A2C-6E99>] (May 3, 2020, 8:39 AM).

41. Soule & Schonbek, *supra* note 5. Among those injured, Ashley Baez stated, “I was one of the first ones hit — behind my upper right leg. It exploded and came out my

On May 18, 2018, nine students and one teacher were killed just after classes began at a Santa Fe, Texas high school.⁴² Students rushed for safety after hearing gunshots, some barricading themselves in classrooms and others fleeing frantically from the building.⁴³ Many students affected by the tragedy continue to suffer.⁴⁴

C. Great Mills High School

On March 20, 2018, a seventeen-year-old student shot two others at Great Mills High School in St. Mary's County, Maryland before a school resource officer intervened.⁴⁵ The tragic incident resulted in the death of two students (one being the shooter) and the injury of another.⁴⁶ The shooter, Austin Rollins, killed his ex-girlfriend,

left leg. Once I can fully walk, they're going to do surgery to replace the fat. It's going to take about two years for it to fully, fully heal." *Id.* Another student's mother stated:

When I first saw him, he wasn't even able to speak. He was just shaking, and in pain. . . .

He was in such shock. He was covered in bloody clothes, and not all that blood was his, it was the blood of other children. He had to lay like that for a couple of hours, until the police came to collect it for evidence.

Id. Anthony Borges, a student who barricaded a door to a classroom to protect other students, saved as many as twenty lives but still lives with the physical pain and mental anguish. *Id.* As of October 2018, he had yet to return to school, opting for homeschooling. *Id.*

42. Hanna et al., *supra* note 39.

43. *Id.*

44. See Soule & Schonbek, *supra* note 5. Among those injured, Sarah Salazar explained the extent of her injuries:

That first day in the hospital, I think there were three surgeries. They left in the pellets that didn't need to be taken out. I was not conscious for a few days. Several days later, I got my jaw wired shut. I had that for four weeks or so. Then they loosened it for my shoulder replacement. That would have been the fifth surgery. And then when the wires were finally taken out, that was the last. Those days are kind of a blur, but I know I was in the hospital for over a month.

Id.

45. Levenson, *supra* note 6.

46. *Maryland High School Shooting: 'I Was Just Shot in My School,' Great Mills Student Says on 911 Call*, BALT. SUN (Mar. 27, 2018, 10:50 AM), <https://>

Jaelynn Willey, before the school's student resource officer, Deputy Blaine Gaskill, intervened as Rollins simultaneously shot himself.⁴⁷

This tragic incident triggered Maryland's legislature to take swift action against gun violence in schools.⁴⁸

III. MARYLAND'S CALL TO ACTION

A. *Maryland Safe to Learn Act (MSLA)*

In response to the Great Mills High shooting, Maryland passed the Safe to Learn Act in 2018,⁴⁹ which increased funding for safety improvements within schools.⁵⁰ Maryland school systems will now hire more school resource officers and institute increased mental health services.⁵¹ Maryland's Safe to Learn Act of 2018 may serve as a groundbreaking model for the future of school safety laws across the nation.⁵² The increased funding efforts will include: opening a Center for School Safety; conducting safety evaluations; supporting a Safe Schools Fund, capital improvements and nonpublic school safety capital improvements; preventing at-risk hate crimes; and increasing school resource officer funding.⁵³

www.baltimoresun.com/news/crime/bs-md-great-mills-911-call-20180327-story.html [https://perma.cc/R8E5-FZ4D].

47. Assoc. Press, *Great Mills High Gunman Shot by School Officer, Killed Self: Police*, NBC WASH., <https://www.nbcwashington.com/news/local/great-mills-high-shooter-shot-by-school-officer-killed-self-police/44326/> [https://perma.cc/6PLA-QF5D] (Mar. 27, 2018, 6:07 AM).
48. See Talia Richman, *Lessons Learned: St. Mary's Officials Discuss Response to Great Mills Shooting at School Safety Conference*, BALT. SUN (Aug. 13, 2018, 12:25 PM) <https://www.baltimoresun.com/education/bs-md-school-safety-conference-20180813-story.html> [https://perma.cc/HR6S-XY5]; see also MD. CODE ANN., EDUC. § 7-1501 (West 2018).
49. See Richman, *supra* note 48; see also EDUC. § 7-1501; see also *supra* text accompanying notes 45–48.
50. MD. CODE ANN., EDUC. § 7-1512 (West 2019). “Beginning in fiscal year 2020 and each fiscal year thereafter, at least \$10,000,000 of the money in the Fund shall be used to provide grants to local school systems and local law enforcement agencies” § 7-1512(g).
51. §§ 7-1508, -1511.
52. Annika Bastian, *Maryland's Safe to Learn Act of 2018*, LEARNSAFE (Apr. 29, 2019), <https://learnsafe.com/marylands-safe-to-learn-act-of-2018/> [https://perma.cc/J62L-UC4D].
53. Memorandum from Karen B. Salmon, State Superintendent of Schools, Md. State Dep't of Educ., on the Maryland Safe to Learn Act to Members of the State Bd. of Educ., 5 (July 24, 2018) (on file with the Md. Bd. of Educ.), <http://marylandpublicschools.org/stateboard/Documents/07242018/TabP-SafeLearnAct.pdf> [https://perma.cc/HA7F-3TMQ] (pagination provided pursuant to powerpoint attached to memorandum).

The Center for School Safety's responsibilities include sourcing grants to prevent hate crimes, providing after-action review reports to the Governor and General Assembly, assisting schools with detecting signs of relationship violence and prevention, analyzing data regarding the school resource officers, developing guidelines and training for those officers, and consulting with local school systems on safety evaluations.⁵⁴

The governing Subcabinet's main objective is to implement the "best practices, technical assistance [and] comprehensive school safety plan" in order to adequately prevent and prepare for worst-case scenarios.⁵⁵ It will be responsible for administering funds from the School Safety Fund to develop plans for delivering behavioral health services, conducting training of assessment teams and school safety evaluations, establishing formal and anonymous reporting of safety concerns, and conducting outreach to improve school safety and heighten awareness of existing mental health services.⁵⁶ The Maryland Safe to Learn Act also aims to involve local school systems by training students and parents on inter-personal relationship violence, reporting back any critical incidents to the Center.⁵⁷

1. Funding

The Safe Schools Fund contains new and converted funds dedicated to improving security and care in Maryland schools.⁵⁸ "The law allows \$10 million dollars for safety operating grants to schools in 2019 as well as \$2.5 million for school safety evaluations."⁵⁹ It provides for one-time funding: \$2.5 million in safety assessment grants administered by the Maryland Center for School Safety (MCSS), \$10 million administered by the Maryland State Department of Education (MSDE), \$10 million for safety related operating and capital projects administered by the Maryland Interagency Committee on School Construction, and \$10 million in school safety improvement grants provided through the State's capital budget.⁶⁰ Permanent funds to the State included \$10 million

54. *Id.* at 6.

55. *See id.* at 7–8. The Subcabinet consists of a governing board of six members, including the State Superintendent of Schools, Karen Salmon. *Id.* at 3.

56. *Id.* at 7.

57. *Id.* at 10.

58. *See* Bastian, *supra* note 52.

59. *Id.*

60. Memorandum from Susan J. Farag, Legis. Analyst & Craig Howard, Senior Legis. Analyst on Impact of Maryland Safe to Learn Act in Montgomery Co., to Pub. Safety

in Fiscal Year 2019⁶¹ and annually for school resource officers and other local law enforcement as well as \$2.5 million for thirteen positions at MCSS.⁶²

2. Report on the MSLA of 2018

On December 20, 2018, the Maryland State Department of Education submitted a Gap Analysis Report that evaluated the plans for delivering behavioral health, wrap around services to students exhibiting behaviors of concern, and the availability of mental health services and practitioners to address the needs of school-age children in the State.⁶³ The report indicates that there is an uneven distribution of service providers and service utilization across the State.⁶⁴ Research also demonstrates that children and youth enrolled in Maryland Medical Assistance programs are “disproportionately affected by behavioral health disorders and are more likely than their counterparts with private insurance to see a mental health professional or a primary care doctor for emotional and behavioral problems.”⁶⁵

The Subcabinet produced a self-report survey indicating that 7.4% of high school students reported carrying a weapon on school property, 18.2% of high school students reported being bullied, and 29.9% of high school students reported feeling hopeless or sad.⁶⁶ Moreover, it found that approximately one in five (22% of 233,905 school-age students) “experience mental health or substance abuse

and Educ. Comms., at 3 (Jul. 17, 2018) (on file with PS/ED Committee #1), https://montgomerycountymd.gov/COUNCIL/Resources/Files/agenda/cm/2018/ED/20180719/20180719_PSED1.pdf [<https://perma.cc/27GZ-FXU6>].

61. Kevin Kinally, *Maryland Safe to Learn Act of 2018: What You Need to Know*, MD ASS’N OF COUNTIES (Apr. 12, 2018), <https://conduitstreet.mdcountries.org/2018/04/12/maryland-safe-to-learn-act-of-2018-what-you-need-to-know/> [<https://perma.cc/M2Y9-RV8X>].

62. See Memorandum from Farag & Howard, *supra* note 60, at 3.

63. MD. DEP’T OF HEALTH, REPORT ON THE MARYLAND SAFE TO LEARN ACT OF 2018, at 4 (2018), <https://mdpsych.org/wp-content/uploads/2019/01/MSAR-11596-School-Safety-Subcabinet-Behavioral-Gap-Analysis-Report.pdf> [<https://perma.cc/F67P-SZL7>]. The Act required the School Safety Subcabinet to report in general on “(1) the availability of mental health services and practitioners for school-age children, (2) the mental health needs of school-age children, and (3) the [School Safety] Subcabinet’s plans for delivering behavioral health and wraparound services to students exhibiting behaviors of concern.” *Id.*

64. *Id.* at 3.

65. *Id.*

66. See *id.* at 8–9.

challenges serious enough to require treatment.”⁶⁷ The report states that the majority of community-partnered school behavioral health programs do not provide a full variety of behavioral health services, such as prevention and promotion services.⁶⁸ Further, these programs do not consistently collect and analyze data on the impact of service provisions at the student and school level.⁶⁹

B. Commission to Study Mental Health and Behavioral Health in Maryland

Maryland recently enacted an Executive Order titled the “Task Force Bill to Study Behavioral and Mental Health and Guidelines on Trauma-Informed Approach Bill”.⁷⁰ The Executive Order tasks the Maryland Commission with studying mental health, “including access to mental health services and the link between mental health issues and substance use disorders.”⁷¹ This Executive Order is not aimed specifically at Maryland public schools; instead, it covers mental health and substance use disorders in relation to Maryland hospitals.⁷² Maryland’s health and policy leaders are challenging health care providers to ensure the delivery of “efficient, effective, high-quality care.”⁷³

An interim report was submitted on July 10, 2019,⁷⁴ with a final report submitted on December 31, 2019.⁷⁵ The Interim Report outlines the Commission’s study of mental health in Maryland, including access to mental health services and the link between these

67. *Id.* at 11. “The largest concentrations of children and youth with behavioral health needs are located in those jurisdictions with the highest concentrations of school-age children and youth, primarily the Baltimore-Washington metropolitan area, including Baltimore City, Montgomery, Prince George’s, Baltimore and Anne Arundel Counties.” *Id.* at 11–12.

68. *See id.* at 3.

69. *See id.*

70. *See Commission to Study Mental and Behavioral Health in Maryland, supra* note 8.

71. *Id.*

72. *See* Letter from the Md. Hosp. Ass’n, in support of H.B. 783–Task Force to Study Behavioral and Mental Health in Maryland, to the Md. Gen. Assembly (2019), https://www.mhaonline.org/docs/default-source/position-papers/2019/house-bills/hb-783-task-force-to-study-behavioral-and-mental-health-in-maryland.pdf?sfvrsn=a392d40d_2 [<https://perma.cc/VX3P-EJAC>].

73. *Id.*

74. COMM. TO STUDY MENTAL & BEHAV. HEALTH IN MD., OFF. OF THE LT. GOVERNOR, INTERIM REPORT 1 (2019), https://governor.maryland.gov/ltgovernor/wp-content/uploads/sites/2/2019/07/MBH_Interim_FINAL-3.pdf [<https://perma.cc/Q7RR-B5GX>].

75. COMM. TO STUDY MENTAL & BEHAV. HEALTH IN MD., OFF. OF THE LT. GOVERNOR, 2019 REPORT 3 (2019), <https://governor.maryland.gov/ltgovernor/wp-content/uploads/sites/2/2020/01/MBH-Report-Final-min.pdf> [<https://perma.cc/KP89-E65K>].

issues and substance use disorders.⁷⁶ The subcommittee, created based on the Commission's determination of areas of concern reviews current programs in school systems that provide mental and behavioral health services to students.⁷⁷ This will help account for school psychologists, counselors and social workers in each jurisdiction, as well as identifying the best practices in surrounding states.⁷⁸

The Final Report outlines the Commission's recommendations to Governor Hogan for policy, regulations, and legislation to improve the comprehensive response system and ensure adequate mental health resources.⁷⁹ Over the course of the year, the Commission heard testimony from persons suffering from disorders, family, and care givers of such persons, educators, elected officials, law enforcement agencies, treatment professionals and researchers, and advocates.⁸⁰ The Final Report made the following recommendations: design a comprehensive crisis system, continue coordination with the Behavioral System of Care Workgroup,⁸¹ increase funding for the Second Chance Act Grant,⁸² improve the crisis hotline, promote standardized training in behavioral health, ensure proper warning regarding cannabis use, and standardize mental and behavioral health programming in schools.⁸³

C. Guidelines on Trauma-Informed Approach Bill

The Guidelines on Trauma-Informed Approach Bill passed the Maryland state legislature in May 2020 and took effect on July 1, 2020.⁸⁴ The bill requires the MSDE to develop guidelines on a trauma-informed approach to assist schools in implementing a comprehensive trauma-informed policy.⁸⁵ A trauma-informed school is one that acknowledges the impact of trauma and recognizes the signs and systems of trauma in students, teachers, and staff, while actively engaging in policies to appropriately respond.⁸⁶ The MSDE

76. COMM. TO STUDY MENTAL & BEHAV. HEALTH IN MD., OFF. OF THE LT. GOVERNOR, *supra* note 74, at 3.

77. *Id.* at 7.

78. *Id.*

79. COMM. TO STUDY MENTAL & BEHAV. HEALTH IN MD, OFF. OF THE LT. GOVERNOR, *supra* note 75, at 5.

80. *See id.*

81. *See id.* at 11.

82. *Id.*

83. *See id.* at 11–12.

84. *See* MD. CODE ANN., EDUC. § 7-427.1 (West 2020) (effective July 1, 2020).

85. § 7-427.1(b).

86. *See id.*

must select one school from each of a rural, suburban, and urban area to voluntarily participate in the program and receive incentive training on this new approach.⁸⁷

IV. FEDERAL RESPONSE AND OTHER STATES

A. Federal Approach

A 2013 congressional Research Service Report outlines the implications that public mass-shootings have on federal policy regarding public health and safety.⁸⁸ The Department of Education divides crisis management into four phases: prevention, preparedness, response, and recovery.⁸⁹

Currently, the Federal government administers two programs that help state and local educational agencies address school safety concerns.⁹⁰ These programs are authorized under Title IV of the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act, P.L. 114-95 (ESSA).⁹¹ While public school safety is primarily a state and local function, these federal programs help support those efforts.⁹² Student Support and Academic Enrichment Grants (SSAE grants) are allocated to state and local agencies, amounting to \$1.1 billion in Fiscal Year 2018.⁹³ While flexible, these funds must be allocated towards “(1) supporting well-rounded educational opportunities, (2) supporting safe and healthy students . . . and (3) supporting the effective use of technology to improve the digital literacy of all students.”⁹⁴ School safety functions include drug and violence prevention programs and activities, school-based mental health services, bullying and

87. *See id.*; *see also* *Handle with Care Program Expands Throughout Maryland*, MARYLAND.GOV (Aug. 28, 2018), <http://goccp.maryland.gov/handle-with-care-program-expands-throughout-maryland/> [<https://perma.cc/C6S8-4K2F>] (describing trauma informed approach program that predates Maryland’s new law and demonstrates existing infrastructure for implementing new initiatives throughout the state).

88. JEROME P. BJELOPERA ET AL., CONG. RSCH. SERV., PUBLIC MASS SHOOTINGS IN THE UNITED STATES: SELECTED IMPLICATIONS FOR FEDERAL PUBLIC HEALTH AND SAFETY POLICY 3 (2013), <https://fas.org/sgp/crs/misc/R43004.pdf> [<https://perma.cc/NN3N-JCA3>]

89. *See id.* at 29.

90. CONG. RSCH. SERV., DEPARTMENT OF EDUCATION SUPPORT FOR SCHOOL SAFETY INITIATIVES 1 (2018), <https://crsreports.congress.gov/product/pdf/IF/IF10992> [<https://perma.cc/F8V6-CCYH>] (Mar. 16, 2020).

91. *See id.*

92. *See id.*

93. *See id.*

94. *Id.*

harassment prevention programs, and mentoring and school counseling.⁹⁵

Additionally, under the National Activities for School Safety program, a portion of funding is used for the Project School Emergency Response to Violence (Project SERV).⁹⁶ The program creates resources for local educational agencies and educational institutions that have experienced a violent or traumatic crisis such as a school shooting.⁹⁷ These include short-term and long-term forms of support, with \$10.4 million in grants awarded in Fiscal Year 2018.⁹⁸

Next, the Stop School Violence Act⁹⁹ grants \$75 million in 2018 and \$100 million in 2019 through 2028 to schools to implement “anonymous reporting systems for threats of violence, improve coordination with local law enforcement, and teach school officials, students, and police more about identifying and preventing violence.”¹⁰⁰

B. States

1. Florida

Following the Parkland shooting, Florida passed several laws.¹⁰¹ Notably, Governor Rick Scott signed the Marjory Stoneman Douglas

95. *See id.* Violence prevention is defined as:

[T]he promotion of school safety, such that students and school personnel are free from violent and disruptive acts, including sexual harassment and abuse, and victimization associated with prejudice and intolerance, on school premises, going to and from school, and at school-sponsored activities, through the creation and maintenance of a school environment that is free from weapons and fosters individual responsibility and respect for the rights of others.

Id. (quoting 20 U.S.C. § 7112(5)(B)).

96. *See id.*

97. *See id.*

98. *See id.*

99. H.R. 4909, 115th Cong. (2018).

100. Heather Timmons, *What Has Trump Done to Protect US Schools from Gun Violence in the Past Year*, QUARTZ (Feb. 21, 2019), <https://qz.com/1550668/what-did-trump-do-to-protect-schools-from-gun-violence-after-parkland/> [https://perma.cc/Q3T2-NJ9F].

101. *See* Kate Storey, *How Gun Laws—and Gun Norms—Have Changed Since the Parkland Shooting*, ESQUIRE (Feb. 14, 2019), <https://www.esquire.com/newspolitics/a26290650/parkland-shooting-one-year-later-gun-law-changes/> [https://perma.cc/2SGK-LD3U].

High School Public Safety Act into law on March 9, 2018.¹⁰² “The bill comprehensively addresses gun violence on school campuses . . . promot[es] school safety and enhanced coordination between education and the law enforcement entities at the state and local level.”¹⁰³ The act requires safe-school officers at every school within the district and mental health crisis intervention training for school resource officers.¹⁰⁴

2. Texas

Recently, Texas Governor, Greg Abbott, has focused his response to school shootings on mental health issues.¹⁰⁵ The Telemedicine, Wellness, Intervention, Triage and Referral Program (TWITR) was developed at Texas Tech University.¹⁰⁶ TWITR aims to get troubled students into treatment before any dangerous behavior begins.¹⁰⁷ TWITR was first implemented in ten school districts near the Lubbock campus in 2014,¹⁰⁸ and has since expanded to twenty-four, mostly rural, school districts throughout Texas.¹⁰⁹ “Since 2014, 215 students out of the tens of thousands of students included in the program have been triaged by the university’s psychiatry department and twenty-five removed from school.”¹¹⁰ TWITR consists of a team of mental health professionals who meet with students and parents on campus, screen them, and then set up telemedicine appointments with

102. Christian Nolan, *Second Amendment Meets #NeverAgain: States Consider Gun Law Reforms in Wake of Mass Shootings*, 90 N.Y. ST. BAR ASS’N J. 39, 40 (2018).

103. See APPROPRIATIONS COMM. & RULES COMM., THE FLORIDA SENATE 2018 SUMMARY OF LEGISLATION PASSED: CS/SB 7026–PUBLIC SAFETY, AT 1 (2018), https://www.flsenate.gov/PublishedContent/Session/2018/BillSummary/Rules_RC7026rc_7026.pdf [<https://perma.cc/CWF6-8B3U>].

104. See FL. DEP’T OF EDUC., EXECUTIVE SUMMARY ON SB 7026 PUBLIC SAFETY, § 26 (2018) <https://www.fldoe.org/core/fileparse.php/12031/urlt/SB-7026-Public-Safety.pdf> [<https://perma.cc/5GHS-HH24>]. Safe-school officers include school resource officers, school safety officers or school guardians. *Id.*

105. Seth Cline, *States Look for Ways to Stop School Shootings*, U.S. NEWS & WORLD REP. (May 25, 2018, 3:06 PM), <https://www.usnews.com/news/education-news/articles/2018-05-25/states-look-for-ways-to-stop-school-shootings> [<https://perma.cc/8SFZ-DPJJ>].

106. *See id.*

107. *See id.*

108. *See id.*

109. See Erin Cargile & Juan Salinas, *Texas Tech Telemedicine Improves Teens’ Mental Health in 24 School Districts*, KXAN, <https://www.kxan.com/save-our-students/texas-tech-telemedicine-improves-teens-mental-health-in-24-school-districts/> [<https://perma.cc/5J8C-AQQU>] (Aug. 22, 2019, 10:48 PM).

110. Cline, *supra* note 105.

a psychiatrist.¹¹¹ The program's success is measured by looking at a student's grades, attendance, tardies, and discipline.¹¹² Bill Philips, Jr., leader of the TWITR project, hopes to continue serving the twenty-four districts they are currently working with, as well as facilitate a training program for educators in other districts.¹¹³

V. RECOMMENDATIONS AND IMPLICATIONS

A. *School Security Measures: The Good, The Bad, and The Unthinkable*

The need for enhanced security in our nation's schools has garnered interest in the form of school resource officer (SRO) programs as a possible strategy.¹¹⁴ These SRO programs assign sworn law enforcement officers to work at a school on a long-term basis.¹¹⁵ There are no current figures on the number of SROs currently working in schools in the United States; however, data indicates at least 42% of U.S. public schools reported having at least one full-time or part-time SRO present at least once a week during the 2015–2016 school year.¹¹⁶ The duties of these officers vary depending on the community, making it difficult to develop a singular list of SRO responsibilities.¹¹⁷ Roles include being a safety expert, law enforcer, and acting as a community liaison and

111. See Cargile & Salinas, *supra* note 109.

112. See *id.*

113. See *id.*

114. See NATHAN JAMES & KYRIE E. DRAGOO, CONG. RSCH. SERV., SCHOOL RESOURCE OFFICERS: ISSUES FOR CONGRESS 1 (2018), <https://crsreports.congress.gov/product/pdf/R/R45251> [<https://perma.cc/B8J3-Y8GH>].

The term “school resource officer” (or “SRO”) is sometimes used to refer to anyone who works in a school, wears a law enforcement-like uniform, and is responsible for a school's security. However, the term technically only applies to sworn law enforcement officers who are assigned to work at a school on a long-term basis. SROs differ from school safety officers, who are non-sworn civilians, typically with no arrest authority, who are employed by the local school. SROs are employed by a law enforcement agency to ensure the safety and security of students, faculty, staff, and visitors. SROs might also be confused with school police officers, who are sworn law enforcement officers who work in schools.

Id. at 2.

115. *Id.* at 2.

116. See *id.*

117. See *id.*

educator.¹¹⁸ These individuals are first responders to emergency situations on school grounds.¹¹⁹ Criminal justice experts are split on the effectiveness of SROs.¹²⁰ The officers provide support and act as mentors, but many question whether their tax dollars could be spent on someone already trained for the position.¹²¹ Others wonder, justifiably, whether police officers truly make schools safer.¹²² For example, “[a]fter the massacre at Marjory Stoneman Douglas High School in Parkland, Fla., many people — including [] President Trump — said there should be school resource officers inside every school.”¹²³ At Marjory Stoneman Douglas High School, the on-duty SRO “remained outside in a defensive position at the time of the shooting - a response that was roundly criticized and is part of the debate over whether having resource officers make schools safer.”¹²⁴

However, the presence of these officers can create unintended consequences, including suspensions, expulsions and an increase in underage arrests, especially for students of color.¹²⁵ Proponents of officers in schools stress the importance of increased security and that these officers are most capable of dealing with threats.¹²⁶ In their view, the hope and ultimate goal is that an increased presence of SROs will help improve school safety and result in a decrease in school violence.¹²⁷

118. *See id.*

119. *See id.*

120. *See* Bree Sison, *Effective or Inefficient: The Debate over School Resource Officers*, JUST. POL’Y INST. (Mar. 27, 2019), <http://www.justicepolicy.org/news/12601> [<https://perma.cc/VFE8-53VK>]. The Executive Director of Justice Policy Institute, Marc Sindler, stated, “there are unintended consequences to having law enforcement in our schools . . . There is a school to prison pipeline that disproportionately affects students of color.” *Id.*

121. *See id.*

122. *See* Cheryl Corley, *Do Police Officers in Schools Really Make Them Safer?*, NPR (Mar. 8, 2018, 5:00 AM) <https://www.npr.org/2018/03/08/591753884/do-police-officers-in-schools-really-make-them-safer> [<https://perma.cc/LRN6-FH9G>].

123. *Id.*

124. *Id.*

125. *See id.* Many students have different experiences, some positive and some traumatic, including nineteen-year old Antonio Magic, who stated, “The only time I seen police interacting with students was when students were being arrested.” *Id.* Mr. Magic was arrested three times by SROs while he was in high school, first for his involvement in a fight, then for talking back to a teacher, and finally for a student walkout. *Id.*

126. *See id.* Mac Hardy, Operations Director for the National Association of School Resource Officers, stated, “Our job is so vital and important. Every day when you put on your uniform you know there are thousands of parents relying on you to work closely with that school administration and that community to keep that campus safe.” *Id.*

127. *See id.*

Other potential school security measures include metal detectors, security cameras, locker searches, limited access to the school through identification procedures, and enhanced supervision.¹²⁸ Metal detector usage has its own pros and cons.¹²⁹ On one hand, metal detectors can act as an effective deterrent and detecting dangerous weapons, but they are costly and require an armed guard to effectively operate them.¹³⁰

Another less popular consideration is distressing—arming teachers in schools.¹³¹ One side of the debate suggests putting more guns in schools, yet the action increases the “possibility that a troubled student could get their hands on a gun as well as the likelihood of accidental shootings.”¹³² Further, arming teachers would ultimately take away funding and focus from more sound strategies aimed at reducing gun violence.¹³³ “[A]n armed teacher cannot, in a moment of extreme duress and confusion, be expected to transform into a specially trained law enforcement officer.”¹³⁴

B. Mental Health Services: The Bare Minimum

Researchers have largely dismissed a concrete connection between mental health issues and a tendency to commit violent acts.¹³⁵ “[A]s numerous studies indicate, mental distress and violence are not

128. See Redding & Shalf, *supra* note 10, at 319.

129. See Brandon Allred, *Why We Need Metal Detectors in Schools*, PROTECTIVE TECH.’S INT’L (Aug. 10, 2013), <https://www.pti-world.com/why-we-need-metal-detectors-in-schools/> [https://perma.cc/U89K-5VPG]. But see Jorge L. Ortiz, *How to Keep Schools Safe?*, USA TODAY (Nov. 21, 2019, 5:00 AM), <https://www.usatoday.com/story/news/nation/2019/11/21/school-shootings-metal-detectors-solution-experts/4255318002/> [https://perma.cc/6K2H-R2BZ].

130. See Allred, *supra* note 129. Chris Dorn, senior analyst for the campus safety group Safe Havens International, lists multiple reasons for their ineffectiveness, including creating a prison like feeling among students, diminished academic performance, and tending to clog school entrances. See Ortiz, *supra* note 129.

131. See Amanda Litvinov, *Lawmakers in These 6 States are Pushing to Arm Teachers*, NAT’L EDUC. ASS’N (Apr. 25, 2019), <https://educationvotes.nea.org/2019/04/25/law-makers-in-these-6-states-are-pushing-to-arm-teachers/> [https://perma.cc/FR23-LHXV].

132. See *id.*

133. See *id.*

134. *Arming Teachers Introduces New Risks into Schools*, EVERYTOWN FOR GUN SAFETY (May 1, 2019), <https://everytownresearch.org/arming-teachers-introduces-new-risks-into-schools/> [https://perma.cc/GN98-N9WB]. Everytown’s research also includes the following key findings: students will access teachers’ guns, the risk of shootings increases, and new liability risks. See *id.*

135. See Hayley C. Stefan, *Dismissing False Narratives of School Shootings*, 22 TYL 12, 13 (2018).

directly linked, and adolescents who report mental distress – nearly one-quarter of all adolescents in the United States – are overwhelmingly unlikely to be violent.”¹³⁶ Research suggests that negative stereotypes regarding mental illness have been reinforced by mass shootings.¹³⁷ However, many schools across the nation have implemented increased mental health services in direct response to school violence, including Maryland.¹³⁸ Despite the unresolved connection between mental health and violence, mental health services are necessary in schools in order to create a better school environment.¹³⁹

Currently, schools in Maryland are required to provide a coordinated program for students that includes school counseling, psychology, pupil personnel, and health services.¹⁴⁰ These behavioral health services focus on the health, personal, and career development of students, including mental health services.¹⁴¹

C. Threat Assessments: The Necessary Evil

One school strategy has gained traction recently—namely, behavioral threat assessments.¹⁴² Threat assessments in school

136. *Id.*

137. See Jessica Rosenberg, *Mass Shootings and Mental Health Policy*, 41 J. SOC. & SOC. WELFARE 107, 107 (2014).

138. See MD. CODE ANN., EDUC. §§ 7-1501–12 (West 2018); see *supra* note 10 and accompanying text.

139. See Stefan, *supra* note 135, at 13–15.

140. See DEP’T OF LEG. SERVS., MD. GEN. ASSEMB., FISCAL AND POLICY NOTE ON H.B. 783: TASK FORCE TO STUDY BEHAVIORAL AND MENTAL HEALTH IN MARYLAND 2 (2019), http://mgaleg.maryland.gov/2019RS/fnotes/bil_0003/hb0783.pdf [<https://perma.cc/9KFK-DFPE>].

School counselors, school social workers, and school psychologists each provide mental health support in schools. A first line of support, school counselors and school social workers can identify students in distress and work with them to develop skills to handle the stress and disturbing social/emotional issues in their lives. Additionally, school counselors, school social workers, school health specialists, and school psychologists deliver a program of services to address student needs through classroom guidance. School psychologists also identify mental distress, complete assessments related to mental health, and provide supportive counseling as needed.

Id.

141. See *id.*

142. See Miriam A. Rollin, *Here’s How ‘Threat Assessments’ May Be Targeting Vulnerable Students*, EDUC. POST (Dec. 12, 2019), <https://educationpost.org/heres->

typically involve a group of school officials discussing a student that has been identified as a potential “threat.”¹⁴³ In November of 2019, the United States Secret Service released a report outlining efforts to combat school violence and analyzing the motives, behaviors, and situational factors of attackers, as well as resolutions to these issues.¹⁴⁴

Notably, 91% of the attackers in the study exhibited symptoms in at least one category, which included psychological, behavioral, and neurological/developmental symptoms.¹⁴⁵ Further, 49% displayed symptoms in more than one category.¹⁴⁶

While many school safety experts recommend threat assessments as an effective strategy, these assessments do come with risks, including over diagnosing and false diagnoses.¹⁴⁷ Threat assessments may end up targeting students who are not actually a threat, including students with disabilities and mental disorders.¹⁴⁸ Threat assessments also have the potential to exacerbate racial bias and disproportionately affect students of color.¹⁴⁹ These are legitimate

how-threat-assessments-may-be-targeting-vulnerable-students/ [https://perma.cc/W5DV-6JNU].

143. *Id.*

144. U.S. SECRET SERV. NAT’L THREAT ASSESSMENT CENTER, U.S. DEP’T OF HOMELAND SEC., PROTECTING AMERICA’S SCHOOLS: A U.S. SECRET SERVICE ANALYSIS OF TARGETED SCHOOL VIOLENCE 1 (2019), https://www.secretservice.gov/data/protection/ntac/Protecting_Americas_Schools.pdf [https://perma.cc/22VV-EY23].

145. *Id.* at 24.

146. *Id.*

147. See Haley DiRenzo, Comment, *The Claire Davis School Safety Act: Why Threat Assessments in Schools Will Not Help Colorado*, 93 DENV. L. REV. 719, 719 (2016); see also Curran, *supra* note 10, at 96–97.

148. See DiRenzo, *supra* note 147, at 735–36. Overly broad assessments can include questions such as: “‘Does the student have a trusting relationship with at least one responsible adult?’; ‘Has the student come to attention for any behavior of concern?’ . . . and ‘Has the student experienced serious difficulties or been in distress?’” *Id.* at 735.

149. See *id.* at 737–38.

Inherent, systemic racial bias is problematic for implementing threat assessments because threat assessments focus on whether students exhibit behaviors associated with bullying, violence, or acting out in class. Bias toward which students exhibit those behaviors could result in a disproportionate number of students identified as threats, just as bias results in a disproportionate number of students identified with discipline issues.

Id. at 738.

concerns that need to be addressed by Maryland schools.¹⁵⁰ While threat assessments have the ability to detect and potentially deter student violence, the potential for serious bias towards certain individuals is a real possibility that cannot be ignored.¹⁵¹

VI. CONCLUSION

Maryland schools, along with those across the nation, face an ever-present risk of gun violence and other threats to safety,¹⁵² and the problem is far from resolved.¹⁵³ On November 14, 2019, a sixteen-year-old student at a high school in Santa Clarita, California, shot five students, killing two, before turning the gun on himself.¹⁵⁴ In February of 2019, a twenty-five-year-old man shot a staff member at Frederick Douglass High School in Baltimore, Maryland.¹⁵⁵ While no students were involved or injured, the incident occurred on-campus and echoes the need for increased safety measures in schools.¹⁵⁶

Maryland's General Assembly has implemented initiatives to increase funding for schools to combat violence.¹⁵⁷ Other states should follow the standard set by Maryland to start the process of making our schools safe places for students to learn and develop.¹⁵⁸

From elementary schools to college campuses, America's youth are under attack, afraid to go to school, and terrified and heartbroken for peers who have experienced these tragedies.¹⁵⁹ We are responsible

150. See *supra* notes 122–25 and accompanying text.

151. See *supra* notes 147–49 and accompanying text.

152. See *Gunfire on School Grounds in the United States*, *supra* note 23.

153. See *supra* notes 2–4 and accompanying text.

154. Emily Shapiro & Karma Allen, *Police Seek Motive in California School Shooting that Killed 2*, ABC NEWS (Nov. 14, 2019, 8:32 PM), <https://abcnews.go.com/US/shooting-reported-high-school-los-angeles-area/story?id=67010044> [<https://perma.cc/Q2G3-ZKAP>].

155. Jayne Miller & Kate Amara, *Man Charged in Shooting of Frederick Douglass High School Staffer*, WBALTV11, <https://www.wbaltv.com/article/frederick-douglass-high-school-shooting/26253532> [<https://perma.cc/LGV4-M7SH>] (Feb. 10, 2019, 5:14 PM).

156. See *id.*

157. See Bastian, *supra* note 52.

158. See EVERYTOWN FOR GUN SAFETY, *supra* note 10, at 14–15 (explaining that Extreme Risk laws are a proven tool that can prevent school gun violence and Maryland's recently enacted Extreme Risk law has prevented at least four potential threats against schools).

159. See Nikki Graf, *A Majority of U.S. Teens Fear a Shooting Could Happen at Their School*, PEW RSCH. CTR. (Apr. 18, 2018), <https://www.pewresearch.org/fact-tank/2018/04/18/a-majority-of-u-s-teens-fear-a-shooting-could-happen-at-their-school-and->

for keeping our children safe while educating and preparing them for the responsibilities of becoming productive citizens.¹⁶⁰

In response to the Great Mills shooting, student activist Adam Alhanti tweeted, “The words School & Shooting should not be next to each other. Headlines like this should not have to be typed up every week.”¹⁶¹ States need a call to action in order to put an end to gun violence in a student’s learning environment, including a more comprehensive mental health system and school security measures within schools—and Maryland has set a strong example.¹⁶²

most-parents-share-their-concern/ [https://perma.cc/M3T2-DBLH]; see EVERYTOWN FOR GUN SAFETY, *supra* note 10, at 8–9.

160. See EVERYTOWN FOR GUN SAFETY, *supra* note 10, at 3–5.

161. Levenson, *supra* note 6 (quoting Adam Alhanti’s Twitter post that has since been removed due to the deactivation of Alhanti’s account).

162. See *supra* Parts III–IV, Section V.B.