

KEY CHECKLISTS FOR SCHOOLS TO PREPARE FOR ACTIVE SHOOTERS AND BOOST CAMPUS SAFETY PROTOCOLS

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The possibility of a school shooting is terrifying, and the consequences can be heartbreaking. Unfortunately, however, recent events have shown that an active shooting can occur almost anywhere – with schools a frequent target. Moreover, potential threats and emergencies extend well beyond shootings, and may include other violence, weapons other than guns, bomb threats, trespassers, bullying, and even cyberbullying between students on social media. These realities make it essential for school administrators to take time to evaluate their safety and security protocols and develop a comprehensive action plan. This series of checklists provides schools with a general overview of some significant topics you should be thinking about as you prepare for the unthinkable.

Preventive Steps Your School Can Take to Help Avoid Security Incidents

The first critical step is ensuring you have policies and procedures in place to stop problematic behavior before it turns into a bigger issue. Consider the following factors when reviewing your current policies and practices for employees and students:

— **Create a zero-tolerance policy for threats.** Make clear your policies that any threat or comment about violent behavior – hurting or shooting someone or bombing school – will be taken seriously, even if the comment is made in jest. Your employees and students should understand that, just like at the airport, there is zero

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tolerance if an individual makes a comment, posts on social media, sends a text message, or exhibits behavior that demonstrates a threat to the school community.

Develop anti-harassment and anti-bullying policies. Harassing behavior and bullying are often key early indicators of potentially violent behavior, so the first step your school can take to prevent a tragedy is to address misconduct. Work with your counsel to develop updated policies. It's a good idea to have a clearly communicated policy on harassment, bullying, abuse, and threats - including cyberthreats - and be aggressive about enforcement. Policies should identify the prohibited conduct, provide examples, and also give the school authority to address off-campus conduct, as such behavior may negatively affect the school and its community.

Prepare to conduct effective investigations. Develop a process ahead of time to promptly investigate claims from employees and students that someone is threatening someone else in the school community, talking about bringing a weapon to campus, planning to get revenge, or otherwise exhibiting conduct that raises red flags. Depending on the facts and circumstances of the situation, the threat may need to be immediately reported to law enforcement. In other instances, a trained individual from the school should investigate the allegations. When in contact with legal counsel to assist you in determining the path forward. An investigation needs to include carefully documented witness interviews to gather relevant information in a timely manner. You should note that each state has its own laws that apply to bullying and threatening behavior, and such conduct could constitute a crime that triggers mandatory reporting obligations by the school to law enforcement or child protective services.

Encourage reporting of suspicious behavior. Remind the school community (parents, students, employees, volunteer vendors) to immediately report suspicious or concerning behavior to both the school administration and to law enforcement. You should ask students to be aware of their own and others' activities, including on social media, and to report concerns related to weapons, threats of violence, or inappropriate content.

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_____ **Create the right for your school to conduct search** school's handbooks should be clear regarding your conduct unfettered searches for evidence of improper conduct on campus. This includes your school's right to search anyone on campus, including their bags and backpacks, any physical spaces like lockers, vehicle storage spaces, and individual and school-issued devices like laptops, tablets, phones, and all other electronic devices. Your school may want to consider including language regarding periodic searches by drug or bomb detecting dogs. Make sure your policy also requires all personnel and students to report any alleged violation of school policies and that the handbook outlines the disciplinary process for violations and how to report violations.

_____ **Consider filter settings and similar electronic detection tools.** A variety of tools are available to filter internet searches and messaging on school networks. For example, these tools trigger notification to the appropriate school representatives if a student, employee, or other individual conducts concerning internet searches. At a minimum, make sure your school's technology department is able to search histories upon request and emails even if deleted by the account holder.

_____ **Take consistent disciplinary action.** When you find violations of your policies, your school should issue appropriate discipline in accordance with your rules, guidelines, and procedures. Keeping a running record of disciplinary consequences is necessary to be sure that your school is applying consequences equitably to similarly situated students. You should also review your handbook and enrollment contracts regarding the sharing of disciplinary actions with other schools and/or universities. Before sharing any such information, confirm you are acting in accordance with school policy and any applicable laws within your jurisdiction or your school could face additional claims. In some situations, you may have to balance the risk of a claim that you disclosed too much information with the risk of not disclosing enough. Again, legal counsel is recommended.

_____ **Conduct regular training and maintain critical records.** Ensure that your students, staff, and faculty have the necessary training regarding your policies. Maintain records of acknowledgment and understanding of these policies.

Conduct a Thorough Security Audit with the Help of Legal Counsel

Before conducting any security audit – whether with the aid of an outside security consultant or on your own – you should work with your legal counsel to help ensure any report generated or advice provided falls under attorney-client privilege and is not subject to discovery. Access to such reports and communications related to them through the legal process is a somewhat gray area so be mindful of what is put in writing.

Involve your legal counsel. The first step is always legal counsel to help you throughout the security audit process. Your attorneys can help you identify and vet possible consultants, draft a contract between the consultant and your school, and help your school to read and clarify any report(s) the consultant prepares. They also help you frame your process and develop a plan for you are operating without a third-party consultant. Working with your attorney can help to shield some of these conversations from discovery in the event of any litigation through the attorney-client privilege. If you retain a third-party consultant, [make sure you ask five key questions found here in this related Insight.](#)

Develop a written plan and practice drills. Does your school have a written lockdown plan for active shooter or other violent events? If so, has your school drilled on the plan mentioned above, you'll want to drill on the various emergency scenarios to develop muscle memory on each in terms of responsibility during the event. Start with training your staff, consider inviting law enforcement, and decide when to eventually involve children to practice the drills with staff. Your plan and drills should be reviewed annually or when significant changes occur on your campus to keep the materials and procedures are current. Important to note, active shooter drills are different from weather or fire evacuation exercises and cannot be commingled with other drills.

Create safety reference guides. Consider developing charts or reference guides in every room that cover lockdown procedures, strangers on campus, health safety policies, fire drills, emergency procedures (such as 911 calls), tornados, severe weather, and other emergencies. You want employees and visitors to be able to grab a copy of your procedures quickly, wherever they are, to look at and call and what to do in the immediate aftermath.

Evaluate your campus entrances. Questions to consider: Is your campus fenced (as a first layer of your layered security)? Do your driveways have gates or arms that prevent vehicles from freely entering? Are there limited guarded entrances or gates as a second layer of security? Do buildings have limited and controlled points of exit (choke points) as an additional layer of security? Are you implementing technology to allow remote lockdown notifications of lockdowns right for your school? Are doors locked against entry from the outside but still allow egress from the inside? Any open door should be monitored by an actual person. You should not have the doors unlocked even for drop-off and pick-up but people should be able to safely exit the building in the event of an evacuation due to threat or fire. It might inconvenience students and parents at the end of the day – but maintain lives.

Consider your security presence. Consider whether you should retain off-duty police officers or armed private security to be present while children are on campus. Many schools have, especially at peak hours such as carpooling and large events. Make sure you know your state law regarding personnel on campus and ensure that any armed private security personnel receive regular qualification training. Some states now have laws allowing school personnel to be armed if they complete training and have permission from the board of trustees. Work with your legal counsel and insurer to balance the pros and cons to determine the best approach.

these programs might be right for your school.

Create a relationship with local first responders. Set up meetings with local law enforcement, fire rescue, and medical responders to give first responders a chance to know you and know your campus. Invite them to tour your campus or at your school on weekends or after school. The better first responders know your campus, the more ably they can help in an emergency.

Make it easy to locate buildings. Ensure you have up-to-date drawings of your campus and buildings, and that buildings are numbered large enough for first responders to see. Provide copies to local law enforcement and fire responders as well as having copies available throughout the campus.

Review past incidents. If there have been prior incidents or security breaches at your school, consider reviewing and analyzing what was involved — crimes, intruders, trespassers, threats? Where are they coming from: Students? Parents? Third parties? What steps do you take to further secure your campus against these breaches?

Consider installing security measures. There are a variety of measures you can consider. Some schools have surveillance monitoring and the ability to remotely lock the school. Others provide portable radios or cell phone applications so school officials can immediately communicate with security, the incident response team, or the administration. Schools now more commonly have protective barriers like bullet impeding window film, or glass, hurricane windows, or bollards or planters that prevent vehicle intrusion into the school. Is there one entrance for visitors? Is that entrance locked? Note that standard metal detectors are incredibly expensive, difficult to calibrate, and require at least two people to function. Package-only metal detectors are less expensive and require one trained technician to operate, but are also effective.

Prepare for emergency response situations. Offer training for AEDs, first aid, and CPR. Consider whether to certify entire staff. Does your school have AEDs, trauma kits (distinct from first aid kits) with adult and child size tourniquets, and other emergency response equipment? Make sure any flip charts reflect where these items are located. Seek input from your local emergency responders for what might be useful to them in an emergency.

Check in with your community. Ask whether your students and staff feel safe. Consider holding regular meetings regarding security and safety. Ask for community input to determine whether you need to adapt your measures where they may see areas for security improvement.

Daily or Regular Activities Can Play a Critical Role in Your Security Plan

Besides developing large-scale measures, you should also ensure your day-to-day actions support your safety and security goals.

Develop a visitor verification system. Some visitor management systems require all visitors to tender their driver's license so security can run it for open warrants against the sex offender registries.

Develop building access protocols. Develop a strong process for access devices, such as keys, key card pass cards. Keep a log of who has what key or access device and create strict prohibitions on sharing of keys or access devices. Track whether employees leave physical keys at school or take them home. Make sure employees are not circumventing these measures by propping doors, windows, or gates.

Conduct regular campus sweeps. Consider sweeping campus for foreign objects on a regular basis, perhaps in the morning. When your school campus opens in the morning,

consider assigning someone to look for boxes, backpacks, and other objects that someone other than staff may have deposited. This is also a good time to confirm that gates, windows and doors are properly secured. Encourage campus security officers to be moving throughout the campus rather than remaining stationary.

_____ **Ensure you lock your campus at the close of the day.** Make sure someone is assigned to properly lock the school at the end of each school day and re-verify that all doors are locked. Also create a plan for which buildings or campus areas will be locked after classes are completed when extracurricular and extended day activities are being held.

_____ **Stay current with maintenance.** Be sure to monitor and promptly repair maintenance problems that could be security issues. For example, among other things, make sure doors and windows properly close and lock, that surveillance cameras are operational, and that gates latch securely.

Training for an Active Shooter Event

While every school hopes they are never the target of such tragic events, you should be prepared in case an emergency does occur. Active shooter events are often unpredictable, but schools can adopt proactive strategies and tactics to assist in these scenarios.

Preparation, training, and periodic drills are key to internalizing the tactics necessary to deal with school violence and an active shooter. Such repetitive drills will assist in making the response reflexive or second nature, which is necessary in such stressful situations. You should invite law enforcement so they can see and learn the physical layout of your campus, meet your employees, and give you honest feedback about your process. In some areas, law enforcement or first responders will assist schools in such drills. At some point, consider whether to involve children in age-appropriate practice of the drills with your staff. Remember, your staff may not have the expertise or experience to lead some portions of this training, including what to do when the active shooter is present, so rely upon law enforcement or a qualified consultant for this instruction.

Conclusion

Should you have questions or need assistance in managing any of these issues, you should contact your Fisher Phillips lawyer, the authors of this Insight, or any member [of our Education Practice Group](#). To ensure you stay up to speed with the latest developments, make sure you are subscribed to [Fisher Phillips' Insight System](#) to get the most up-to-date information.