



**House
Legislative
Analysis
Section**

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SCHOOL SECURITY TASK FORCE

**House Bills 4672 and 4675 with committee
amendments**

Committee: Education

House Bill 4674 as introduced

Committee: Judiciary

First Analysis (5-26-93)

Sponsor: Rep. Kirk Profit

THE APPARENT PROBLEM:

The 1990 Youth Risk Behavior Survey asked a representative sample of students in grades 9 through 12: "During the past 30 days, how many times have you carried a weapon, such as a gun, knife, or club, for self-protection or because you thought you might need it in a fight?" The responses indicated that 19.6 percent of the students (and 31.5 percent of the males) had carried a weapon at least once in the 30 days prior to the survey.

Of the high school seniors in the Class of 1991 responding to a University of Michigan survey, 6.5 percent said someone had injured them with a weapon (such as a gun, knife, or club) at school during the past 12 months one or more times and over 16 percent said someone had threatened them with a weapon (but not injured them). (Source for the above: Sourcebook of Criminal Justice Statistics - 1991, issued by the U.S. Department of Justice.)

A deputy superintendent from the Lansing School District told the House Education Committee that there were 101 "incidents involving weapons on school property" in the 1991-92 school year, and said that "an increasing number of the firearms confiscated from students are the property of the student's parents who failed to secure the firearm from access by their child."

Whatever the other disagreements are over how children should be educated, it is generally accepted that the school environment ought to be safe. Students should not be fearful because of the presence of weapons in and around their schools. Yet apparently this all too often the case. Some people believe that new efforts need to be made to

investigate this problem and attack it on several fronts at once.

THE CONTENT OF THE BILLS:

House Bill 4672 would amend the School Code (MCL 380.1291) to allow a school district to establish a local school security task force to perform functions at the local level similar to those performed by the state-level task force. The local task force would have to include representatives of parents, teachers, and other school employees, school administrators, law enforcement officials, students, and other community members. A district could use school operating funds for the task force's activities. (School districts would not be required to establish such a task force and would incur no liability if they did not.)

House Bill 4674 would amend the act establishing the Department of State Police (Public Act 59 of 1935, MCL 28.16) to require the department to establish and maintain a firearms safety program to educate children about the dangerous nature and safe handling of firearms. The department would make the program available to local school districts. The department also would produce or arrange for public service announcements to educate the public about the need to keep firearms and other weapons securely stored so that they are not accessible to children, as well as the need to operate or use weapons in a safe and lawful manner. There would also be public service announcements to educate the public about weapon-free school zones.

House Bill 4675 would create the School Security Task Force Act, under which there would be established an 18-member school security task force within the Department of Education to investigate the problems of weapons in schools and other factors that threaten school security and to recommend administrative and legislative responses to provide students with a safe environment. The act would be repealed effective December 31, 1996.

The state school security task force would be required to:

-- Research and evaluate the problem of weapons in schools and other factors having a negative impact on school security in the state, responses to the problem by school districts and other communities, and responses to the problem in other states.

-- Award grants to school districts and local units of government for local programs designed to reduce the incidence of weapons in school and other security-threatening factors. The grants would be awarded on a competitive basis, assuring a balance between urban, suburban, and rural areas, for projects including, but not limited to: acquiring security equipment; operating a telephone line or other method of receiving information, which could be anonymous, about people suspected of having weapons in school or committing a crime involving weapons in school; developing or implementing local public education programs aimed at reducing access to weapons by minors and reducing weapons in schools; developing alternative education programs for students found with weapons in school; and developing or implementing alternative dispute resolution programs to teach students how to resolve conflict in a non-violent and non-assaultive manner.

-- Evaluate and make recommendations on the feasibility of incorporating the following into a weapons-free school program: developing a statewide reporting system requiring full reporting by schools and school districts of incidents involving weapons in school to a centralized data repository; providing a uniform set of definitions for identifying and categorizing incidents involving weapons in schools; encouraging active review by government and the public of local school district policies for responding to violence, crime, and discipline problems; expanding the accountability of parents and students so that they would have a more active role and greater responsibility for maintaining safety

in the schools; participation by schools and school districts in the Youth Crime Watch of America program; developing and funding academic-based alternative education programs at sites separate from regular school buildings for serious and chronic repeat offenders and imposing community service requirements for repeat offenders; training for public school employees about laws, rules, and rights relating to violence, crime, and student behavior problems; implementing and enforcing a ban on student use and possession of pagers, cellular telephones, and similar devices at school and school-related events, except as approved for medical or other emergencies; training teachers and other school personnel in conflict resolution; and funding enhanced safety and security features in new school building construction and in renovations to existing school buildings.

-- Submit a report six months after its first meeting, and at least twice annually thereafter, on its activities, findings, and legislative recommendations to the governor, appropriate standing committees of the legislature, and the State Board of Education. The report would have to contain at least the task force's findings on the extent of the weapons problem in schools and other security-threatening factors; a review of local efforts; an evaluation of programs funded by grants; and any legislative or administrative recommendations. The task force would also have to issue an annual report to school districts on effective local school security programs.

Task force members would be appointed by the governor. One would be chosen directly by the governor and 17 would be appointed from among 2 nominees submitted by each of the following: The Speaker of the House of Representatives; the Senate Majority Leader; the Department of State Police; the Department of Education; the Michigan Education Association; the Michigan Federation of Teachers; the Michigan Association of School Boards; the Michigan Association of School Administrators; the Michigan Association of Secondary School Principals; the Detroit Public Schools; the Michigan Association of Counties; the Michigan Municipal League; the City of Detroit; the Wayne County Prosecutor; the Prosecuting Attorneys Association of Michigan; the National Rifle Association; and a juvenile justice association designated by the Department of State Police. The task force would be subject to the Open Meetings Act and the Freedom of Information Act. The

Department of Education would provide technical assistance.

BACKGROUND INFORMATION:

The fourth bill in this package is House Bill 4673, which would amend the Michigan Penal Code to create "weapon-free school zones" within 500 feet of school property, and establish penalties for possession or use of a weapon within a zone. The bill also would establish misdemeanor penalties for parents of minors who carry weapons on school property and both misdemeanor and felony penalties for failure to keep a loaded firearm out of the hands of a minor. The proposal is said to be modeled on the "drug-free school zone" legislation already in place. The bill is in the House Judiciary Committee.

FISCAL IMPLICATIONS:

The bills propose the operation of a task force, the awarding of grants, and a state police firearms safety training program offered to local school districts, all of which would require funds not currently appropriated. The Department of Education (in an analysis dated 5-25-93) has said that similar task forces have cost between \$5,000 and \$10,000 per year. The department also points out that it administered a school safety grants program for six years from 1985-1990. Grants were awarded to local school districts, mostly for student counseling, the hiring of security officers, and the purchase of security equipment. The appropriation for that program was from \$1.2 million to \$1.5 million annually (except for 1986-87 when funding was \$500,000). About 30 districts received funds each year, some for new projects and some to continue existing projects. The districts were expected to provide more of their own funds each year. In 1990-91, some small awards, totaling \$10,000, were made to teachers for school safety projects. The Department of State Police reports that it would also need additional funding for its new responsibilities. (5-25-93)

ARGUMENTS:

For:

The bills are part of a package aimed at addressing the problem of weapons in and around schools. Proponents say the bills are a first step, but an important one. The task force bills will help community leaders better understand the nature and

sources of the problem, as well as evaluate possible solutions. The effort will involve representatives from education, law enforcement, state and local government, the gun-owning community, and others. This is a community-wide problem and it needs the involvement of many sectors of the community. Grants would be available to school districts and local units of government to improve security and to develop and implement alternative dispute resolution programs. Local school safety task forces would be encouraged. There would also be an emphasis on firearms education and on reducing the access to firearms and other weapons by minors. (A related bill would work to create "weapon-free school zones.")

Response:

Is a new task force required? Couldn't the Department of Education undertake these activities alone, consulting with interested parties? Information from the Department of Education suggests a school safety grant program existed from 1985-1990 to fund model approaches to school safety programs. Perhaps those efforts should be evaluated as part of this new program. The Department of State Police, moreover, will not be able to fulfill its new educational responsibilities without additional funding. Perhaps there are current programs in the Department of Education or Department of Natural Resources that could serve this purpose.

Against:

There has been some criticism of the makeup of the state task force being created. While school officials, teachers, and law enforcement are amply represented, it does not contain a student member nor a person specifically representing parent interests (or the interests of "the family." Also, some people have recommended, since "weapons in schools" is so often characterized as a problem that particularly affects central cities and minority youth, that representatives of organizations such as the Urban League or NAACP be on the task force.

POSITIONS:

The Department of State Police supports the concept of the package but does not support House Bill 4674 in its current form. (5-25-93)

The Wayne County Prosecutor's Office supports the bills. (4-22-93)

The Michigan Association of School Boards
supports the bills. (5-25-93)

A representative of the Lansing School District
testified in support of the bills. (5-17-93)