

**STATEMENT OF KENNETH S. TRUMP**  
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**COMMITTEE ON EDUCATION AND LABOR**  
**UNITED STATES HOUSE OF REPRESENTATIVES**

**HEARING ON “NCLB: PREVENTING DROPOUTS AND  
ENHANCING SCHOOL SAFETY”**

**Monday, April 23, 2007 at 3:00pm**

**2175 Rayburn House Office Building**  
**Washington, DC**

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**INTRODUCTION AND BACKGROUND**

Chairman Miller and distinguished committee members, thank you for inviting me to appear before you today to provide testimony on what undoubtedly is the number one education concern of parents in our nation: The safety and security of their children at school.

My name is Kenneth Trump and I am the President and CEO of National School Safety and Security Services, Incorporated, a Cleveland (Ohio)-based national consulting firm specializing in school security and school emergency preparedness consulting and training. I have personally had the opportunity to work with K-12 school officials and their public safety partners in urban, suburban, and rural communities in 45 states during my career of over 20 years in the school safety profession.

In addition to working with educators and public safety officials nationwide, my background includes having served over seven years with the Cleveland City School District's Safety and Security Division as a high school and junior high school safety officer, a district-wide field investigator, and as founding supervisor of its nationally-recognized Youth Gang Unit that contributed to a 39% reduction in school gang crimes and violence. I later served three years as director of security for the ninth-largest Ohio school district with 13,000 students, where I also served as assistant director of a federal-funded model anti-gang project for three southwest Cleveland suburbs.

I have authored two books and over 45 articles on school security and emergency preparedness issues. My education background includes having earned a Bachelor of

Arts degree in Social Services (Criminal Justice concentration) and a Master of Public Administration degree from Cleveland State University; special certification for completing the Advanced Physical Security Training Program at the Federal Law Enforcement Training Center; and extensive specialized training on school safety and emergency planning, terrorism and homeland security, gang prevention and intervention, and related youth safety topics.

Presently I volunteer as Chair of the Prevention Committee and Executive Committee member for Cleveland's Comprehensive Anti-Gang Initiative, one of six Department of Justice-funded federal and local collaborative model projects to address gangs through enforcement, prevention, and reentry strategies. I was an invited attendee at the White House Conference on School Safety in October of 2006. In 1999, I testified to the Senate Health, Education, Labor, and Pensions (HELP) Committee as a school safety and crisis expert.

School districts and other organizations engage our services to evaluate school emergency preparedness plans, provide training on proactive school security strategies, develop and facilitate school tabletop exercises, conduct school security assessment evaluations, and consult with school administrators and board members on management plans for improving school safety. We have increasingly found ourselves also called to assist educators and their school communities with security and preparedness issues following high-profile incidents of school violence. In the past several years alone, we have worked in a school district where a student brought an AK-47 to school, fired shots in the halls, and then committed suicide; in a private school where death threats raised student and parental anxiety; and in a school district where a student brought a tree saw and machete to school, attacked students in his first period class, and sent multiple children to the hospital with serious injuries.

My perspective on school safety is vastly different from the many other types of other witnesses you may have heard from in the past, or will hear from in the future. I am not an academician, researcher, psychologist, social worker, law enforcement official, or government agency representative. Instead, I bring to a perspective of front-line experience in working with public and private school staff, their public safety and community partners, and parents of our nation's children on school violence prevention, security risk reduction strategies, and emergency preparedness measures.

### **SCHOOL CLIMATE: PARENTAL AND STUDENT EXPECTATIONS AND NEEDS FOR ACADEMIC ACHIEVEMENT**

Preventing school dropouts and meeting the academic standards our legislative and educational leaders have established, including those under the No Child Left Behind federal education law, requires that our schools first be safe. Children cannot learn and teachers cannot teach at their maximum capabilities if their attention is distracted by concerns about their personal safety. I have personally experienced firsthand in the school communities in which we have worked after a crisis how parental, student, and educator attention to safety trumps, and often consumes, the entire focus over academics in a school community for weeks and months, and sometimes years, after the tragedy.

Parents will forgive educators, legislators, and others with whom they entrust their children's education and safety if their children's test scores go down for one year. They are much less forgiving if something harmful happens to their children that could have been prevented in the first place or better managed in a crisis which could not be averted. Parents, students, educators, and public safety officials are increasingly frustrated with what they believe to be a lack of awareness, interest, and support on school safety, especially as they have watched federal and state budgets for school safety and emergency planning being cut while resources are being increased elsewhere to better protect other critical infrastructure environments of our homeland.

Parents are desperately looking to educators and their elected officials for help in better protecting their children in our nation's schools by improving violence prevention and intervention programs, developing improved threat assessment measures to provide for earlier detection and diversion of persons plotting to cause harm, improving school security measures in a balanced and comprehensive manner, and better preparing our educators for managing school crises and emergency situations which cannot be averted.

Parents and educators are increasingly demanding that we not only do more, but do better, in improving safety in our educational climate. While many improvements in school safety, security, and emergency planning have been made in schools post-Columbine (April, 1999), the progress we saw in the months and years after that tragedy has been stalled and is slipping backwards in many school communities. Federal and state school safety funding cuts, pressures on meeting new academic standards, and diverted attention to the many other issues challenging our nation have caused school safety to fall to the back burner from here in inside the Beltway to our local neighborhood school offices.

As we meet here today, eight years after the Columbine High School tragedy in 1999, we find ourselves discussing the many aspects of school safety that we were discussing eight years ago almost to the day. We cannot change school climate if we do not change the conversation. This hearing and your attention to school safety provides an opportunity to take meaningful steps to change the conversation and the backwards direction school safety policy and funding has taken in recent years so that we may prevent dropouts and protect those children and teachers whose focus should be firmly on the academic achievement we so strongly desire, instead of on their personal safety as they attend school.

### **CONGRESSIONAL ACTION FOR IMPROVING SCHOOL SAFETY**

Congress is poised, beginning with the leadership of this Committee as demonstrated by your attention to school safety today, to take reasonable, practical, and meaningful steps to change the conversation, change the school climate, and make our nation's K-12 schools safer.

Three immediate steps needed, in my professional opinion, include:

1. Improve K-12 school crime reporting so that Congress, states, and local school districts will have incident-based data, instead of the current reliance upon perception and opinion based survey data, to make sound policy and funding decisions related to improving safety in America's schools;
2. Restore recently cut funding, and expand future funding resources, for school violence prevention, school security, school-based policing, and school emergency preparedness planning; and
3. Examine the current federal organization and structure for the oversight and management of federal school safety policy, programming, and funding.

### **1. Improve School Safety By Improving School Crime Reporting**

Congress can and should improve school crime reporting. If we cannot accurately identify the scope and severity of school crime and violence, we will never be able to reduce school crime and violence, and improve safety in our schools.

#### ***Current Federal School Crime and Violence Data is Limited to Surveys, Not Incident-based Data on School Crimes and Violence***

One of the "dirty little secrets" in our nation's education community is that there is no comprehensive, mandatory federal school crime reporting and tracking of actual school crime *incidents* for K-12 schools. While Congress enacted the Cleary Act in 1990 to improve crime reporting and collecting on college campuses, K-12 schools have no such requirements or incident-driven data in place. Federal school crime and violence data by-and-large consists of a hodgepodge collection of just over a half-dozen academic *surveys* and research studies.

The primary source of federal data on school crime and violence is known as the annual Indicators of School Crime and Safety Report. The most recent report, Indicators of School Crime and Safety: 2006 was released on December 3, 2006. Data in these reports is typically outdated by several years by the time it is published.

One of best examples of the poor quality of federal data is reflected in the Indicators of School Crime and Safety: 2006 report itself in the section on, "Indicator 1: Violent Deaths at School and Away from School." The last line in the first paragraph of this section states, "Data for school-associated violent deaths from the 1999-2000 through 2004-05 school years are preliminary." This leads to one simple question: If the data our federal government has on school-associated violent deaths is only complete up to 1999, and the data for 1999-2005 is "preliminary," how can we expect to make solid school safety policy and funding decisions in 2007 and 2008?

Exhibit 1 to this report includes a table from Appendix A of the 2006 "Indicators" report which lists the half-dozen or so surveys and the limited sample sizes of each. Sadly, this is what Congress, state legislatures, local school districts often refer to for making policy and funding decisions, and for advising the American public on what they believe to be trends in school crime and violence.

While we recognize the difficulties and limitations in federal data collection, and appreciate the fact that the surveys are certainly better than nothing, the fact is that they are still just that: Surveys. There is a vast difference between perception and opinion-based survey, and actual incident-based data on actual occurrences of school crime and violence. The absence of incident-based data forces this very Congress to make federal policy and funding decisions based upon a “best-guestimate” approach driven by perceptions and opinions, rather than data on actual crimes which occur on school campuses.

Most importantly, not only is Congress forced to make school safety policy and funding decisions based on a “best-guestimate” approach, but the American public is being inadvertently misled when these surveys are being used to claim that school violence in America is actually decreasing over the past decade. When front-line educators and public safety officials hear quotes from this federal source claiming that violent school crime is down over 50% since 1992, they laugh. But this is no laughing matter. Still, the Department of Education and others inside and outside of the Beltway continue to claim school crime has been decreasing over the past decade, repeatedly referring to the “Indicators” reports, and this very information has long been fed to those of you in Congress as a basis for making policy and funding decisions.

How would we know if school crime is actually up or down when there is no actual incident-based federal data collection? It is widely believed by me and my colleagues in the school safety field that the federal survey data grossly underestimates the extent of school crime and violence. Reality exists somewhere in between, but statistically, nobody actually knows exactly where this “somewhere” is because there is no federal mandatory K-12 incident based data --- just surveys.

In fact, my non-scientific data collection from national news accounts and, educators and school safety officials working in schools, on school-associated violent deaths, which unlike the federal data is not “preliminary” and is up-to-date as of the last business day before this testimony, shows that school-associated violent deaths have increased from the 2000-2002 time period, and have remained steady the past few years. See Exhibit 2 for a chart of this data. While this data is not scientific, it does beg the question of a private citizen can monitor national news and school safety sources to put together more timely data than the federal government. Sadly, school and safety administrators have told us they rely on our informal data as being more accurate and timely than that produced by the federal government.

Even data from the Gun Free Schools Act (GFSA) required by law passed by Congress is limited due to loopholes in reporting. The GFSA requires local education agencies to report to states students expelled for gun offenses on campuses. The key words here are “students” and “expelled”. Schools do not have to report non-students arrested on campuses with firearms because they are not students, nor would reporting be required for students who are already expelled due to other offenses but return to campus with a firearm. There are also questions as to whether special education students who offend are

all being reported under GFSA since their disabilities may technically not result in “expulsion” from school, but instead in modified educational placements and services.

Additionally, the “Persistently Dangerous Schools” component of the federal No Child Left Behind law requires states to create definitions of a “persistently dangerous school” so that parents may have the option of school choice. This label alone is considered to be the “Scarlet Letter” of education today. The result has been that to avoid creating a politically volatile relationship with local education agencies, states have created definitions of “persistently dangerous” that are so unreachable that they could not be met by most school districts even if they wanted the label. The result, at best, has been well intended legislation that has been lost in the politics of implementation.

The aforementioned points should beg this Committee, and Congress in general, to ask how you can make sound policy and funding decisions when as a nation, we do not even have timely and accurate incident-based data on how many school-associated violent deaths and gun offenses occur on campus, much less the many, many more common forms of school violence and crime such as assaults, sexual assaults, other weapons offenses (such as bladed weapons), threats and menacing, extortion, etc.

### ***School Crimes are Underreported to Police, States, and to the Public***

While educators today are more open to calling the police than ever before in the history of education, far too many principals, superintendents, and school board members still believe that the public will perceive them to be incompetent leaders and poor managers if the public becomes aware of crimes, violence, and serious discipline problems which occur in their schools. The result has been a historical culture of “downplay, deny, deflect, and defend” when it comes to local districts reporting crimes to police and discussing school crimes, violence, and discipline problems with parents.

Exhibit 3 to this testimony is an extraction from our web page on school crime underreporting (See [www.schoolsecurity.org/trends/school\\_crime\\_reporting.html](http://www.schoolsecurity.org/trends/school_crime_reporting.html)). The exhibit provides a synopsis of approximately 20 national news stories from the past five years which document examples of the underreporting of school crimes to police, states, and the public. Stories discussed situations including an initially unreported firearm discharge at a private school, a case where high school where a student was stabbed to death reported to their state no fights or assaults for the entire school year, and a situation where one state’s largest school district failed to report over 24,000 serious incidents, including fights, thefts and drug, sex, and weapons offenses, to their state as required by law.

Furthermore, I have personally conducted surveys of our nation’s school-based police officers (School Resource Officers or SROs) which indicate that police who work in schools believe that school crimes are underreported to law enforcement. Four annual surveys of over 700 officers per year, for each year from 2001 through 2004, found 84% to 89% of school-based officers indicating that it is their professional belief that crimes occurring in schools have gone unreported to law enforcement. Most educational

administrators will admit this as well, although they will do so privately versus going on the record since doing so would place their jobs at risk.

Far too many educators also believe that if they even talk with parents about school security and emergency preparedness measures, it will alarm many parents and draw adverse media attention (many deem ANY media attention as being adverse, even when it is not). They also believe that what they perceive as "negative attention" that would be drawn from public awareness on school safety issues will also somehow jeopardize the public confidence in their leadership and, in turn, potentially jeopardize voter funding requests and parental/community support of the school district.

Interestingly enough, most parents believe just the opposite of what some educators believe they would think. Parents tell us time and time again that their biggest fears are that there are not enough security measures in place at their children's schools and that school emergency planning is "not on the radar" of their school administrators. ***While some school officials too often are afraid of creating fear and an adverse image of themselves by talking about ---and dealing with ---school security and emergency preparedness issues, their resulting silence and inaction actually creates the very fear and negative images they so desperately want to avoid in the eyes of parents and the media.***

Why do so many local school administrators underreport school crime? The answer tends to fall into one of two categories:

1) Many school administrators fail to distinguish crimes from violations of school rules. As such, many crimes are handled "administratively" with disciplinary action, such as suspension or expulsion, but are never also reported to police for criminal prosecution. Oftentimes this is due to a lack of training of principals on distinguishing crimes from disruptive school rule violations, and/or a lack of clear policies and procedures (and a lack of enforcement for those that do exist) on reporting school crimes to police.

2) Far too many school administrators believe that by reporting school crimes to the police, they will draw adverse media and public attention to their school. These school administrators believe that parents and the community will view them as poor managers of their schools if their school has a high number of incidents or appears in the media because of a school crime incident. Many building administrators (principals) are pressured by central office administrators and/or school boards, either directly or indirectly, if their school crime reports, discipline cases, suspensions or expulsions, etc. are "high" or "higher" than other schools.

These "image" concerns result in the underreporting of school crimes for political and image purposes. Sadly, the honest principal who deals head-on with incidents and reports crimes, often unfairly suffers adverse political consequences while the principal who fails to report incidents and sweeps them under the carpet is rewarded administratively and from a public relations perspective for allegedly having a "safer"

school. The reality is that the principal with the higher statistics may actually have a safer school because he or she deals with the problems head-on and reports incidents.

It is therefore not surprising why some education associations and lobbyists may very well oppose incident-based school crime data, instead preferring to continue doing things the same old way by using limited academic surveys and research studies that do more accurately disclose the extent of school crime and violence to the American public. The challenge for Congress will be to determine whether it wishes to continue making policy and funding decisions based upon opinion and perception survey data, and in turn continue to get the same results we have had in recent years with school safety, or if Congress is willing to “change the climate by changing the conversation” through requiring the use of incident-based data.

### **H.R. 354- The SAVE ACT**

This Committee, and your colleagues in Congress, can act now to make a difference in school safety. H.R. 354, the Safe Schools Against Violence in Education, or the “SAVE” Act, introduced by The Honorable Congresswoman Carolyn McCarthy of New York, calls for meaningful and practical steps to improve accountability, accuracy, and transparency to our nation’s parents and educators in the reporting for school crimes and violence. It also calls for much better guidance on reporting school crimes, tightening of loopholes in the Gun Free Schools Act reporting, and the use of incident-based data (instead of just perception and opinion-based data from surveys) in determining safe climates for academic achievement (currently known as “persistently dangerous schools” designation by states under No Child Left Behind).

The SAVE Act closes the loopholes in the Gun Free Schools Act by including reporting requirements for students who are already expelled, removed or suspended from school, as well as non-students who may bring a firearm on campus or on a school bus. Current law only requires reporting on students who have been expelled. The Act will also require certification that data is accurate and reliable, an important component for improving accountability of those who report school crime data who may otherwise be tempted to underreport whenever the absence of such accountability certifications may allow them to do so.

Equally important, The SAVE Act requires states to use already available data from the FBI’s National Incident’s Based Reporting System (NIBRS) in determining what is now known as “persistently dangerous schools”, a label that The SAVE Act would modify to “safe climate for academic achievement” options to remove the stigma of “persistently dangerous” which encourages underreporting by local schools. By enacting The SAVE Act, the introduction of NIBRS data into school safety policy and funding decisions would provide the first meaningful effort to shift the conversation on school safety in this country from one based upon perception and opinion surveys, to actual incident-based data on real crimes that actually occur at our nation’s schools. Congress, state legislators, and local educators could finally begin to have a national and state data source on school crime based upon real incidents going on in our schools, rather than on the perceptions and opinions of a limited population tapped for an academic survey.

We have already seen how the lack of good data can have a detrimental effect on safety programs. The Program Assessment Rating Tool (PART), a rating tool developed by the Administration, rated the Safe and Drug Free School state grants "ineffective" for FY 2007, because ED was unable to demonstrate that those programs worked. As a result, the Administration terminated the state grants programs in its FY2007 budget. The PART stated: "while the program requires grantees to report their progress against locally developed measurable performance goals and objectives, this reporting does not produce comparable national data. The Department of Education has not provided national performance measures that help improve local programming decisions and are of equal use to State, local and Federal administrators."

The surveys can and should continue. But they should not be the sole source of school crime and violence data in our nation. Surveys can supplement actual incident-based data, and surveys can continue to exist along with the new focus on NIBRS incident-based data. Congress and others rely upon improved data to make public policy and funding decisions, just as they do with the current FBI Uniform Crime Reports on actual crime incidents in our communities, which is augmented by many research reports and victimization surveys on crime in our neighborhoods.

The SAVE Act will also provide resources to schools that need it the most. We cannot continue punishing school administrators who accurately and honestly report school crimes. Educators who acknowledge school crime problems and tackle them head on should be provided the resources to correct the problem, instead of being left hanging out to dry in the eyes of adverse media attention with no support for making their schools safer.

Opponents of incident-based school crime reporting, who tend to prefer limited perception and opinion surveys over real crime data (perhaps to further the image and perception obstructions that are a part of the historical culture of education downplaying school crimes), often tend to cloud the issue with ridiculous assertions about the process and outcomes of moving to incident-based data. It is therefore important to recognize the following:

1. The SAVE Act requires ***no new bureaucracies or overwhelming budgetary expenditures*** to collect school crime data. It simply calls for the ***breaking out of existing data*** in a manner to identify K-12 school-based crime incidents.
2. The SAVE Act reflects ***no invasion of privacy***. The FBI or other federal agencies would not be "coming into a school near you" to investigate or oversee school criminal incidents.
3. The SAVE Act focuses on ***incident-based*** data, ***not individual*** data. There would not be an invasion of privacy or focus on individuals, just a record of the number of types of incidents that occur.

If presented opposition to the SAVE Act, members of Congress should simply ask the same question myself and my colleagues ask: “Why would anyone be against having more accurate school crime data?” In my experience of over 20-years in the school safety field, I have yet to be able to find a legitimate answer to this question.

As such, I encourage Congress to pass H.R. 354, The SAVE Act, and its related H.R. 355, the feasibility study bill for exploring the NIBRS data collection school crime data reporting-out process identified in The SAVE Act.

We cannot change the climate if we do not change the conversation. It is time for Congress to act to change the conversation if we expect to better identify school crime and violence problems and trends, and make meaningful and accurate policy and funding decisions for preventing and managing these problems.

## **2. Restore recently cut funding, and expand future funding resources, for school violence prevention, school security, school-based policing, and school emergency preparedness planning**

In recent years, Congress has repeatedly cut funding for the federal Safe and Drug Free School Program which is the primary funding source for school safety and violence prevention efforts. It is worth noting again that the federal Program Assessment Rating Tool (PART) assessments which identified the state grants component of the Safe and Drug Free Schools Program as “ineffective” noted the problems with the lack of quality data associated with this program. Again, data lacking quality is impacting federal policy and funding on the major source of funding for keeping our schools safe.

Additionally, even in today’s world of attention to our nation’s homeland security, federal funding for the Education Department’s Emergency Response and Crisis Management (ERCM) program, now known as the Readiness and Emergency Management (REM) for Schools program, has been cut almost 40% since 2003. According to PowerPoint slide data from a presentation by a Department of Education official, the program has been cut from over \$39 million awarded to 134 school sites in FY 03, to only \$24 million awarded to 77 sites in FY06. See Exhibit 4 for this document detailing these facts.

It is worth noting that the numbers of applications for this ERCM/REMS grant program have ranged from over 550 in its first year of FY03 to 301, 406, and 379 the following years. Given the Department of Education has issued the RFP for this grant toward the end of each school year (April-May) and required submissions around May-June, it is logical to believe there would be greater interest and more applications had the Department not chosen to put out calls for proposals at the end of the school year when educators are focused on testing, graduations, and school-year closure and therefore have more difficulty in putting together complex grant applications with multi-agency partners from their communities. Many of us in the school safety field believe the number of applications would be even greater if the call for proposals was put out earlier in the school year and not when school administrators are so overwhelmed with year-end school matters.

At a time when Congress is funding more resources to protect our national infrastructure such as airports, monuments, and the hallways of our government offices themselves, how can we justify cutting almost 40% from an already pithy amount of funding for helping to protect the children and teachers in the hallways of our nation's schools?

Unlike many other narrowly focused federal grant programs, the ERCM (now REMS) grant provides for a comprehensive and balanced program consisting of prevention, mitigation, preparedness, and response components in order to be successfully funded. This means that school programs can be designed as they should, not skewed towards prevention programming-only or security/policing/emergency response-only, but designed instead with a balanced and comprehensive approach of prevention, preparedness, and response. The threats facing our schools today require nothing less.

Congress should immediately act to restore funding cut for the ERCM (now REMS) program and significantly increase future funding multiple times the original already-under-funded \$39 million funding allocation for this program. The need is significant. Reducing school emergency prevention and preparedness funding in a post-911 and post-Columbine world is illogical, counterintuitive, counterproductive, and inconsistent with our overall national homeland security philosophy of prevention and preparedness.

Congress should also closely examine the issue of schools as potential targets for terrorism. Congress should make sure that K-12 schools are an integral part of our nation's homeland security preparedness policy and funding. This should include opening up Homeland Security funding to K-12 schools for use in protecting schools and school buses. Schools clearly fit the definition of a "soft target" and an attack upon our schools would have not only a devastating impact on Americans emotionally, but a severe impact on the American economy if the "business" of education shut downs and/or is disrupted due to a catastrophic terror attack upon our educational infrastructure.

We need only look at the following quote from the National Commission on Children and Terrorism's report of June 12, 2003: "Every day 53 million young people attend more than 119,000 public and private schools where 6 million adults work as teachers or staff. Counting students and staff, on any given weekday more than one-fifth of the U.S. population can be found in schools." Schools and school buses have basically the same number of children at the same locations every day of the week in facilities and buses that are unquestionably soft targets.

There are a number of "red flags" that appear to be going unnoticed in recent years. News reports in June of 2004 indicating a suspected sleeper-cell member of al-Qaeda who obtained a license to drive a school bus and haul hazardous materials; the reported (appropriate) reclassification of schools to a higher risk category in its national risk assessment program by the Department of Homeland Security in 2006; March of 2007 alert by the FBI and Homeland Security Departments about foreign national with extremist ties obtaining licenses to drive school buses and buying school buses; and even a top school administrators employed in the Detroit and DC schools who was federally

charged in 2005 with a conspiracy with terrorists according to news reports. Add to that a number of other suspicious activities around schools across the country, the Beslan, Russia, school hostage siege and murders in 2004, and the history of schools and school buses being terror targets in the Middle East.

In short, the tactics have been used elsewhere in the Middle East and in Beslan, Russia. An attack our educational system would have a devastating emotional and economic on America. And it is not unforeseeable except to those who do not wish to acknowledge and deal with it for political and image reasons.

Yet to date, from inside the Beltway to our local communities, public officials have largely been afraid of talking about, and acting proactively upon, the idea of schools as potential terror targets out of fear of alarming parents. I pray we do not face the day where we have a “911 Commission” type hearing asking how a terrorist attack that occurred upon a school in the United States could have been avoided. We know that denial, downplay, and “Ostrich Syndrome” make us more vulnerable. We cannot continue the current course of ignoring the threat of terrorism to our nation’s K-12 schools.

Congress also needs to revisit federal funding for the hiring, and most of all for the training, of our nation’s school police officers (known as School Resource Officers or SROs). Justice Department programs for School Resource Officers have suffered major cuts in recent years, in effect decimating the COPS in Schools program that helped to protect our children and educators. Funding for training school security personnel, in addition to school police officers, is sorely lacking and desperately needed as limited education funds are focused on academic achievement strategies for meeting mandated test score standards.

While our local police, fire, and emergency medical service personnel are our “first responders”, our educators, school security personnel, and school-based police officers are our “VERY FIRST responders.” We must give them the training and tools to do protect our children and teachers.

### **3. Examine the current federal organization and structure for the oversight and management of federal school safety policy and programming.**

Congress should also act in a swift and effective manner to determine the direction of the state grant component specifically, and the overall program in general, for the Safe and Drug Free School (SDFS) Program. The dramatic cuts of the SDFS program state grant allocations in recent years has resulted in this program bleeding a slow death. Our nation’s educators cannot be left standing by idly while the major source of funding (SDFS) for school safety and violence prevention, and the aforementioned school emergency preparedness grants continue toward elimination.

If Congress is determined to allow the SDFS to die, it needs to create a replacement source of primary funding for school violence prevention and preparedness. Perhaps then this would mean looking at making the EMCR/REMS grant program as the new model

for federal funding of school crime and violence prevention, mitigation, preparedness, and response.

Perhaps also it means Congress needs to look at how federal school safety and policy is managed in the federal government administrative structure. The Department of Education has long been the lead source for violence prevention curriculum, intervention programming, and dealing with strategies school as bullying prevention, youth suicide, and related prevention policy and funding, and many believe they the expertise for addressing these issues is best housed in the Education Department. Congress should explore whether the Departments of Justice and/or Homeland Security's richer history, experience, knowledge, and expertise with security, policing, and emergency preparedness programming would provide a more focused leadership on managing K-12 school security, policing, and emergency preparedness components of our nation's school safety policy and funding. While these two departments do work, and should continue to work, with the Department of Education, perhaps the emphasis of responsibility for specific programmatic areas would be worthy of restructuring and/or realigning.

In short, if the current program in the Department of Education is indeed determined to be "ineffective," Congress needs to "fix" it and to do so quickly. While it is very questionable if the SDFS program is as "broken" as some believe, especially since it has been evaluated by PART using faulty data (or the absence of data), then there is a responsibility for Congress to replace it with an effective funding source

### **CLOSING COMMENTS**

I thank Chairman Miller and the members of this committee for seeking my input. We cannot change the climate of our educational institutions until we change the conversation. This Committee, and your colleagues in Congress, can change the conversation by improving school crime reporting, restoring and expanding funding for school crime prevention and emergency preparedness, and examining the structure and delivery of current federal school safety policy and funding delivery to better protect our nation's schools.

I encourage you to act now by advancing H.R. 354 (The SAVE Act) and H.R. 355; by moving swiftly to address the backwards trend of federal school safety funding cuts our educators have been subjected to in recent years; and by examining whether the current housing, structure, and delivery of federal school safety policy and funding is adequate. Our nation's children and teachers depend upon your leadership and action today.

Respectfully,  
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## **EXHIBIT 1**

**Figure A.1. Descriptions of data sources and samples used in the report**

| Data source   | Target population  | Year of survey                                       | Response rate (%)   | Sample size  |
|---|--|--|---|--|
| School-Associated Violent Deaths Surveillance Study (CDC)           | Population of school-associated violent deaths in the United States between July 1, 1992, and June 30, 2005. Data collected from two sources: a school official and a police official. | 1992–ongoing   | 78 (Schools) <sup>1</sup>   | N/A  |
| Supplementary Homicide Reports (FBI)                                | Population of criminal homicides in the United States from January 1976–December 2004.   | 1992–2004  | 91  | N/A  |
| Web-based Injury Statistics Query and Reporting System™ Fatal (CDC) | Death certificate data reported to the National Center for Health Statistics.  | 1992–2003  | 100   | N/A  |
| National Crime Victimization Survey (BJS)                           | A nationally representative sample of individuals 12 years of age and older living in households and group quarters.   | 1992–2004<br>(Annual)<br>2004                        | 78  | About<br>74,300  |
| School Crime Supplement (BJS/NCES)                                  | A nationally representative sample of students ages 12–18 enrolled in public and private schools during the 6 months prior to the interview.   | 1995<br>1999<br>2001<br>2003<br>2005                 | 74 <sup>2</sup><br>73 <sup>2</sup><br>72 <sup>2</sup><br>64 <sup>2</sup><br>56 <sup>2</sup>                                       | 9,700<br>8,400<br>8,400<br>7,200<br>6,300                          |
| National Youth Risk Behavior Survey (CDC)                           | A nationally representative sample of students enrolled in grades 9–12 in public and private schools at the time of the survey.  | 1993<br>1995<br>1997<br>1999<br>2001<br>2003<br>2005 | 70 <sup>2</sup><br>60 <sup>2</sup><br>69 <sup>2</sup><br>66 <sup>2</sup><br>63 <sup>2</sup><br>67 <sup>2</sup><br>67 <sup>2</sup> | 16,300<br>10,900<br>16,300<br>15,300<br>13,600<br>15,200<br>13,900 |
| State Youth Risk Behavior Survey (CDC)                              | Representative samples of students in grades 9–12 in each state. All except a few state samples include only public schools.   | 2003<br>2005   | 60–90 <sup>2</sup><br>61–93 <sup>2</sup>  | 1,000–<br>9,300<br>900–<br>9,700                                   |

NOTE: See notes at end of figure.

Figure A.1. Descriptions of data sources and samples used in the report—Continued

| Data source   | Target population   | Year of survey        | Response rate (%)                | Sample size |
|---|---|-----------------------|----------------------------------|-------------|
| Schools and Staffing Survey (Teacher Survey) (NCES) | A nationally representative sample of public and private school teachers from grades K–12.      | 1993–1994             | 88 (Public) <sup>3</sup>         | 57,000      |
|   |   |                       | 80 (Private) <sup>3</sup>        | 11,500      |
|   |   | 1999–2000             | 77 (Public) <sup>3</sup>         | 56,300      |
|   |   |                       | 67 (Private) <sup>3</sup>        | 10,800      |
|   |   |                       | 86 (BIA) <sup>3</sup>            | 500         |
|   |   |                       | 72 (Public Charter) <sup>3</sup> | 4,400       |
|   |   | 2003–2004             | 76 (Public) <sup>3</sup>         | 52,500      |
|   |   |                       | 70 (Private) <sup>3</sup>        | 10,000      |
|   |   | 86 (BIA) <sup>3</sup> | 700                              |             |
| School Survey on Crime and Safety (NCES)            | A nationally representative sample of regular public elementary, middle, and secondary schools. | 1999–2000             | 70 <sup>2</sup>                  | 2,300       |
|   |   | 2003–2004             | 77 <sup>2</sup>                  | 2,800       |

<sup>1</sup> The interviews conducted on cases between July 1, 1994, and June 30, 1999 achieved a response rate of 97 percent for police officials and 78 percent for school officials. Data for subsequent study years are preliminary and subject to change.

<sup>2</sup> Unweighted response rate.

<sup>3</sup> Overall weighted response rate.

NOTE: Sample sizes are rounded to the nearest 100.

## **EXHIBIT 2**

## SCHOOL DEATHS, SCHOOL SHOOTINGS, and HIGH-PROFILE INCIDENTS OF SCHOOL VIOLENCE

\*School-related deaths, school shootings, and school crisis incidents have been identified through print and electronic news sources, professional contacts, and other nationwide sources, by Kenneth S. Trump, President, **National School Safety and Security Services, Inc.** (Cleveland, Ohio). This is not presented as an exhaustive list or as a scientific study. Additional incidents may be added pending review of additional items on file and new information received during the course of the school year.

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For purposes of this monitoring report, school-related violent deaths are homicides, suicides, or other violent, non-accidental deaths in the United States in which a fatal injury occurs:

- 1) inside a school, on school property, on or immediately around (and associated with) a school bus, or in the immediate area (and associated with) a K-12 elementary or secondary public, private, or parochial school;
- 2) on the way to or from a school for a school session;
- 3) while attending, or on the way to or from, a school-sponsored event;
- 4) as a clear result of school-related incidents/conflicts, functions, activities, regardless of whether on or off actual school property;

### School-Related Violent Death Summary Data

| <i><b>School Year</b></i>                    | <i><b>Total Deaths</b></i> |
|--|----------------------------|
| 2006-2007<br><i>(From 8/1/06 to present)</i> | 29                         |
| 2005-2006                                    | 27                         |
| 2004-2005                                    | 39                         |
| 2003-2004                                    | 49                         |
| 2002-2003                                    | 16                         |
| 2001-2002                                    | 17                         |
| 2000-2001                                    | 31                         |
| 1999-2000                                    | 33                         |
| <b>Total:</b>                                | 241                        |

### School-Related Violent Deaths: Method of Death Breakdown

| <i><b>Method</b></i>  | <i><b>Total</b></i> | <u><b>06-07</b></u> | <u><b>05-06</b></u> | <u><b>04-05</b></u> | <u><b>03-04</b></u> | <u><b>02-03</b></u> | <u><b>01-02</b></u> | <u><b>00-01</b></u> | <u><b>99-00</b></u> |
|-----------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
| <b>Shooting</b>       | 106                 | 11                  | 15                  | 24                  | 23                  | 3                   | 5                   | 14                  | 10                  |
| <b>Suicide</b>        | 40                  | 5                   | 1                   | 4                   | 5                   | 6                   | 3                   | 8                   | 8                   |
| <b>Murder-Suicide</b> | 34                  | 8                   | 4                   | 2                   | 6                   | 2                   | 6                   | 2                   | 4                   |
| <b>Fighting</b>       | 13                  | 1                   | 0                   | 2                   | 4                   | 0                   | 1                   | 1                   | 4                   |
| <b>Stabbing</b>       | 33                  | 3                   | 3                   | 6                   | 10                  | 4                   | 1                   | 3                   | 3                   |
| <b>Other</b>          | 15                  | 0                   | 4                   | 1                   | 1                   | 1                   | 1                   | 3                   | 4                   |

## **EXHIBIT 3**

# **SCHOOL CRIMES ARE UNDERREPORTED TO POLICE, STATES, AND TO THE PUBLIC**

## **FROM THE WEB SITE OF NATIONAL SCHOOL SAFETY AND SECURITY SERVICES**

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There are countless documented examples of serious school crime and serious incident underreporting, non-reporting, and delayed reporting across the United States. For example:

■ A February 22, 2007, New York Post story reported on a survey report released by a city public advocate claiming that the city's education department was grossly under-reporting the number of school safety incidents. The story says the education department claimed just eight schools experienced 180 or more incidents (crimes or non-criminal disturbance), yet the advocate's survey found that 18 of 158 principals and administrators surveyed said they handled more than 180 incidents over the period of the 2004-05 school year. There are about 1,450 schools in the system, according to the story.

■ A February 22, 2007, Associated Press story from Columbia, SC, reported on a high school principal being charged for hindering the investigation of a cheerleading coach who allegedly gave students beer. Police said that after telling the principal the police planned to talk with each cheerleader, the principal allegedly called a squad meeting of the cheerleaders and told them not to talk with anyone. Deputies reportedly believe the principal knew the coach was giving alcohol to students but did not report the information to authorities, according to police quoted in the story.

■ A February 7, 2007, Associated Press story from Allentown, Pennsylvania, reported on a \$15 million federal lawsuit against the school district for allegedly not calling police and removing a 12-year-old elementary school student who they allegedly knew had been accused of sexually assaulting a first grade boy in a bathroom stall, and who subsequently assaulted three more first graders after being allowed to stay in class. School officials reportedly denied any wrongdoing, although they were said to have not disputed the actual sexual assaults.

■ A September 20, 2006, Washington Post story reported on a 77-page report released by the Montgomery County, MD, Council's Office of Legislative Oversight indicating that although the county's school district has tracked school incidents since 1973, offense figures are not released publicly and the information is not detailed enough to allow school officials to identify trends. The report recommended that school, police, and state's attorney's office create guidelines for what types of incidents must be reported to authorities.

■ A September 3, 2006, Philadelphia Inquirer story reported on questionable school crime and violence data in New Jersey and Pennsylvania. Philadelphia only reported one incident of theft to the state for 2004-05, but listed more than 1,000 in its own annual district report in which it claimed a 99% decline in school violence during 2003-04 and 2004-05, according to the story. No vandalism or disorderly conduct was reported to the state, yet the district's own report listed more than 4,300 incidents, the story said. Almost three-quarters of all Pennsylvania districts reported no incidents of bullying during 2004-05 school year, about half reported no student disorderly conduct, and just over half listed fewer than five fighting incidents. In New Jersey, more than 21% of all school district entities reported no violence including assaults, fighting, and other serious offenses. A little under half said there was either one or no vandalism incidents during the school year. Numerous other discrepancies and/or questionable data were also reported in the story.

■ An August 28, 2006, story in the Camden (NJ) Courier-Post questioned the accuracy of Camden School District state reports on school violence, in which the district reportedly claimed a 99% decline in school violence during 2003-2004 and 2004-2005. The incidents reportedly dropped from 976 in 2002-2003 to 222 in 2003-2004 and 13 in 2004-2005. The state's school report card was said to show one expulsion in 2003-2004 and one in 2004-2005, yet district legal invoices showed the Board convened at least six expulsion hearing meetings involving 21 different students during the two years.

■ An August 9, 2006, story in the Atlanta Journal Constitution reported on a Fayette County high school incident where school officials reportedly knew about a student who allegedly planned to bring weapons the first day of school, but failed to act on it prior to the opening of school. The 17-year-old was arrested on the first day of school, August 7th, after he was found to have a 4-inch switchblade in school. A search of his car in the school parking lot found two rifles, two handguns, ammunition and a black, ninja-type outfit with mask, gloves, and a sword. School officials reportedly claimed they were dealing with unsubstantiated information and decided to wait until the opening of school.

■ An August 8, 2006, story in the Atlanta Journal Constitution documented significant discrepancies and questions surrounding the accuracy and consistency of school discipline incident reports by local districts to state education officials.

■ A June 2, 2006, Kansas City Star story reported that the Johnson County District Attorney issued a warning letter to Shawnee Mission School District advising the district to do a better job reporting crimes to authorities after two incidents allegedly went unreported to police. One incident involved a reported student threat to kill a teacher. A month prior, the District Attorney's office filed charges against an elementary school nurse for failing to report child abuse.

■ A May 23, 2006, story in The Times Union from Albany, New York, reported on a press conference the day before by New York State Comptroller, Alan Hevesi, blamed local school administrators and NY State Department of Education for underreporting and covering up school crimes. Hevesi referred to the situation as a "widespread cover-up" according to the article. The auditors reviewed records of 17 high schools from 15 school districts. In Albany High School, officials reported 144 incidents to the state office, but auditors found 924 violent or disruptive incidents during the 2003-04 school year, according to the story. The Times Union story reported on other findings including: at least 10 schools failed to report incidents in which weapons were involved; schools were allowed to revise their reports with little documentation; and more than 2,300 schools submitted their reports late. A few school officials said they were underreporting because they assumed that neighboring districts were doing the same and they didn't want to look bad, the story cited Hevesi as saying.

■ A January 5, 2006, Indianapolis Star story reported that an exclusive private school expelled a 16-year-old after school officials allegedly found a 9mm Glock loaded with 17 rounds and other loaded magazine in the boy's sport utility vehicle on campus. Another male student, age 17, was reportedly suspended in connection with the incident. Police reports were said to indicate that the students were sent home before police arrived and that the headmaster of the school called the school attorney before calling police, "to find out what procedure I should take."

■ A December 7, 2005, story in the Denver Post documented serious discrepancies in state school accountability reports on school crime and violence reporting. In one case, a high school that reported no fights or assaults for the entire school year actually had a student stabbed to death in an altercation in the school's cafeteria. The state's largest school district reported a drop in fights and assaults from 644 in one year to zero (0) in this reporting year.

■ An August 26, 2005, story in the Atlanta Journal Constitution highlighted a federal audit citing three Georgia school districts as underreporting school crimes required to be reported under the "persistently dangerous school" law requirement. The report identified incidents including felony drug and weapons offenses, a terroristic threat and an aggravated battery that were not included on the systems' reports. The report claims that one district failed to report 28 misdemeanor drug incidents and three felony drug incidents.

■ A story in the August 10, 2005, edition of The Augusta Chronicle in Augusta, Georgia, reported on an alleged school shooting incident on May 5, 2005, at the Augusta Preparatory Day School which was not reported to the county sheriff's department.

■ A June of 2005 report in the Denver Post documented serious discrepancies in information such as the number of students caught with dangerous weapons or drugs, the number expelled or suspended for the offenses, and how often police were notified, in annual School Accountability Reports to parents. The story states that although 454 schools reported at least one dangerous-weapon incident last year, just two in five told education officials that they had reported the incidents to police, as required by state law. A total of 234 of incidents appear in Department of Education records to have ignored state law by not expelling the violators, according to the report.

■ A June 28, 2005, Education Daily article reported on an audit of Texas, Iowa, and Georgia by the U.S. Department of Education's Inspector General which found that states continue to underreport violent school incidents, supply inaccurate data, and fail to adequately oversee local implementation of federal requirements for reporting school crimes. The findings mirror an earlier similar report on California, the story said.

■ In March of 2005, in Columbus, Ohio, administrators at one high school attracted national attention for allegedly not reporting to police a sexual attack on a female student which had occurred on an auditorium stage and for one administrator allegedly attempting to discourage the victim's father from calling police out of fear it would generate media attention. Criminal charges for failing to report the crime were later made against the principal, who was terminated by the district according to media reports. The principal was later cleared of the criminal charges.

■ In April of 2003, the Atlanta Journal Constitution reported that the state's largest school district (Gwinnett County) failed to report over 24,000 serious incidents, including fights, thefts and drug, sex and weapons offenses, to the state as required by state law. In May of 2003, the same newspaper reported that 40 of Atlanta's 91 schools failed to report any discipline data to the state.

■ A series of reports from May - September of 2003 in The Roanoke Times documented police concerns of school crime underreporting and the transfer of a school resource officer from a school after he acknowledged telling a reporter that he had concerns that school crimes were not being reported to police. Other internal police memos obtained by the paper documented similar concerns.

■ In July of 2002, The Press of Atlantic City reported that more than 130 incidents from across 12 schools were not reported to the state in the 2000-2001 state reports on violence and vandalism. Incidents not reported included incidents involving assaults with injuries requiring hospital trips, a weapon, vandalism, and multiple involving arrests.

■ Surveys of our nation's school-based police officers conducted by Kenneth Trump consistently indicate that school crimes are already underreported to law enforcement. In four annual surveys of school-based police officers (up to more than 700 officers per year), our surveys have found the following percentages of officers stating that school crimes nationwide are underreported to law enforcement:

## **EXHIBIT 4**

**Source:** FY 2006 ERCM Initial Grantee Meeting — San Antonio, TX; December 6-8, 2006; PowerPoint slide #6: Welcome and Overview Orientation presentation by Bill Modzeleski, Associate Assistant Deputy Secretary with the U.S. Department of Education's Office of Safe and Drug-Free Schools ; Internet web page: <http://www.ercm.org/index.cfm?event=trainings>; extracted from PowerPoint at <http://www.ercm.org/views/documents/WelcomeOverviewOfObjectives.ppt#447,6>, ERCM Grant Summary. Thursday, April 21, 2007

## ERCМ Grant Summary

|                              | FY03         | FY04         | FY05         | FY06         |
|------------------------------|--------------|--------------|--------------|--------------|
| <b>Applications received</b> | Over 550     | 301          | 406          | 379          |
| <b>Sites funded</b>          | 134          | 109          | 93           | 77           |
| <b>Total awarded</b>         | \$39,324,000 | \$28,647,801 | \$30,629,741 | \$24,174,854 |

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