

FEDERAL COMMISSION ON SCHOOL SAFETY REPORT: SUMMARY AND ANALYSIS OF IMPLICATIONS FOR K-12 EDUCATION

On December 18, the Federal Commission on School Safety (the “Commission”) released its final report, which discusses several issue areas (to varying degrees) and provides recommendations for both federal and state/local action. The report includes a recommendation that the President rescind current federal guidance on addressing racial discrimination in student discipline. On December 21, the Trump Administration accepted its own recommendation and formally rescinded the guidance. Actions in other areas may be forthcoming. This brief provides a summary of the major issues addressed in the Commission’s report and provides initial analysis regarding its implications for K-12 education safety, equity, and outcomes.

KEY TAKE AWAYS

- The Commission recommends that the U.S. Department of Justice (DOJ) and the U.S. Department of Education (USED) rescind the 2014 guidance on school discipline, and its associated sub-regulatory guidance documents. The Administration accepted this recommendation and rescinded the Guidance on December 21.
- The Commission does not recommend imposing a minimum age to purchase firearms. Further, the Commission leaves the decision of arming staff up to states and districts and only explicitly mentions the DOJ Justice Assistance Grants (JAG) as a federal funding option to support firearms training for school staff.
- The Commission highlights, as a means to improve school security, the importance of training for all school-based staff, including school resource and school safety officers (SROs, SSOs). The Commission recommends schools develop detailed memorandums of understanding (MOUs) to clearly articulate the roles and responsibilities for SROs and SSOs.
- The Commission recommends states and local communities place a greater emphasis on school climate, character education, social and emotional learning, and physical safety.
- The Commission recommended the federal government, state governments, and local communities implement and support comprehensive and coordinated approaches to identifying and serving the mental health needs of youth.
- The Commission recommends reforms to the Family Educational Rights and Privacy Act (FERPA) and to the Health Insurance Portability and Accountability Act (HIPAA) in order to clarify what schools are

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allowed to share regarding school-based threats. In particular, the Commission recommends FERPA should be updated to account for changes in technology.

- Although the Commission recommends increased training, supports, and services it notably does not recommend any increases in federal funding. The president’s fiscal year (FY) 2020 budget should be watched closely to see if any funds are requested for implementing the Commission’s recommendations.

BACKGROUND ON FEDERAL SCHOOL SAFETY COMMISSION

In March 2018, President Donald Trump established the Federal Commission on School Safety (“The Commission”) in response to the school shooting at Marjory Stoneman Douglas High School in Parkland, Florida on February 14, 2018. The Commission was chaired by U.S. Department of Education (USED) Secretary Betsy DeVos, and included U.S. Department of Health and Human Services (HHS) Secretary Alex Azar, U.S. Department of Homeland Security (DHS) Secretary Kirstjen Nielsen, and acting U.S. Attorney General Matthew Whitaker.

The Commission was charged with “quickly providing meaningful and actionable recommendations to keep students safe at school.” The Commission’s process to gather information included Commission meetings, listening sessions, field visits, and meetings and correspondence with students, parents, teachers, and other relevant stakeholders. Between March and August, the Commission held 14 meetings and listening sessions across the country and held four site visits.¹

OVERVIEW OF FINAL REPORT

On December 18, the Commission released its 177-page final report of policy recommendations in 19 issue areas to help prevent future tragedies and to improve school safety.² For each issue area, the Commission recommends actions in one or two areas – for the federal government, and for state and local governments. The Commission divided their recommendations into three main categories: 1) preventing school violence; 2) protecting students and teachers and mitigating the effects of violence; and 3) responding to and recovering from attacks.

The report itself takes no action and has no immediate impact on policies or funding. The report is a summary of recommended actions to be taken by the federal government or state and local governments. Even though the members of the Commission are officials within the Trump Administration, it is not yet clear which recommendations will be enacted at the federal level and where changes will occur in policies and practice.

Overall, the majority of the recommendations are for state and local governments, providing very few suggested actions for the federal government. For the most part, the recommendations clarify or propose new ways for the federal government to support states, school districts, and schools. For states and local communities, there are several areas where the Commission recommends states review or amend their current laws, and numerous recommendations for them to strengthen existing policies and practices.

¹ <https://www.ed.gov/school-safety/?src=feature>

² <https://www2.ed.gov/documents/school-safety/school-safety-report.pdf>

STUDENT DISCIPLINE: COMMISSION RECOMMENDS RESCINDING OBAMA-ERA GUIDANCE

The Commission recommends that USED and DOJ rescind the 2014 guidance on school discipline which included a Dear Colleague Letter (DCL) and other sub-regulatory guidance documents (“the Guidance”). It also calls for the two departments to vigorously enforce Title VI of the Civil Rights Act, which prohibits discrimination based on race, color or national origin in any program receiving federal funds or assistance. The Commission calls on USED and DOJ to provide “information” to schools and the public to explain how USED will investigate and resolve cases of *intentional* discrimination, while criticizing the current Guidance and the application of longstanding federal regulations that prohibit practices that have an *unjustified disparate impact* by race.

The Commission bases this recommendation in what it claims to be the Guidance’s three main problems: 1) the creation of a chilling effect on classroom teachers’ and administrators’ use of discipline by imposing a federal role in what should be a local issue; 2) the application of disparate impact theory to Title VI; and 3) the negative impact the guidance has had on school discipline and safety.

On December 21, the Administration accepted the Commission’s recommendation to rescind the Guidance. USED and DOJ announced via a DCL³ that the Guidance is rescinded.

BACKGROUND ON OBAMA-ERA GUIDANCE

In 2014, during the Obama administration, USED and DOJ issued a joint school discipline guidance package that included a DCL⁴, a Guiding Principles document based on emerging research and best practices, a directory of federal school climate and discipline resources, and a compendium of school discipline laws and regulation. The DCL to school officials explained how the USED Office of Civil Rights (OCR) and DOJ would investigate and enforce actions under Title IV and Title VI of the Civil Rights Act, including setting out the legal framework it relied upon and describing potential actions OCR would take if a district or school was found to have disproportionate rates of suspensions and expulsions based on race. The Guidance was intended to help districts and schools understand their responsibilities under Title IV and Title VI to administer school discipline free of discrimination. Title IV prohibits discrimination in public elementary and secondary schools based on race, color, or national origin, and it is enforced by the DOJ Civil Rights Division and OCR.

The Guidance explained that, in addition to intentional discrimination being a violation of federal law, schools also violate federal law “when they evenhandedly implement facially neutral policies and practices that, although not adopted with the intent to discriminate, nonetheless have an unjustified effect of discriminating against students on the bases of race.” This is known as disparate impact.

The Obama Guidance intended to address discrimination that may be causing disproportionate exclusionary discipline on students of color.

Research has shown that black and Latino students are suspended, expelled and arrested at far greater rates than their white peers.⁵ Studies have also shown a correlation between exclusionary discipline and

³ <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201812.pdf>

⁴ <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201401-title-vi.html>

⁵ <https://www.gao.gov/assets/700/690828.pdf>

the likelihood a student will be entered into the criminal justice system – commonly referred to as the “school to prison pipeline.”

During the 2015-16 school year, the most recent year for which data is available, schools suspended 2.7 million students. Black boys made up 25 percent of all students suspended out of schools and black girls made up 14 percent, even though each group only accounted for eight percent of all students. Black children – 15 percent of all U.S. public school students – made up 31 percent of those arrested or referred to police for in-school behavior.⁶ During the 2013-14 school year, 47 percent of preschool students who had been suspended at least once were black, even though they represent only 19 percent of all preschoolers in the country.⁷

The Guidance intended to, by making clear and transparent key legal requirements related to nondiscrimination, urge schools and districts to promote school safety while reducing unjustified or discriminatory actions that may be contributing to wide gaps in exclusionary discipline. The Guidance proposed schools attempt other means of discipline, including restorative justice practices, that would allow for students to remain in school and classrooms as much as possible.

The Guidance focused on two kinds of unlawful discrimination – different treatment and disparate impact.

Different treatment occurs either when schools are intentionally disciplining students differently based on their race or, more often, when a school has a discipline policy that is neutral on its face – meaning the language of the policy does not differentiate – but the school administers the policy in a discriminatory manner. It also occurs when a school allows the ad hoc and discriminatory discipline of students in areas that are not addressed by an official policy. Other ways different treatment can occur is when there is selective enforcement of a facially neutral policy against students of one race; when a school adopts a facially neutral policy with the intent to target students of a particular race; or when teachers or administrators act with racially discriminatory motives. Evidence of racially discriminatory intent can be direct or circumstantial.

Disparate impact occurs when schools implement facially neutral policies and practices fairly, and they were adopted without intent to discriminate, but there is an unjustified effect of discriminating against students based on race because the practice has a disparate impact and either it is not based on a legitimate educational rationale or there exists an equally effective alternative that would significantly reduce the disparate impact by race.

RESCISSION GUIDANCE WOULD NOT CHANGE FEDERAL CIVIL RIGHTS LAWS

- The repeal of the Guidance does not change federal civil rights law or states’ and districts’ obligation to administer school discipline in a non-discriminatory way, and to ensure schools are free of discrimination including free from the disparate impact upon any group of students. Since guidance documents do not have the force of law, like federal regulations or statutes, the Guidance did not change any legal requirements of schools, districts or states. Rather it laid out an approach, recommendations, and best practices for schools and districts to follow, which can be applied whether or not the Guidance is in effect.

⁶ <https://www2.ed.gov/about/offices/list/ocr/docs/school-climate-and-safety.pdf>

⁷ <https://www2.ed.gov/about/offices/list/ocr/docs/2013-14-first-look.pdf>

- The Every Student Succeeds Act (ESSA) mandates states and school districts develop plans for reducing unnecessary and harmful exclusionary discipline. The rescission of the Guidance does not alter this legal obligation.
- Current data requirements that impact school discipline are also still in effect. Under ESSA, each state and district must publish an annual report card. The report cards must include the disaggregated rates of in-school suspensions, out-of-school suspensions, expulsions, school-related arrests, referrals to law enforcement, chronic absenteeism, and incidences of violence, including bullying and harassment, at the state, district, and school level. In addition, every two years, USED conducts the Civil Rights Data Collection (CRDC) to collect data on key education characteristics of school districts, including discipline data.
- The rescission of the Guidance cannot affect substantive rights students may have under existing federal and state laws, but it may affect OCR's enforcement posture, including areas of proactive focus (e.g., compliance reviews). It may also portend advocacy positions that USED may take in court litigation.

POTENTIAL IMPLICATIONS

State and Local Actions: At the state and local level, it will be up to school districts to decide whether they maintain practices they established in response to the Guidance or if they will change their actions. As state and school report cards are published under ESSA, data on school discipline will be made public, providing states, districts and local advocates with the opportunity to review the data for any indications of discriminatory practices. There are no changes to states' and school districts' responsibility to uphold students' civil rights.

Congress: It is unlikely there will be any legislative action in response to the recommended rescission, even with a Democratically controlled House of Representatives next Congress. However, it is likely House Education and the Workforce Committee Chairman-designate Bobby Scott (D-VA) will hold a variety of hearings including those on school discipline policies; actions or lack thereof by OCR in regards to Title VI enforcement; elevating the data in the report cards and reported through CRDC; and how states are supporting schools and districts in reducing the disproportionate impact of exclusionary discipline.

Administration: USED and DOJ rescinded the Guidance on December 21. The rescission of the Guidance cannot affect substantive rights students may have under existing federal and state laws, but it may well affect USED OCR's enforcement posture to focus only on intentional discrimination and not on disparate impact, including areas of proactive focus (e.g., compliance reviews). It may also portend advocacy positions that USED may take in court litigation.

SCHOOL CLIMATE: SOCIAL-EMOTIONAL LEARNING RAISED AS KEY LEVER TO IMPROVE CLIMATE AND DEVELOP “CULTURE OF CONNECTEDNESS”

STATES URGED TO HELP SCHOOLS ADOPT SOCIAL-EMOTIONAL LEARNING STRATEGIES, IMPROVE STUDENT CHARACTER DEVELOPMENT

Within the report, the Commission identifies character development as an essential lever in developing health, safe school climates. Specifically, the Commission highlights the importance of “core ethical values” such as fairness, respect, and personal responsibility. Further, the Commission draws the correlation between safe schools and a “culture of connectedness.” When students experience feelings of isolation and depression, there is an increased chance of the student deciding to commit violent behavior. The Commission considers this to be a main contributing factor to the Parkland shooting.

The Commission recommends that states provide resources for their schools to help create a positive school climate, especially those where students feel “connected to, rather than isolated from, teachers” and peers. To do this, the report states they should use federal (such as School Climate Transformation Grants) and state funding sources to support character education programs, using the “PRIMED framework”; adopt social-emotional learning strategies; and adopt tiered social, emotional and behavioral supports. The recommendations state that evidence-based interventions should be based on a variety of data sources, including school climate surveys.

COMMISSION RECOMMENDS SCHOOLS, STATES ADDRESS GROWING RATES OF CYBERBULLYING

The Commission recommends that cyberbullying be addressed through support from existing federal programs; practices and policies developed by schools, districts and states; and appropriate systems to monitor social media and mechanisms to report cyberbullying incidents.

POTENTIAL IMPLICATIONS

State and Local Actions: School climate surveys were a common component of state ESSA plans. As data from implementation of the law begins to be published, states and districts will need to respond to any gaps in regards to school climate. The use of social-emotional learning strategies could become more commonplace practice. States and districts can use both Title I and Title IV funds under ESSA for such purposes.

Congress: No immediate action is expected except for potential hearings on the effectiveness of social-emotional learning strategies.

FIREARMS: NO CHANGE IN MINIMUM AGE REQUIREMENT, ARMING TEACHERS A STATE DECISION

REPORT CONCLUDES RESEARCH BASE IS TOO THIN TO JUSTIFY CHANGING FEDERAL AGE MINIMUM

The Commission concludes that “existing research does not demonstrate that laws imposing a minimum age for firearms purchases have a meaningful impact on reducing homicides, suicides or unintentional

deaths.” It states that modifying the minimum age of firearm purchase is unlikely to be an effective method for preventing or reducing school shootings.

Instead, the Commission recommends that state and local communities offer training to promote safe storage of firearms and conduct additional research to determine how to best prevent adolescents from unlawfully accessing firearms.

COMMISSION RECOMMENDS STATES, LOCAL GOVERNMENTS DECIDE IF ARMING TEACHERS BEST

The Commission recommends that states, local school districts, and schools determine, based on the unique circumstances of each school, whether or not it is appropriate for specialized staff and non-specialized staff to be armed. The report goes on to say that the determination should consider the existing security measures, proximity of police, acceptance of the school community of such policies, preparedness, and local policy and state law in making that decision.

The report describes local governments can apply for and use Justice Assistance Grants (JAG) offered through DOJ to support firearms training for school personnel. There is no mention of states or districts using Title IV funds from ESSA (Student Support and Academic Enrichment Grants) for the same purpose. The potential use of Title IV grants for firearms purchases and training was raised earlier this year when some states requested USED to offer clarification on the issue. The Department responded by saying the decision should be left to the states and districts.⁸ That same response is notably absent from the report.

POTENTIAL IMPLICATIONS

Congress: Multiple Democratic Congress members have called for greater clarification on the use of Title IV grants for firearms purchases and associated training. It is possible House Labor, Health and Human Services, Education, and Related Agencies (Labor/HHS) Appropriations Subcommittee Chairwoman-designate Rosa DeLauro (D-CT) will include a prohibition of uses of funds during the fiscal year (FY) 2020 appropriations bill. The Chairwoman-designate made a similar push during the FY2019 appropriations process.

Administration: Given the posture of the report and the Administration, it is unlikely further action will be taken on this matter. In regards to Title IV grants, the statutory language governing the grants does not prohibit using the money for firearms and, when asked, the Department of Education said that the states and local jurisdictions have the flexibility to decide how to use the funds. USED may issue guidance on the issue, but such action is not included as a recommendation.

⁸ https://www.washingtonpost.com/local/education/devos-leaving-it-to-states-whether-to-use-federal-money-to-buy-guns-for-schools/2018/08/31/947ec06c-ad46-11e8-8a0c-70b618c98d3c_story.html?utm_term=.c1bda5d8f4ca

MENTAL HEALTH: COMMISSION CALLS FOR GREATER ACCESS TO MENTAL HEALTH PROVIDERS, IMPROVED TRAINING ON AWARENESS OF MENTAL HEALTH CHALLENGES OF STUDENTS

SAMHSA, CMS URGED TO HELP STATES IDENTIFY FINANCING OPTIONS FOR SCHOOL-BASED MENTAL HEALTH SERVICES

The Commission recommends that the federal government, state governments, and local communities take steps to address identifying and serving the mental health needs of youth. At the federal level, the report recommends that the Substance Abuse and Mental Health Services Administration (SAMHSA) and the Centers for Medicaid Services (CMS) should provide information to states on available financing options for comprehensive school-based mental health care services. Additionally, it recommends that the HHS Health Resources and Services Administration should continue to support mental health workforce response to children's needs; and all relevant federal agencies should increase awareness of mental health issues among students.

STATES, DISTRICTS RECOMMENDED TO INCREASE TRAINING, INCREASE HIGH-QUALITY COMMUNITY-BASED SERVICES

At the state and local levels, the report concludes that awareness of mental health needs and ways to seek needed care should continue to be raised. The Commission also recommends that additional training should be supported for adults who interact with children to recognize mental illness; that comprehensive and coordinated approaches to school-based mental health should be developed and implemented; that high-quality community-based services should be increased; that technology should be better utilized to increase access to services for youth in underserved or rural areas; and that other stakeholders within communities, such as the faith leaders and groups, should be more engaged to expand school-based mental health.

MENTAL HEALTH OF YOUTH IDENTIFIED AS MAJOR AREA FOR IMPROVEMENT, URGES COLLABORATION TO IMPROVE SERVICES

The Commission recommends that the federal government, state governments, and local communities should take steps to address the treatment of mental health needs of youth.

At the federal level, the report states that SAMHSA and CMS should provide guidance and technical assistance to states on how to utilize federal funding for mental healthcare; that federal agencies should support implementation of evidence-based diversion models; and that HHS should develop guidance on model state involuntary treatment legislation.

At the state and local levels, recommendations include improved screenings and early intervention for mental/substance use disorders; evidence-based care coordination models; expansion of implementation of tiered models that focus on school climate and social-emotional learning (SEL); expansion of Multi-Systemic Therapy and other evidence-based treatment for youth at risk of incarceration; the examination of involuntary treatment, or Assisted Outpatient Treatment (AOT), laws in states with consideration of lowering the commitment threshold for AOT in youth with untreated and unstable mental illness; and that state policymakers consider redefining specific terms used in most civil commitment state statutes.

POTENTIAL IMPLICATIONS

State and Local Actions: The Commission recommends states and local agencies should increase the awareness of mental health issues for youth and should implement and support training of adults who interact with children on how to recognize signs and symptoms of mental illness. It is expected districts will increase the level of training for school-based staff. It is possible that state and district budgets will reflect this prioritization.

Congress: Due to a growing Congressional interest in addressing mental health needs, there may be some legislative action taken in response to these recommendations. Members of Congress have previously introduced legislation to increase access to mental health services for youth, especially those services that can be provided in schools. Expect similar legislation to be introduced next Congress, as well as appropriations language that prioritizes mental health services and supports.

Administration: Given the recommendations for federal agencies, funding requests for these agencies should be watched closely. The president's FY2020 budget request should be released in mid-February, which will be the first opportunity to explore the Administration's priorities in this area further.

SCHOOL SECURITY: COMMISSION RECOMMENDS INCREASED COLLABORATION BETWEEN SCHOOLS AND LOCAL LAW ENFORCEMENT

IMPROVED GUIDANCE ON EARLY WARNING SYSTEMS, BETTER TRAINING FOR THREAT ASSESSMENT

The Commission recommends that the federal government, state governments, and local communities take steps to address identifying and serving the mental health needs of youth, such as: the development of school security campaigns; increased training on suspicious activity reporting; establishment of threat assessment teams and comprehensive targeted violence prevention programs; and the establishment of a threshold for law enforcement intervention.

DISTRICTS, SCHOOLS SHOULD TRAIN ALL PERSONNEL ON RESPONDING TO SCHOOL SHOOTINGS

The Commission recommends states, districts, and schools develop a comprehensive school safety plan that includes required school safety training for all school personnel. States and local law enforcement can take advantage of federal resources including those provided by the Bureau of Justice Assistance, Federal Bureau of Investigation (FBI), Community Oriented Policing Services (COPS), and other DOJ grant funding.

DISTRICTS, SCHOOLS SHOULD STILL LEVERAGE SROs, SSOs; SHOULD DEVELOP MOUs TO CLARIFY ROLES AND RESPONSIBILITIES

The Commission describes the importance of school resource officers (SROs) and school safety officers (SSOs) being on campus, allowing them to develop relationships with students and staff. Such relationships can help prevent or mitigate incidents of school violence, according to the report. However, the Commission underlines the importance of clearly defined roles and responsibilities for SROs and SSOs.

The Commission recommends schools and districts develop memorandums of understanding (MOUs) in order for all parties to understand their role when responding to incidents of school violence. Further, the Commission recommends such MOUs include training requirements for SROs and SSOs. However, the model training requirements included in the report only relate to physical safety, not child and youth development or how to support students with disabilities.

While not included in the report, evidence suggests the use of SROs and SSOs can lead to an increase in arrests of students, especially for students of color, and contribute to the school to prison pipeline.

IMPROVE OPPORTUNITIES, PATHWAYS FOR VETERANS TO ENTER CLASSROOMS AS TEACHERS

The report argues that military veterans and retired law enforcement officers would make effective educators and that steps should be taken to recruit them to those roles. The Commission calls on Congress to enact federal legislation that establishes a public-private partnership led by a single federal agency to unify the funding and operational control of identifying and recruiting more veterans and retired law enforcement officers into new careers in education.

MORE RESEARCH ON SCHOOL INFRASTRUCTURE IMPROVEMENTS, EXPAND GRANT FUNDING FOR IMPROVING SCHOOL SECURITY OPERATIONS

The Commission recommends the federal government develop a clearinghouse to assess, identify and share best practices related to school security measures, technologies and innovations; provide additional training on the topic; and expand grant funding for enhancement of school security operations and physical infrastructure. It also recommends that schools and districts establish a security management team.

DHS SHOULD DEVELOP ACTIVE SHOOTER TRAINING FOR STUDENTS OF ALL AGES

The Commission recommends that DHS, in coordination with other federal agencies, develop active shooter preparedness training guidelines for educators and administrators and identify best practices for students of all ages, including those as young as preschool.

POTENTIAL IMPLICATIONS

State and Local Actions: The report states that one factor in a comprehensive school safety plan should be to clarify the roles and responsibilities of specialized school personnel such as school resource officers (SROs) and school safety officers (SSOs) through memorandums of understanding (MOUs), as well as parameters of information sharing between school staff SROs, and SSOs.

Congress: In regard to school security, the Commission recommends Congress enact legislation to establish public-private partnerships to help recruit more veterans and retire law enforcement into new careers at schools. It does not specify only school security roles. In the new Congress, its likely legislation addressing this proposal will be introduced. Further, additional funding for school security measures

could appear in expected school infrastructure bills or within the upcoming FY2020 appropriations process.

Administration: The plan also outlines grant programs at DOJ that can be used for preventing and planning for school shootings. The President’s Budget will be released in mid-February and the Administration’s funding (or lack thereof) of these programs should be watched closely.

DATA AND PRIVACY ISSUES: COMMISSION IDENTIFIES STATE, DISTRICT CONFUSION WITH FERPA, HIPAA REQUIREMENTS

CONGRESS URGED TO MODERNIZE FERPA

The Commission recommends reforms to FERPA – the law that governs privacy rules for all educational agencies regarding student’s education records – to clarify what schools are allowed to share regarding school-based threats. The report recommends that Congress modernize FERPA to account for changes in technology. It also recommends that USED provide technical assistance to clarify that school officials may be able to disclose disciplinary information about students to appropriate teachers and staff, and to clarify that limited disclosures of information are allowed by state educational agencies to respond to health or safety emergencies.

At the state and local level, the Commission recommends that states examine their state-level laws to understand where they go beyond FERPA’s protections. In addition, recognizing that the Health Insurance Portability and Accountability Act (HIPAA) also applies to students’ privacy when relevant to their medical records and personal health information, the Commission highlights the need for individuals, families and schools to better understand and apply the law so that there is coordination between mental health providers, family members, law enforcement and school personnel.

POTENTIAL IMPLICATIONS

Congress: It is expected Congress will prioritize updating FERPA as a legislative action. Both the Senate and House have expressed interest in reauthorizing the law.

OTHER ISSUES DISCUSSED

- **Extreme Risk Protection Order (ERPO) laws:** State laws, also known as red flag laws, provide law enforcement and family members with a legal, temporary way to prevent individuals who pose a threat to themselves or others from possessing or purchasing firearms. The Commission recommends that states adopt ERPO laws that incorporate an appropriate evidentiary standard; ensure that the due process rights of the individual are respected; limit the scope of who can bring an ERPO petition; and establish procedures for sharing information regarding issued protection orders and their expiration dates with the National Instant Criminal Background Check system.
- **Effectiveness and Appropriateness of Psychotropic Medication:** The report makes a series of recommendations surrounding best practices for treatment. This includes recommendations for the federal government and state and local agencies to increase the number of medical professionals in child and adolescent psychiatry; increased research into the effectiveness and safety of psychotropic

treatment in youth; stronger standards and quality metrics; and increased access to care and treatment services.

- **Improvements to FBI’s Public Access Line:** The Commission recommends that state and local leaders encourage the public – including school staff and parents – to be vigilant about reporting information to FBI and local police to help prevent violence in schools.
- **Changes to Press Coverage of School Incidents:** The Commission promotes the “No Notoriety” campaign to prevent the publishing of names or pictures of perpetrators, and encourages states, localities and school leaders to have a media plan in case of a school crisis that should be coordinated with local law enforcement and other community leaders.
- **Video Game Guidelines:** The Commission recommends internet safety measures to curb access to potentially inappropriate content and a review of policies by self-regulators to ensure access to content is limited to age-appropriate users.

For more information, please contact Jamie Fasteau, Cathy Holahan, Kristin Herrmann, or Sean Worley at 202.689.2893.

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