

SUBJECT: A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY REQUESTING THE SCHOOL BOARD REVIEW AND COMMENT DIRECTLY TO THE ALASKA STATE LEGISLATURE ON SB 173, THE SAFE SCHOOLS ACT.

AGENDA OF: March 19, 2024

Assembly Action:

Approved under the consent agenda 03/19/24 - *emw*

AGENDA ACTION REQUESTED: Present to the Assembly for consideration.

| Route To | Signatures |
|------------------|---|
| Originator | <div>3 / 8 / 2 0 2 4</div> <div>X N i c h o l a s S p i r o p o u l o s</div> <div>Signed by: N i c h o l a s S p i r o p o u l o s</div> |
| Borough Attorney | <div>3 / 8 / 2 0 2 4</div> <div>X N i c h o l a s S p i r o p o u l o s</div> <div>Signed by: N i c h o l a s S p i r o p o u l o s</div> |
| Borough Manager | <div>3 / 8 / 2 0 2 4</div> <div>X M i c h a e l B r o w n</div> <div>Signed by: M i c h a e l B r o w n</div> |
| Borough Clerk | <div>3 / 8 / 2 0 2 4</div> <div>X L o n n i e M c K e c h n i e</div> <div>Signed by: L o n n i e M c K e c h n i e</div> |

ATTACHMENT(S): Resolution Serial No. 24-036 (2 pp)
 SB 173 (5 pp)
 Sponsor Statement (2 pp)
 Sponsor Presentation (20 pp)
 Sectional Analysis (2 pp)

SUMMARY STATEMENT: This resolution is sponsored by Assemblymembers Yundt and Hale requesting that the Matanuska-Susitna Borough School Board review and comment directly to the Alaska State Legislature on SB 173, the Safe Schools Act.

The Matanuska-Susitna Borough School Board has the oversight responsibility regarding the day-to-day operation of schools including school and student safety. Therefore, the School Board is requested to review and comment on the Safe Schools Act.

RECOMMENDATION OF ADMINISTRATION: Consider Resolution 24-036.

SENATE BILL NO. 173

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - SECOND SESSION

BY SENATORS HUGHES, Shower, Myers

Introduced: 1/16/24

Referred: Labor and Commerce, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act requiring school districts to grant qualified persons an assigned duty to carry a**
2 **concealed handgun on school grounds under certain conditions; relating to standards,**
3 **training, and continuing education in firearms training for qualified persons granted an**
4 **assigned duty to carry a concealed handgun on school grounds; relating to**
5 **communication of school districts with state and local law enforcement; and relating to**
6 **school crisis response plans."**

7 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

8 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
9 to read:

10 SHORT TITLE. This Act may be known as the Safe Schools Act.

11 * **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to
12 read:

13 LEGISLATIVE INTENT. It is the intent of the legislature that the concealed carry of

1 firearms on school grounds by certain qualified persons augment responses by law
2 enforcement during a crisis.

3 * **Sec. 3.** AS 11.61.210(c) is amended to read:

4 (c) The provisions of (a)(7) of this section do not apply to a

5 (1) peace officer acting within the scope and authority of the officer's
6 employment; **or**

7 (2) **qualified person granted an assigned duty under AS 14.03.170**
8 **to carry a concealed handgun on school grounds.**

9 * **Sec. 4.** AS 14.03 is amended by adding a new section to article 1 to read:

10 **Sec. 14.03.170. Granting qualified persons an assigned duty to carry a**
11 **concealed handgun on school grounds.** (a) A school district shall

12 (1) grant one or more persons who meet the requirements of (b) of this
13 section an assigned duty to carry a concealed handgun on the person on school
14 grounds for defensive use unless there is no person available who meets the
15 requirements of (b) of this section;

16 (2) adopt a written policy relating to granting a qualified person an
17 assigned duty to carry a concealed handgun on the person on school grounds; the
18 written policy must, at a minimum, establish the standards and requirements that must
19 be met before granting the assigned duty, and the standards, requirements, and
20 procedures for documentation of initial and continuing education in firearms training
21 for a qualified person to carry a concealed handgun; the physical and mental standards
22 established may not be less stringent than the physical and mental standards the
23 Alaska Police Standards Council has established for the employment of police officers
24 under AS 18.65.240(a)(2);

25 (3) pay the fees for the training and continuing education required by
26 this section of a qualified person who is an employee of the district and compensate
27 the qualified person for time spent attending training and participating in on-site drills
28 as time worked; and

29 (4) pay or reimburse the fees for the training and continuing education
30 required by this section of a qualified person who is a volunteer for the school district
31 and requests payment or reimbursement.

1 (b) A school district shall grant an assigned duty to carry a concealed handgun
2 under this section to a person who

3 (1) agrees to accept the assigned duty;

4 (2) has obtained a permit to carry a concealed handgun under
5 AS 18.65.700 - 18.65.790;

6 (3) has completed a training course that is equivalent to a nationally
7 recognized firearms training course, nationally recognized training course for school
8 resource officers, or the Faculty and Administrator Safety Training and Emergency
9 Response training program offered by the Buckeye Firearms Foundation;

10 (4) meets the physical and mental standards established by the district's
11 governing body under (a)(2) of this section;

12 (5) has completed any training required by the district's insurance
13 policy to be eligible for coverage; and

14 (6) has committed to a period of continuing employment if required by
15 the school district under (c)(1) of this section.

16 (c) A school district may

17 (1) require a person to commit to a period of continuing employment
18 with the district before granting the person an assigned duty to carry a concealed
19 handgun under this section;

20 (2) revoke or suspend a qualified person's assigned duty to carry a
21 concealed handgun at the discretion of the district or at the request of the qualified
22 person; and

23 (3) install lockers with biometric identification locks in each school for
24 storage of handguns by qualified persons, the costs of which may be eligible for
25 reimbursement by the state.

26 (d) Not later than July 1 of each year, each school district shall provide to
27 local and state law enforcement agencies

28 (1) the district's active shooter plan for each of the district's school
29 buildings;

30 (2) the floor plan for each of the district's school buildings; the floor
31 plan must identify locked and unlocked entrances, accessible windows, safe huddle

1 areas, the location of any gun-storage lockers, and the room assignment of each
2 qualified person, if applicable;

3 (3) contact information for each qualified person;

4 (4) the dates in the academic year on which each school building and
5 all school employees will be available for training or on-site drills; and

6 (5) the dates outside of the academic year on which all school
7 buildings, school administrators, and qualified persons will be available for training or
8 on-site drills.

9 (e) The state or a political subdivision of the state, a school board or an
10 individual member of the school board, a principal, or a qualified person is immune
11 from liability that might otherwise be incurred as a result of an injury caused by a
12 qualified person's act or failure to act during a crisis. This subsection does not apply to
13 an act that constitutes gross negligence.

14 (f) This section does not affect a person's ability to lawfully possess a weapon
15 on school grounds without violating AS 11.61.210(a)(7) or (8).

16 (g) In this section,

17 (1) "qualified person" means a person who meets the requirements of
18 (b) of this section and is granted an assigned duty to carry a concealed handgun on
19 school grounds;

20 (2) "school grounds" has the meaning given in AS 11.71.900.

21 * **Sec. 5.** AS 14.33.100(c) is amended to read:

22 (c) Each district shall annually review and update as appropriate each school's
23 crisis response plan. A copy of each school's crisis response plan, as annually updated,
24 shall be retained by the district and a copy provided to each local agency that has a
25 role in the plan. Notice of completion of the annual review and update and the location
26 of a school's crisis response plan shall be posted at each school in the district. A school
27 crisis response plan shall be printed and available for inspection by the public. **The**
28 **portions of a school crisis response plan relating to floor plans, locked and**
29 **unlocked entrances, accessible windows, safe huddle areas, the location of any**
30 **gun-storage lockers, and the identity and location of a qualified person under**
31 **AS 14.03.170 may not be made available to the public.**

1 * **Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to
2 read:

3 **APPLICABILITY.** This Act applies to a contract or collective bargaining agreement
4 that becomes legally binding on or after the effective date of this Act.

Alaska State Legislature

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SB 173 The Safe Schools Act

SB 173 “The Safe Schools Act” provides life-saving protection for students and faculty on school grounds during an active shooter incident as an augmentation to law enforcement response. Front-end preventive measures such as helping mentally troubled individuals and hardening the physical school environment with certain security measures are important in today’s world but neglecting the back end is no longer an option. Our schools must be prepared for when those measures don’t work, and a shooter is on school grounds. This is especially crucial in Alaska where long distances and severe weather can impact law enforcement response times. SB 173 is the stopgap.

Alaskan families, parents, students, and staff understand it is not a matter of whether we will have a shooter in one of our schools; it is a matter of when. Just last year, 346 shooting incidents occurred in schools in the US resulting in 248 victims either wounded or killed. In the past five years, 1073 students and staff were wounded or killed nationwide. Although the last tragedy in our state was in 1997 at Bethel High School, such incidents across our nation are clearly picking up pace and far less rare as time passes. The problem is real, and we cannot ignore it.

We have all watched with horror news reports of school shootings at Columbine, Sandy Hook, Parkland, Uvalde, Iowa, the list goes on. We’ve asked ourselves, what if there had been intervention to help that person, what if the school had been better prepared? But we’ve also asked ourselves, what if someone had been concealed carrying? And we’ve concluded: maybe fewer or no lives would have been lost; maybe the incident would not have occurred at all.

SB 173 provides that a well-trained individual will be on-site who can respond immediately to stop a shooter and save precious student and staff lives. Every second, every minute counts. When law enforcement response in Alaska can take from a few minutes to a few hours, or in inclement weather to remote communities, even longer, our children, our teachers and staff are sitting ducks. Our officers do their best to respond quickly but Alaska is a state of mammoth proportions. We need highly trained, responsible, stable individuals in our schools who can respond without delay.

SB 173 would require districts to assign the job duty of concealed carry to at least one qualified individual per school who meets the established criteria which include willingness to perform assigned duties, possession of a concealed carry permit, completion of a nationally recognized firearms training and other training required to meet district insurance policy standards, and meeting established physical and mental standards. The bill includes protection for district entities and persons from liability on the grounds of injury caused by the qualified person’s action or failure to act. SB 173 provides that districts will cover training fees for individuals as well as compensate training time for employees. Districts will annually provide response plans and available training dates to local law enforcement.

While Alaska law does not prevent superintendents and school boards from setting policy to allow concealed carry, none have done so. SB173 will help communities, school boards, and district administrators find an acceptable path forward that will lead to safer school campuses. By outlining the qualifications, training, and stringent standards to help ensure responsible actions in emergency situations, increasing engagement between districts and law enforcement, and assigning the concealed carry duty to trusted, stable, respected, and well-trained individuals, the legislation will give parents, community members and leaders the confidence to know that children and staff will be safer in our schools than they would be without the policy.

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The Safe Schools Act is a proactive approach to protecting our students and faculty members. If we want to prevent the deaths of school children in Alaska, we must act. If we wait until after a tragic incident has occurred and lives have been lost, what a dreadful shame and inexcusable mistake that will be. The Safe Schools Act is a necessary step toward protecting this and future generations from reckless harm so our young Alaskans can focus on learning and make a positive difference in our communities.



SB 173

The Safe Schools Act

Sponsor: Senator Shelley Hughes

Staff: Stephen Knouse



Purpose

To save lives during an active shooter incident on school grounds by providing an immediate response by an on-site, highly-trained, stable, responsible individual as an augmentation to local law enforcement.



What The Safe School Act Does

Ria Joseph
The Center Square Contributor

Published: January 17, 2024 11:00pm

Alaska lawmaker wants to allow concealed carry weapons on school grounds | Just The News

“The bill sets clear guidelines for training, qualifications, and hiring personnel for concealed carry on school grounds to trusted, stable, respected, and well-trained individuals.”

<https://justthenews.com/nation/states/center-square/alaska-lawmaker-wants-allow-concealed-carry-weapons-school-grounds>

Why SB 173 is needed

Whether you are anti-gun, pro-gun control, pro-Second Amendment, or describe yourself some other way, if you breathe and you don't want to see student and staff lives lost on school grounds, SB 173 is for you. Keep an open mind.

Why SB 173 is needed

FRONT-END VS. BACK-END

FRONT-END

- ➡ Intervention for mentally troubled individuals
- ➡ Hardening of physical school environment

BACK-END

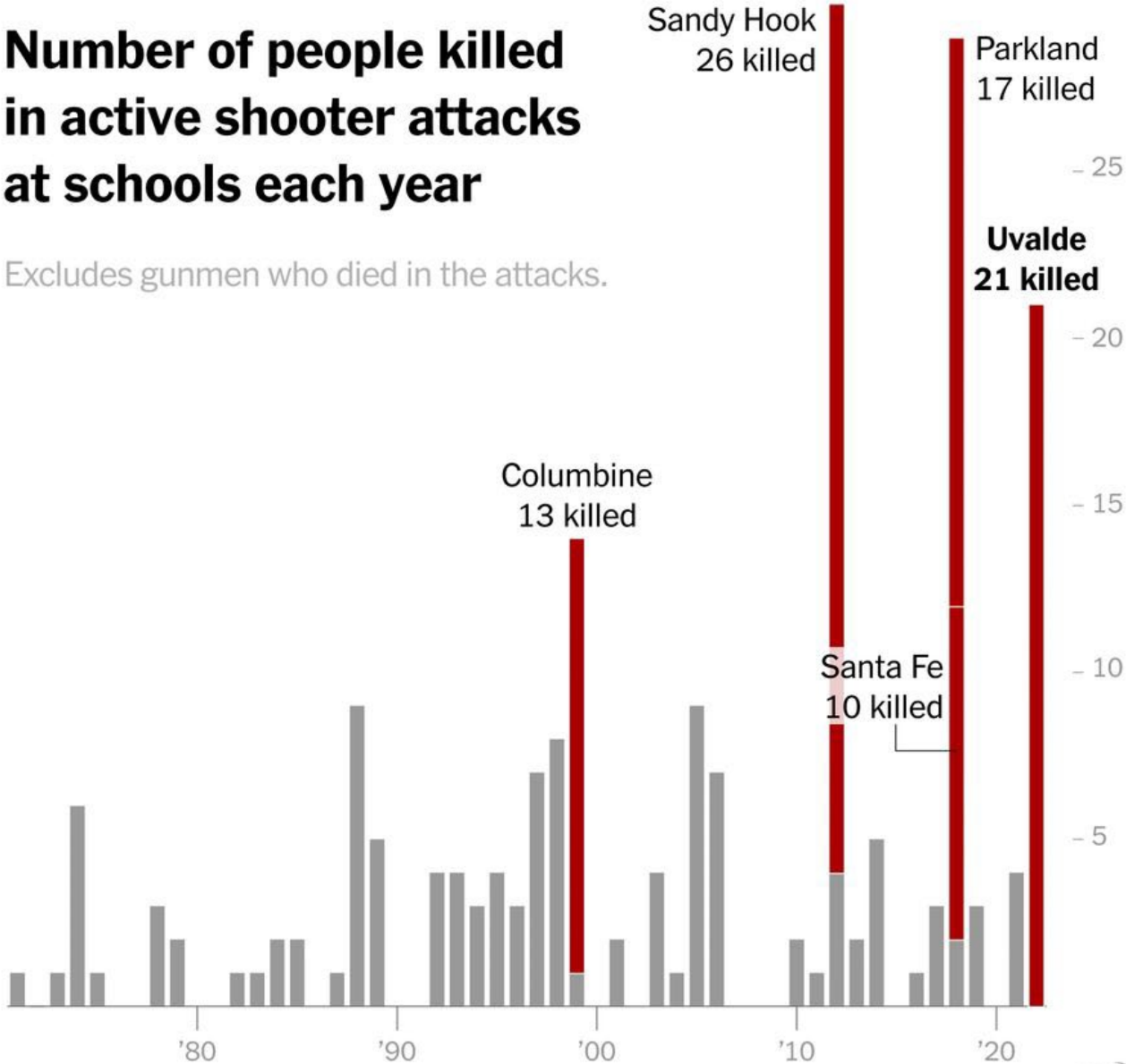
- ➡ Immediate on-site response by highly trained, stable individual (SB 173)
- ➡ As timely as possible response by law enforcement

SB 173 Safe Schools Act is the missing stopgap.



Number of people killed in active shooter attacks at schools each year

Excludes gunmen who died in the attacks.

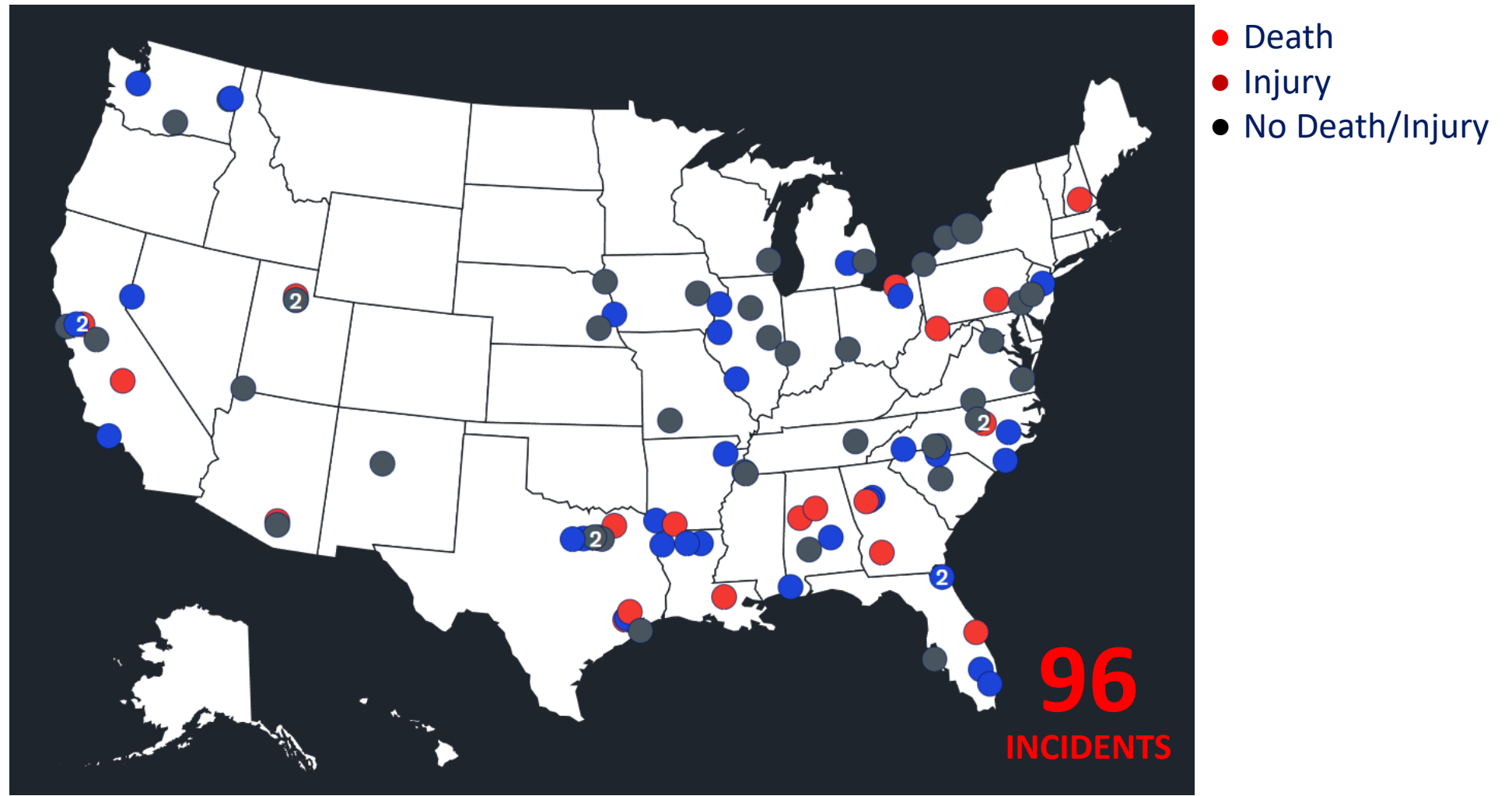


Source: K-12 School Shooting Database

SB 173



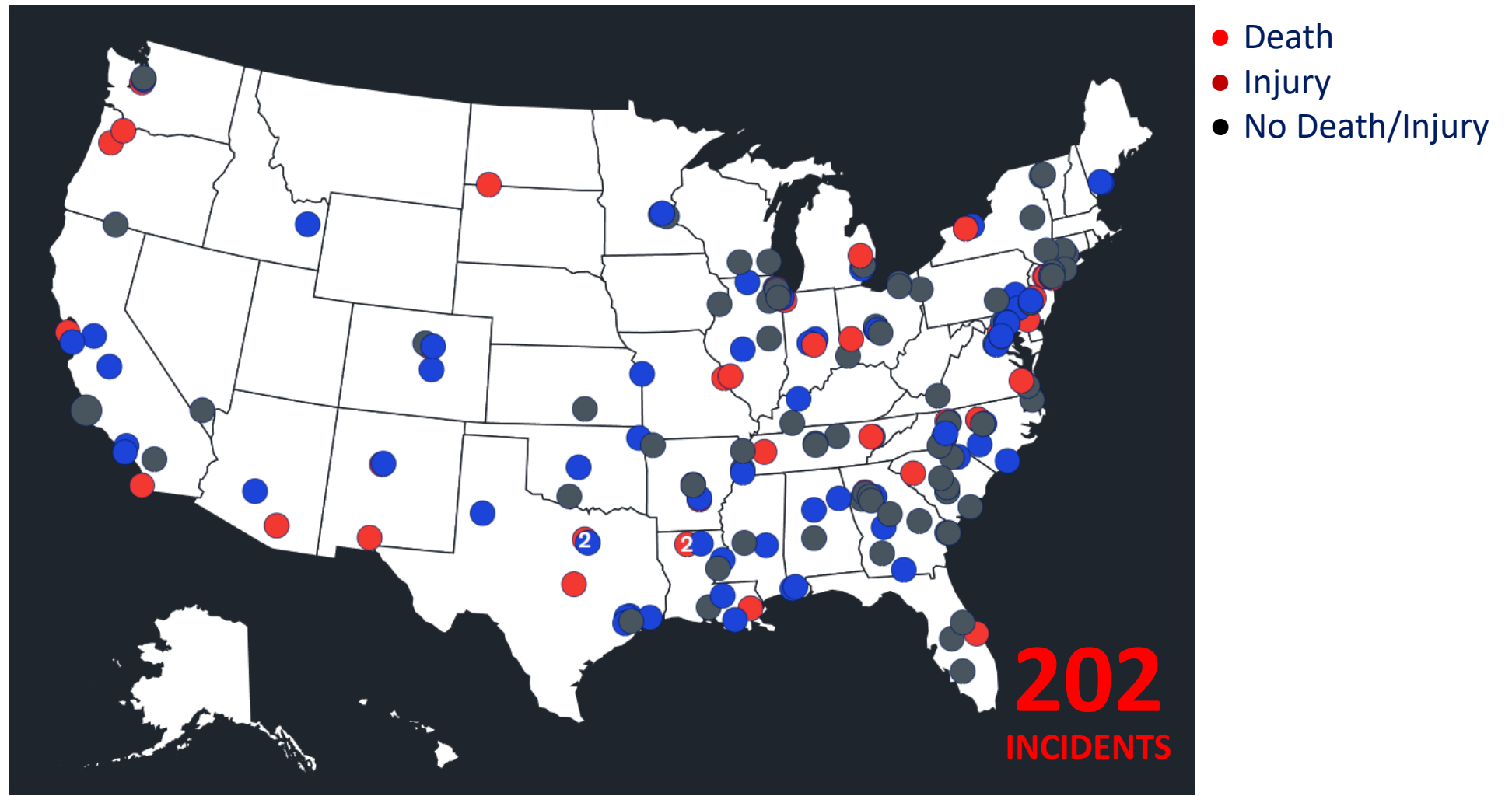
2020



Data is up to date as of: October 4, 2023

Sources: Everytown for Gun Safety and the K-12 School Shooting Database

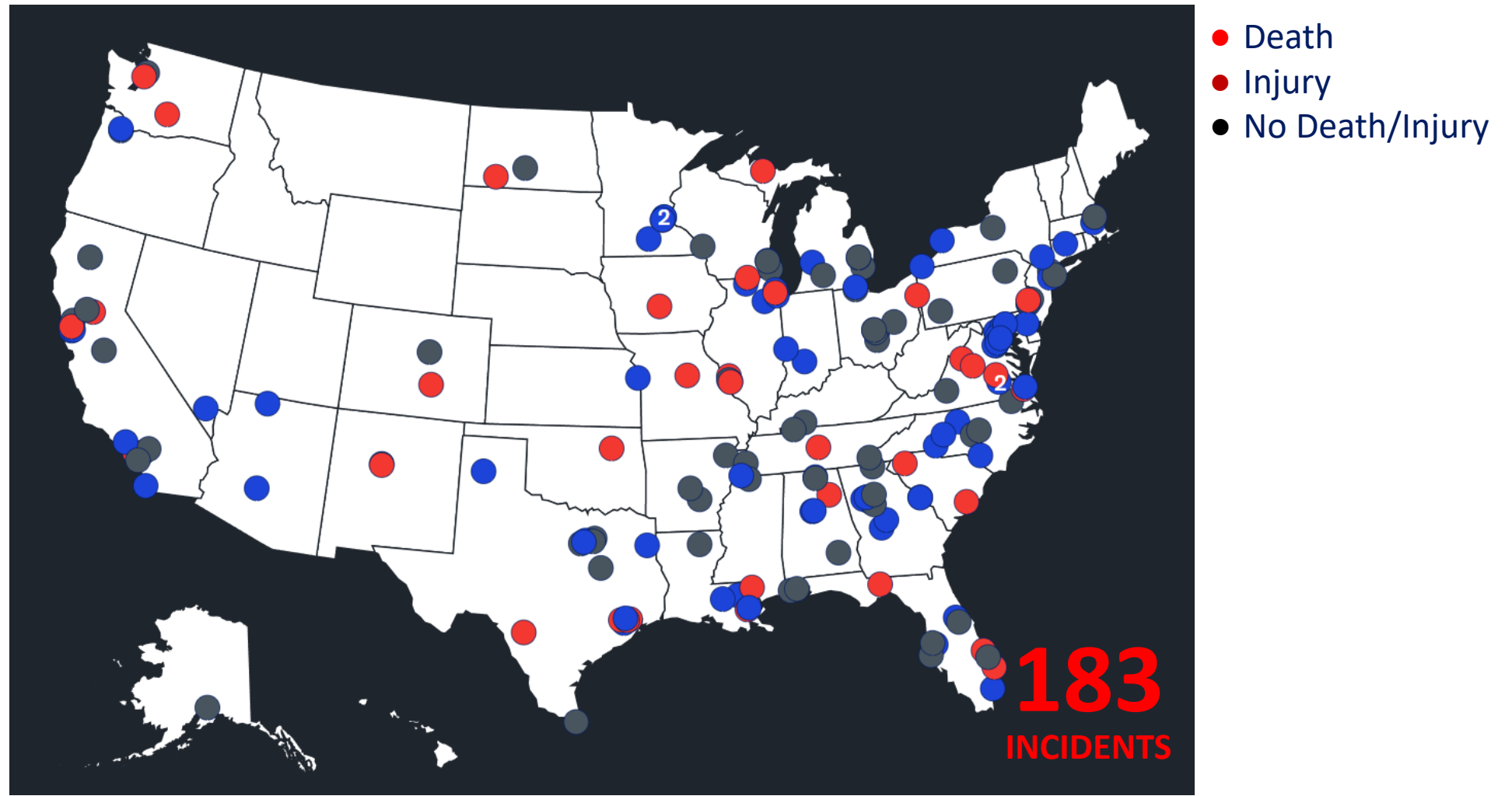
2021



Data is up to date as of: October 4, 2023

Sources: Everytown for Gun Safety and the K-12 School Shooting Database

2022



Data is up to date as of: October 4, 2023

Sources: Everytown for Gun Safety and the K-12 School Shooting Database



The Problem is Real

Just last year

- 346 shooting incidents in schools in US
- 248 victims wounded or killed

In the past five years

- 1073 victims wounded or killed

US News & World Report



Goal of SB 173 The Safe Schools Act

At least one highly trained responsible individual assigned the job duty of concealed carry per school to help ensure an on-site immediate response to save lives.

How do we get there?

Sections Worth Noting



Sec. 2

- Defines intent as augmentation to current law enforcement during crisis

Sec. 4

- Outlines requirements of school districts and qualified individuals to enact duties

Sec. 5

- Protects sensitive crisis plan information from general public access



Requirements » District

- **Grant assigned CC duty to one or more individuals**
 - District employee
 - Respected member of community
- **Cover costs* of training and employee training time**
 - **Note: bill sponsor supports state providing funding for this requirement*
- **Adopt written policy to include**
 - Training requirements (initial and continuing)
 - Physical* and mental standards (not less stringent than Alaska Police Standards Council)
 - **Note: Teachers are requesting physical requirements be less than military/police, i.e., don't need to be able to climb a mountain in record time!*



Requirements » District *(cont.)*

- **Provide annually to law enforcement**
 - active shooter plan
 - floor plan
 - locked/unlocked entrances
 - accessible windows
 - safe huddle areas
 - gun-storage lockers if any
 - room assignment of each qualified person if applicable
 - contact information for each qualified person
 - dates available for training or on-site drills
 - during academic year: school building and school employees
 - dates outside academic year: school buildings, school administrators and qualified persons

Requirements » District *(cont.)*

- Except for training/drill dates, information provided to law enforcement on this topic is not to be made public
 - **Note: committee may wish to strengthen language pertaining to confidentiality*
- May install biometric identification lockers for storage of handguns (cost reimbursable by state)
- May revoke or suspend assigned duty at discretion of district or at request of individual

Requirements » Individual

- Agrees to accept assigned duty
- Has concealed carry permit
- Has completed initial and continuing education training courses
- Meets physical & mental standards established by district policy
- Has completed any training required by district's insurance policy
- Has committed to continuing employment if required by district

State Comparison from 1997-2023

ALASKA

| | |
|--|-------------------|
| POPULATION | 608,846 – 733,406 |
| Population growth | ≈20% |
| Total Number of Shooting Incidents at K-12 Schools | 6 |
| Recorded Injuries | 4 |
| Recorded Fatalities | 2 |
| AVG Incident/year | .23 |
| % of Incidents resulting in death | 16.67% |
| Size Comparison to UT | 29.5% - 21.5% |

UTAH

| | |
|--|-----------------------|
| POPULATION | 2,065,397 – 3,417,734 |
| Population growth | ≈65% |
| Total Number of Shooting Incidents at K-12 Schools | 12 |
| Recorded Injuries | 2 |
| Recorded Fatalities | 2 |
| AVG Incident/year | .46 |
| % of Incidents resulting in death | 16.67% |
| Size Comparison to AK | 339.2% - 466.0% |

It's Not a Matter of **If...**

- Since Columbine in 1999, more than 360,000 students in the U.S. have experienced gun violence at school.
- There were more school shootings in 2022 -46- than in any year since Columbine.
- School shootings lead to drops in student enrollment and a decline in average test scores.
- In 4 out of 5 school shootings, at least one other person had knowledge of the attacker's plan but failed to report it.

<https://www.washingtonpost.com/education/interactive/school-shootings-database/> (2024-01-22)

<https://www2.ed.gov/admins/lead/safety/preventingattacksreport.pdf>

<https://siepr.stanford.edu/publications/health/surviving-school-shooting-impacts-mental-health-education-and-earnings-American>



93% of school shooters planned the attack in advance.

**Shouldn't we have a plan too?
Shouldn't we be prepared?**

Pass SB 173 Safe Schools Act



SB 173 **Thank You**
The Safe Schools Act

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Senator Shelley Hughes

District M – Palmer, Butte, Lazy Mountain, Gateway, Knik-Fairview, Settlers Bay

SB 173 An Act requiring school districts to grant qualified persons an assigned duty to carry a concealed handgun on school grounds under certain conditions; relating to standards, training, and continuing education in firearms training for qualified persons granted an assigned duty to carry a concealed handgun on school grounds; relating to communication of school districts with state and local law enforcement; and relating to school crisis response plans.

Sectional Analysis

Section 1 – Page 1, Lines 8 through 10

Adds short title “Safe Schools Act” to uncodified state law.

Section 2 – Page 1, Line 11 through Page 2, Line 2

Defines intent of legislation to augment responses by law enforcement during a crisis.

Section 3 – AS 11.61.210(c) – Page 2, Lines 3 through 8

Includes qualified person granted assigned duty under the statute to allowable concealed carry on school grounds.

Section 4 – AS 14.03 – Page 2, Lines 9 through 11

Adds Sec. 14.03.170 Granting qualified persons an assigned duty to carry a concealed handgun on school grounds.

Sec. 14.03.170(a) – Page 2, Lines 11 through 31 – Establishes responsibilities and tasks on part of the school district toward the qualified persons regarding (1) granting status, (2) adopting written policy for qualification, and (3) (4) providing finances for trainings.

Sec. 14.03.170(b) – Page 3, Lines 11 through 15 – Establishes responsibilities and qualifications on part of the persons assigned the duty including (1) willingness, (2) has obtained a permit to conceal-carry, (3) has completed authorized gun safety course, (4) has met physical and mental standards of paragraph (a)(2), (5) has complied with training in accordance with insurance requirements, and (6) has committed to a period of employment if required with the school district.

Sec. 14.03.170(c) – Page 3, Lines 16 through 25 – Provides for further steps the school district may take regarding the defense of students including (1) requiring a time period commitment from qualified persons to perform duties, (2) ability to revoke qualification of persons previously performing duties, and (3) install handgun lockers with biometric identification locks in each school.

Sec. 14.03.170(d) – Page 3, Line 26 through Page 4, Line 8 – Outlines date to submit updated information to local and state law enforcement regarding (1) active shooter plans, (2) building floor plans and pertinent information to active shooter plan, (3) contact information for each qualified person, and (4) and (5) dates within and outside of academic year for employee training and on-site drills.

Sec. 14.03.170(e) – Page 4 Lines 9 through 13 – Provides immunity to people and offices associated with the school district from liability in cases of injuries as a direct result of events with an active shooter crisis.

Sec. 14.03.170(f) – Page 4, Lines 14 through 15 – Confirms no change in ability to lawfully possess a weapon on school grounds without violating current statutes in AS 11.61.210(a)(7) or (8).

Sec. 14.03.170(g) – Page 4, Lines 16 through 20 – Defines terms “qualified person” and “school grounds”.

Section 5 – AS 14.33.100(c) – Page 4, Lines 219 through 31

Adds language that prevents full disclosure of action plans and floorplans as defined under the previously established AS 14.03.170 from being made available to the public.

Section 6 – Page 5, Lines 1 through 4

Amends uncodified state law with a new section enacting legality and timeframe.