



HERE TO LEARN

Creating Safe and Supportive Schools
in Los Angeles Unified School District

Students are here to learn...

Here to Learn: Creating Safe and Supportive Schools in Los Angeles Unified School District is a report created by #StudentsNotSuspects, a broad coalition of Los Angeles students, organizations, and supporters advocating that the Los Angeles Unified School District eliminate its mandatory metal detector search policy and implement a more supportive and holistic school safety model.

The coalition includes Youth Justice Coalition, Public Counsel, ACLU Foundation of Southern California, Black Lives Matter, Students Deserve, and United Teachers Los Angeles.

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EXECUTIVE SUMMARY

In 2011, Los Angeles Unified School District (LAUSD) adopted a policy mandating that every middle school and high school in the district must daily pull a group of students out of class to undergo a humiliating procedure. The students are forced to halt their learning, grab their backpacks, and enter the hall or a vacant classroom where school staff will ask them to spread their legs and arms as the adult passes a handheld metal detector wand over their bodies. The adults then rifle through students' backpacks – or dump them on a table – looking for “contraband.” The policy is intended to uncover weapons, but school staff have broad discretion to take any item that violates a school rule; they frequently confiscate school supplies. Law enforcement officers sometimes observe or carry out the entire procedure.

Under the policy's terms, the searches are intended to be conducted in a non-biased manner, with students, classrooms, and search times chosen through “random” procedures. The blanket policy intends to avoid discrimination by requiring searches every day at every single middle school and high school. In practice, however, the policy is implemented unevenly. Students, parents, and teachers all report school staff targeting certain groups, including low-income students and students of color or enforcing the policy more frequently

in schools that predominantly serve those student groups. Even if the guidelines were implemented with fidelity, the policy would place a heavy burden on students' personal integrity while serving little purpose: LAUSD's data demonstrates that the policy rarely uncovers the weapons it is intended to find and that the policy does not have any meaningful deterrent effect.

Students have not taken this incursion on their civil rights lightly. Instead, student leaders have acted in coalition with community organizations, teachers, and legal advocacy groups to demand an end to LAUSD's mandatory metal detector search policy. LAUSD officials have promised to review the policy, but change has been slow to come, as some retain the mistaken belief that mandatory metal detector searches support school safety.

Here to Learn provides a full analysis of LAUSD's mandatory metal detector search policy. This analysis is based on a comprehensive review of LAUSD metal detection search logs produced in response to a Public Records Act (PRA) request for any entries containing weapons in the 2013-2014 and 2014-2015 school years by researchers at UCLA's Civil Rights Project. The analysis shows that the policy is expensive and ineffective at both finding and deterring weapons at schools. The study also shows that in practice, school staff take advantage

of the policy to target particular students for punishment and humiliation. In addition, *Here to Learn* presents the narratives of students and educators. They urge the district to stop criminalizing students and to invest instead in developing healthy school communities.

Findings

- LAUSD's mandatory metal detector search policy is far out of line with other similarly situated school districts' student search policies. No other large district maintains a metal detector search policy that even remotely resembles LAUSD's.

- LAUSD administrators have implemented the mandatory metal detector search policy inconsistently and have followed neither the letter nor the spirit of the policy at many district schools. Hundreds of searches recorded in the logs target students based on behavior, location, or personal characteristics. The logs also reveal that school staff frequently conduct the searches in a far more intrusive manner than the policy intended, with staff continuing to search belongings even when no weapons or metallic objects are present.

- LAUSD's PRA response indicates that weapons were found in random metal detector searches at only 58 of the district's approximately 200 secondary schools¹ in the district during 2013-14 and 2014-15.

- Regardless of the type of search (constitutional, potentially unconstitutional, or "random" searches pursuant to the mandatory metal detector policy), the logs show zero guns recovered by searches in 2013-2014 and 2014-2015. This means that any guns found on LAUSD campuses each year were found by means other than the mandatory metal detector search policy.

- From an estimated 105,366 individual student searches across two school years, only 86 weapons were found. In other words, only approximately 0.08% of individual student searches conducted in LAUSD in 2013-14 and 2014-15 revealed a weapon of any sort, none of which were guns.

- The policy is not effective at deterring weapons possession on campus; the number of total weapons incidents recorded in LAUSD iSTAR incident reports have increased since daily random metal-detector wand searches were made mandatory, from 653 incidents districtwide in 2013-14 to 783 incidents in 2014-15. Critically, almost all of these weapons were found by other means and were not discovered by the mandatory metal detector searches. Of the total number of weapons found in LAUSD schools, only 6% were found by mandatory metal detector searches.

- The mandatory metal detector searches reveal many objects – almost none of which are weapons. Weapons

account for an estimated 1% of items confiscated through mandatory metal detector searches. School supplies account for 61% of confiscated items, including primarily markers, scissors, white-out, and highlighters. Self-care and hygiene items account for 10%, including body spray, over-the-counter pain medication such as Advil and Midol, lotion, cough drops, asthma inhalers, and hand sanitizer.

- Mandatory metal detector searches force students to miss valuable classroom learning time and waste staff time that could be spent on more productive activities to enhance student dignity and campus safety. If the district's 200 secondary schools implemented the policy according to its terms, LAUSD students would lose approximately 39,000 instructional hours each year to searches. The district would also spend 24,000 staff hours implementing the searches, wasting an estimated \$1.12 million in staffing costs alone, which is particularly troubling in light of LAUSD's ongoing fiscal crisis.

- Students consistently report feeling alienated, disrespected, and disempowered by the policy, explaining that the policy devalues their education and makes them feel like criminal suspects.

Recommendations

- Eliminate the mandatory metal detector search policy.

- Utilize constitutionally-compliant "reasonable suspicion" searches where staff have reason to believe that a student violated a school rule or law.

- Fully implement the School Climate Bill of Rights, integrating restorative justice practices and school-wide positive behavioral interventions and supports (SWPBIS).

- Implement volunteer and community-based safe passage models at schools where students have safety concerns on their way to and from school.

- Equip schools with appropriate programming and staffing to promote safety and social and emotional well-being, including increasing counselors, psychiatric social workers, and community intervention workers.

- Empower students and community members to resolve disputes and take ownership of school safety.

- Create and expand safe spaces on campus and increase extracurricular offerings.

- Invest in faithfully implementing and expanding community schools.



INTRODUCTION

On May 30, 2017, roughly 250 students, parents, and teachers converged on the meeting of the Los Angeles Unified School District (LAUSD) School Board. Wearing shirts that read #StudentsNotSuspects, they called for an end to LAUSD's policy mandating daily searches of students' bodies and backpacks with metal detector wands at every middle school and high school in the district. While their peers chanted and waved signs outside, a handful of youth and educators had the opportunity to speak directly to the superintendent and board members during the public comment section of the meeting. Parents pointed to the hypocrisy of a policy that covers all students on paper but is selectively applied in practice to target low-income students and students of color. Students described humiliating and degrading experiences with searches. One student told of the disappointment that registered on the faces of administrators and school police when searches revealed no weapons: "Our school police wanted us to be guilty," she said. "Our school district wanted us to be guilty." Another said that the searches sent a clear message: "I'm not getting that you want me to learn. I am getting that you want me to be a criminal."

Because of these students' courage and leadership, the district superintendent and school board members agreed to review LAUSD's mandatory metal detector search policy. But nearly a year later, the policy still stands. As this report will describe, it is time for LAUSD to replace ineffective, intrusive, and excessive searches with measures proven to support student wellbeing and safety at school.

As young student activists nationwide are calling adults to task around issues of safety and dignity, LAUSD is at a crossroads. The district is currently reevaluating its safety plans and the mandatory metal detector search policy and can choose one of two options. District officials can once again double down on a wasteful and ineffective policy. Or they can commit to a forward-thinking school climate and safety plan, one involving safe passages to and from campus, full restorative justice implementation, and improved mental health services alongside constitutional reasonable suspicion searches and flexible emergency plans for school sites with acute safety issues.

LAUSD's mandatory metal detector policy is intended to work like this: Every day, at all LAUSD middle school and high schools, a team of administrators are supposed to walk over to a classroom. Although class has already begun, the teacher must stop her class lesson and students must cease their work and turn their attention to the adults who disrupted their class. The adult school staff call out the names of multiple students, selected from the roster by an unbiased mechanism – for example, selecting every third student listed on the roster. The students file out of the room, bringing their backpacks, jackets, and purses. The searches are conducted "out of view" in an empty classroom if available; otherwise, they are performed in the hallway. Students are required to spread their legs and arms as the adults pass a wand over their entire body – under the armpits, across the chest, between the thighs. If the wand activates, the student will be subjected to a pat-down search by an adult of the same gender. Backpacks are then opened and rummaged through. School police may observe these searches but not participate in them. After all the searches are complete, the students are sent back to the classroom to resume their work.

"I was searched in the 9th grade at Rancho Dominguez Preparatory School. A security guard came to my class, looked around, chose me and a boy, and took us out of class. He looked through my backpack and dumped out my school supplies and books. Then, he gave me a paper to give to my parents and sent me back to class. I picked up my things from the floor and walked back into class, but it was awkward. Everyone was looking at me like I had done something bad but I hadn't done anything. I was sad and hurt, and I felt criminalized."

**11th Grade Student
South Los Angeles**

While the terms of the policy are already rife with problems, LAUSD's implementation of the searches is far worse. As LAUSD's own 2017 audit establishes, the district's application of the policy has been inconsistent and defective. LAUSD's search logs demonstrate that staff frequently do not select students randomly to be searched, instead they are either using non-random criteria or targeting individual students, in clear violation of the policy and law. Further, some LAUSD schools do not conduct the searches at all, while others select dozens of students to be searched each day. Staff also frequently conduct searches that are overbroad and excessively intrusive, by continuing to search students and their belongings even when the metal detector does not activate or when it is clear the students do not have weapons. Some search logs indicate that law enforcement and K-9 dogs are involved in the searches as well.

LAUSD has been conducting these metal detector searches in some form since 1993. Over the last 25 years, the district has modified the policy to become increasingly onerous and intrusive. Currently, all LAUSD middle school and high schools, and charter schools co-located on district campuses, must conduct the searches every single day, without exception. As a result, hundreds of Los Angeles students are being pulled out of class to be searched each day.

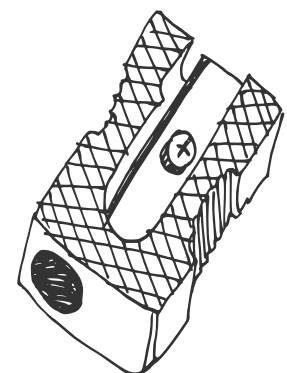
The policy has tremendous costs and no discernable benefit. Most fundamentally, the policy has never been shown to be effective in increasing safety or deterring weapons on campus. In fact, LAUSD's data demonstrates that the policy is ineffective at uncovering weapons. Researchers at UCLA's Civil Rights Project conducted a comprehensive review of LAUSD metal detection search logs related to any entries containing weapons in the 2013-2014 and 2014-2015 school years. The logs showed that LAUSD found zero guns across all searches. The searches turned up a very small number of weapons compared to the number of intrusions onto student privacy and dignity – 86 weapons of any type across an estimated 105,366 individual student searches over two years. The vast majority of items confiscated from students in these searches – 71% – are students' innocuous personal belongings, including markers, stationary, body spray, cell phones, and candy. If implemented in accordance with the policy, these searches would result in 24,000 hours of lost learning time and approximately \$1.12 million in staffing costs each year, which is deeply concerning given LAUSD's continuing budget shortfalls.²

There are more effective ways to ensure student safety. There is broad consensus among education scholars that school safety is rooted in school climate. When students trust their teachers, they are more likely to seek help regarding their own fears and to communicate with staff about conflicts or potentially dangerous situations. When administrators treat students with respect, they are more likely to identify and address bullying, harassment, and

suicidal or homicidal ideation. And when district leaders acknowledge the relationship between schools and the communities they serve, they are more likely to ensure safe routes to school and to engage parents as safety partners. Indeed, LAUSD has more effective methods of conducting searches at its disposal. LAUSD school staff may search students when they have reasonable suspicion that a student has violated a law or school rule, which, as LAUSD data shows, is far more effective at identifying weapons than engaging in these blanket, overbroad searches.

Instead of enhancing school safety, the mandatory metal detector search policy undermines the positive school climate that study after study shows is necessary to ensure student safety. That is why LAUSD students, teachers, and administrators have entered into a coalition with parents and civil rights organizations to protest the policy under the #StudentsNotSuspects banner. Students experience these searches – and the subsequent intrusion into their classrooms – as a violation of their dignity. Teachers complain that they disrupt valuable learning time and damage fragile relationships with the most vulnerable students. Principals lament the waste of time and resources, as well as the lack of effective guidance on maintaining a weapons-free campus.

This report provides guidance for a new commitment to healthy and connected relationships that are fundamental to safety in LAUSD. It begins by providing an overview of the mandatory metal detector policy and its history. It shows that LAUSD is unique in maintaining such an outdated and potentially unconstitutional policy and presents some examples of better policies adopted by other districts. The report then presents both expert research and student voices showing that the policy is ineffective at finding weapons, damaging to school climate, and costly. The report concludes with recommendations of best practices that LAUSD can adopt to maintain student safety by protecting the integrity of their learning environments.





POLICY OVERVIEW

Since 1993, LAUSD has had a random metal detector search policy which, at times, gave administrators discretion to institute searches at their schools site.³ Over time, LAUSD instituted a pilot program implementing the policy in LAUSD schools and later required searches but only *recommended* they occur on a daily basis.⁴ In 2011, the policy was updated to make these searches *mandatory on a daily basis*.⁵

LAUSD's mandatory metal detector search policy, updated most recently in Bulletin-5424.2, mandates that all schools serving grades six through twelve must select students from at least one classroom and subject their bodies and belongings to searches with hand-held metal detectors ("wands") each school day.⁶ The policy states that student selection must follow an unbiased selection criterion, which the policy refers to as "random."⁷ Each school must create a plan for how to select classrooms, develop a mechanism for selecting students from each classroom, and vary the times of these searches in the school day.⁸

The mandatory metal detector searches are to be conducted by teams of school personnel involving both men and women members, and students are to be searched by personnel of their own gender.⁹ However, the policy fails to include any procedures for students who identify as transgender, genderqueer, or gender-non-conforming, and it does not make any provisions for students who may be made uncomfortable by touching from adults of the same gender. Sworn police officers are not supposed to conduct the searches, though they may observe the searches.¹⁰ Searches are to be conducted out of view of the general student population "whenever possible."¹¹ If school personnel determine that a pat-down or questioning is required, two staff must accompany the student to a vacant room on campus.¹² Students who refuse to submit to these searches may face disciplinary consequences.¹³

LAUSD staff may also search students individually if they have "reasonable suspicion" that a student violated a school rule or law. The intrusiveness of such searches must be reasonably related to the violation alleged.

The policy is intended to "deter weapons such as guns, knives, or any other item which might cause harm or injury from being brought to schools."¹⁴ The policy explicitly states that metal detectors should not be used to search students who are suspected of violating school rules.¹⁵ The policy requires that in addition to submitting to a search of their body by metal detector wands, selected students must also bring all personal items in the classroom – including coats, purses, and backpacks – to the search location and set them in "plain view" to be searched.¹⁶ The policy mandates that belongings "may be searched only to the degree necessary to affirm that weapons are contained therein."¹⁷

While the mandatory metal detector search policy is intended to deter weapons rather than enforce school rules, the policy also states that district personnel may confiscate any "contraband" items discovered and discipline students for possession of "contraband."¹⁸ The policy provides no definition of "contraband."

LAUSD's Implementation of the Mandatory Metal Detector Searches Has Been Improper and Inconsistent

LAUSD administrators have implemented the mandatory metal detector search policy inconsistently and have followed neither the letter nor the spirit of the policy at many district schools. Although the mandatory metal detector search policy requires schools to log all searches, the district maintains no mechanism to review the logs for rights violations or to ensure policy compliance. Our review of LAUSD's metal detector search logs reveals that, at some schools, staff select multiple classrooms and search dozens of students on a daily basis.¹⁹ At other schools, staff do not implement the searches at all. The identity of the people conducting the searches also varies widely. At some schools, administrators conduct the searches; at others, teachers are required to search students; and at still others, school police search the students – in direct contravention of the policy.

Schools also diverge in the way staff select students for searches. Some schools select every second or third student from the class roster, others select entire classes to be searched, and still others don't select students randomly at all. Some examples of non-random selection criteria in LAUSD's logs include:

- "tardy sweep"²⁰
- "truancy sweep"²¹
- "all in class (report of missing wallet)"²²
- "kids on bleachers"²³
- "checked backpack of 8th grade male students"²⁴

At some schools, staff target specific classrooms as well; we have received reports from some LAUSD staff and students that staff avoid searching students in honors classes or magnet programs.

"I was in 7th grade the first time I was searched. The Principal and Dean took me and others out of class and walked us to the cafeteria, where we were searched with metal detector wands. First, they searched my bag. Then, they had me spread out my arms and legs and passed a metal detector wand over my body. I had to spread out my arms and legs like a starfish. Honestly, I felt violated because they had no reason to make me do that. I've never been asked to spread out like a starfish in any other space, except at school. When I got back to class, I couldn't concentrate. I kept thinking - what if they can make me spread my arms and legs any time they want? Do they have that kind of power over us?"

I was searched again in high school during a math class on triangles and at least 15 of us were taken out of class to get searched. Because of the search, the school administrators ended up taking away my Sharpies and white-out. I use Sharpies to draw for an art class and I use white-out in case I make a mistake while drawing. I didn't do anything bad but they made me feel like I did and I couldn't concentrate in class for the rest of the day."

11th Grade Student South Los Angeles

"Twice, school administrators or school police searched my backpack, passed the metal detector wand over my bag, and then I was sniffed by dogs. Most of the times I was searched, I had to take off my shoes, socks, and sweaters and then get wanded. Sometimes, I was even wanded by men. If I or other girls had our hair in a ponytail or wrapped in a bun, we had to take our hair down and let the administrators run their fingers through our hair, even if the wand didn't go off. These experiences made me feel unsafe in school."

Former LAUSD Student

LAUSD has failed to ensure that school sites are implementing the mandatory metal detector search policy according to its terms in other ways. For example, the policy states that staff are only to search students "to the degree necessary to affirm that weapons are contained therein," but staff consistently search student belongings to a much more intrusive degree. Students report staff members searching the contents of bags even when the metal detector does not activate and searching small items like wallets and diaries even when it is clear they contain no weapons. Although the policy is only intended to prevent weapons on campus, the logs demonstrate that the searches are most commonly used to confiscate non-metallic, innocuous items such as stationery or over-the-counter medications.

LAUSD officials are aware that the mandatory metal detector policy is implemented inconsistently across its

schools. On April 27, 2017, LAUSD's Office of the Inspector General released its audit of the mandatory metal detector search policy's implementation at a sample of 20 school sites.²⁵ The audit found multiple lapses: some schools did not post notifications about the random searches; some schools did not perform the searches on a daily basis; some staff improperly searched students of the opposite gender; some schools did not have metal detector wands to even conduct the searches. The audit concluded that the schools in its sample were not conducting the searches consistently or accurately. It cautioned the LAUSD Division of District Operations to monitor implementation more closely.²⁶ A 2014 audit revealed similar lapses in the implementation of the policy.²⁷



ANALYSIS

The Mandatory Metal Detector Search Policy Contradicts LAUSD's Commitment to Respect, Equity, and Access

The mandatory metal detector search policy conflicts with LAUSD's mission statement and with the district's commitment to a positive school climate. LAUSD espouses a core belief in mutual respect, equity, and access.²⁸ LAUSD's stated mission is to embrace "our diversity to educate L.A.'s youth, ensure academic achievement and empower tomorrow's leaders."²⁹

These principles are affirmed by LAUSD's groundbreaking Positive Behavior Intervention and Support policy (BUL 6321)³⁰ and the School Climate Bill of Rights Resolution, passed on May 14, 2013.³¹ These policies were the result of a campaign by the Brothers Sons Selves Coalition with support from CADRE and Public Counsel, to improve school climate, safety, and interpersonal relationships in the district. The policy "establishes a consistent framework for implementing and developing a culture of discipline grounded in positive behavior interventions and away from punitive approaches that infringe on instruction time," affirms that "student achievement begins with keeping students in a safe classroom and healthy environment conducive to learning and free from disruption," and reiterates that "[a]ll students have the right to holistic, healthy school environments that support students in all aspects of their health and well-being."³²

Specifically, the School Climate Bill of Rights reaffirmed core School Wide Positive Behavior Intervention Support (SWPBIS) commitments including creating a complaint process to track implementation challenges and laid out a plan to integrate Restorative Justice Practices in all schools by 2020, with a focus on implementation where there was significant racial disproportionality in discipline. To address disproportionality directly, the policy also

eliminated California Education Code Section 48900(k) – willful defiance – as a suspendable offense. The policy further required LAUSD to create an alternatives-to-suspension matrix to ensure that suspension was a last resort and only used when legally required by the state. Finally, the policy also clarified the role of law enforcement in schools so that Los Angeles School Police Department (LASPD) officers are not used for disciplinary intervention but for serious safety issues. All of these efforts are positive steps by the District to support students' academic, social, and emotional success, although LAUSD still must make progress to ensure that SWPBIS and restorative justice practices are fully and faithfully implemented in all of its schools.

While the School Climate Bill of Rights policy was a strong step forward for LAUSD, the district has failed to properly implement it. For more information, see a report by CADRE on SWPBIS implementation in South LA schools, which found that fewer than one third of schools were implementing SWPBIS with fidelity.³³

The mandatory metal detector search policy contradicts these values and policies. As described further in this report, the policy harms school climate, students' relationship with school staff, and students' health and well being. The policy further necessarily disrupts the classroom and infringes on instructional time by costing teachers and students hundreds of thousands of minutes of instruction per year. Finally – in contrast to LAUSD's mission statement – students consistently report feeling alienated, disrespected, and disempowered by the policy, explaining that the policy devalues their education and makes them feel like criminal suspects.

"I was searched about 10 times in middle school and about 10 times while I was in high school. Any time a student asked why we were searched or objected to the random searches, we were told to shut up, which showed us that it wasn't worth it to fight for our dignity. If you spoke up, they would sometimes be more aggressive or slam you against a wall harder. In a lot of ways, it's what led me to be pushed out of my high school, because I felt unsafe and did not trust the school administration or teachers."

**LAUSD Graduate
South Los Angeles**

Research Consistently Demonstrates that Metal Detector Searches Damage School Climate

School boards and administrators across the country have been relying less on metal detector searches to ensure student safety. Only 4.5% of schools employed random metal detector checks in 2015-16, down from 7.2% in 1999-2000.³⁴ This decline in popularity may be related to consistent research findings demonstrating that metal detector searches have harmful costs, including damaging school climate. One study analyzed data from the National Longitudinal Study of Adolescent Health and found that metal detectors increase students' feeling of fear at school, even when controlling for the level of school violence.³⁵ Likewise, another study found that metal detectors symbolize disorder in school, leading students to perceive their teachers and school administrators as lacking control over violence.³⁶

After reviewing substantial research on school safety, the National Association of School Psychologists (NASP) affirmed that no clear evidence supports the claim that metal detector searches and similar policies reduce school violence. Instead, these policies actually diminish students' sense of safety. Instead of utilizing metal detector searches, NASP recommends:

To truly improve school safety, reasonable physical security such as locked doors, lighted hallways, and visitor check-in systems must be combined with reasonable psychological safety efforts that promote a positive school climate. These efforts include establishing trust among staff, students, and families; and creating an environment where students feel empowered to report any safety concerns.³⁷

In line with these recommendations, education equity advocates promote alternative school safety programs that address students' safety concerns at their roots while promoting positive relationships with school adults. These programs include the Urban Peace Institute's Safe Passages program, which develops capacity among community members to serve as gang violence interrupters and to provide student safety zones on common routes to school.³⁸ Other evidence-based approaches include restorative justice models that replace punitive exclusionary approaches to school discipline with fair and collective processes that feature "nurturing, growth, and communal empathy and resilience over exploitation and imposed control."³⁹ By promoting student rootedness in their school and community and by fostering positive relationships between students and teachers, such programs support not only school safety but also positive educational outcomes across multiple dimensions.⁴⁰

"The random wandering policy does not serve our mission, our values, or our students, and it is frustrating that we are forced to comply. The LAUSD School Experience Survey tells us that our students feel safer and happier than students in other nearby schools, and we attribute that to our commitment to create a college-going, restorative school culture that aims to repair the harm done by the imposition of discriminatory policies like the random metal detector policy. As soon as you walk onto our campus, you can feel it. We know our community, we love our students, and we work closely with our families. We celebrate accomplishments abundantly, use restorative practices both in and out of the classroom, and are focused on preparing our students to achieve their fullest potential. Random wandering enforces punitive measures that run counter to a restorative, college-going environment for our students. Instead of daily search logs, we should use alternative ways to measure safety, like student surveys and meaningful experiences like restorative justice circles. Our students deserve better."

**High School Principal
East Los Angeles**

Students of Color Are More Likely to Be Subjected to Security Measures and Funneled into the School to Prison Pipeline

Students of color are more likely to be subjected to harsh security and surveillance measures than their white peers. A 2016 study found that a school with more than 50% students of color is between 2 and 18 times more likely to use metal detectors (although, as discussed further in this report, no other large district performs searches in the manner LAUSD does), law enforcement or guards, locked gates, and/or random sweeps than a school with fewer than 20% students of color.⁴¹ A similar study found that “the percentage of Black students enrolled was more highly related to security levels than was any other characteristic. . . . In sum, a high proportion of Black students in a school is related to the degree of security the school implements above and beyond all other characteristics we studied.”⁴²

The increased surveillance and over-policing of students of color corresponds to racial disparities in discipline and juvenile justice rates. Between 1980 and 2000, the percentages of young men in the U.S. ages 15-18 charged with a crime, convicted, and sentenced to a correctional facility all increased substantially, despite a major drop in reported delinquent behavior.⁴³ The increase in charges and incarceration rates especially affected Black male youth.⁴⁴ In 2014, the arrest rate for Black youth was nearly three times that of their white peers.⁴⁵ This difference is even more pronounced with respect to discretionary, non-serious crimes – the most frequent types of crimes reported on or around school campuses. For example, Black youth were four times more likely than white youth to be arrested for curfew/loitering (when students are off campus during school hours) and disorderly conduct violations.⁴⁶ These disparities are not based on differences in behavior between Black and white youth but on the influence of implicit and explicit racial bias on adults’ decisions of whether to arrest, charge, and incarcerate.⁴⁷

LAUSD’s 2016-17 Disciplinary Report reveals the persistence of major racial disparities in suspensions and arrests in Los Angeles schools. The single-student out-of-school suspension rate for Black students (1.84%) was almost seven times that of white students (0.27%), and the per capita arrest rate for Black students (2.81 arrests per 1000 students) was 9 times that of white students (0.30 arrests per 1000 students).⁴⁸ Put differently, although Black students comprise only 8.4% of school enrollment, 24.1% of arrests involved a Black student.⁴⁹ In addition, the per capita arrest rate for Latino students (1.1 arrests per 1000 students) was over three times that of white students.⁵⁰ As discussed further in the following section, LAUSD does not track the race or other demographic data of the students selected for mandatory metal detector searches. However, anecdotal evidence suggests that students of color are subjected to searches at a higher frequency than their white counterparts in

LAUSD because schools serving predominantly students of color are conducting these searches at a higher rate than schools serving fewer students of color, and because certain students of color have been targeted. Policies that disproportionately harm students of color and subject them to overly harsh punitive practices, such as LAUSD’s metal detector search policy, contribute to the school-to-prison pipeline, which funnel students from schools into the criminal justice system.⁵¹ These policies undermine LAUSD’s efforts to improve school climate, retain students, and increase graduation rates.

LAUSD’s Mandatory Metal Detector Searches Likely Violate Students’ Constitutional Rights

The Fourth Amendment protects “[t]he right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures.”⁵² These protections apply to students, with the U.S. Supreme Court emphasizing that “[i]t can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech or expression at the schoolhouse gate.”⁵³

“My daughters are girls of color, and they attend schools where most of the other students are white. They have both been “randomly” selected for metal detector searches. They have been pulled out of class and had a school administrator look through all of their things, despite having never been in trouble and keeping up great grades. The searches were very traumatic for one of my daughters. When I picked her up, she was very quiet and had trouble understanding what happened. I believe these searches are discriminatory and target people of color. I also don’t believe these searches make my children safer and will be transferring my daughters to a school that doesn’t conduct these kind of searches next year.”

LAUSD Parent

In assessing the reasonableness of a random search in a school, a court must consider three factors: 1) the individual privacy interest at stake, 2) the character of the intrusion, and 3) the extent of the government interest.⁵⁴ LAUSD's mandatory metal detector policy likely violates students' Fourth Amendment rights because, here, students' privacy interest is high and the character of the intrusion is particularly severe.

As the Supreme Court has long recognized, students in schools have substantial privacy interests in the contents of their belongings, because they may bring—in addition to supplies such as school materials and hygiene items—“highly personal items as photographs, letters, and diaries.”⁵⁵ Thus, “schoolchildren may find it necessary to carry with them a variety of legitimate, noncontraband items, and there is no reason to conclude that they have necessarily waived all rights to privacy in such items merely by bringing them onto school grounds.”⁵⁶ The California Supreme Court is in accord, and confirmed that “a student always has the highest privacy interests in his or her own person, belongings, and physical enclaves, such as lockers.”⁵⁷

In light of student's substantial privacy interests, LAUSD's mandatory metal detector search is likely unconstitutional on its face because the searches it mandates are overbroad and intrusive. Specifically, the policy allows staff to touch students;⁵⁸ it allows staff to search through their bags and belongings without suspicion;⁵⁹ and it allows law enforcement officers to observe the searches and respond to items found.⁶⁰ Courts have found each of these factors to reduce the reasonableness of suspicionless searches in schools. As the Supreme Court has long held, searches that involve touching students' bodies are “undoubtedly a severe violation of subjective expectations of privacy.”⁶¹ Further, indiscriminate searches of students' bags and belongings are similarly intrusive. For example, the Eighth Circuit reviewed a similar policy, where a school district randomly selected students to be searched in the hallway during class time. The court determined that such searches were impermissibly intrusive, holding

Whatever privacy interests the [] students have in the personal belongings that they bring to school are wholly obliterated by the search practice at issue here, because all such belongings are subject to being searched at any time without notice, individualized suspicion, or any apparent limit to the extensiveness of the search. . . . The mere assertion that there are substantial problems associated with drugs and weapons in its schools does not give [the school district] *carte blanche* to inflict highly intrusive, random searches upon its general student body.⁶²

Finally, Judge Beam, in a concurring opinion in *Doe*, expressed particular concern that the policy permitted staff to turn over the results of the searches to police, noting that the involvement of law enforcement

significantly heightens the level of intrusiveness of search because it increases the severity of consequences for the students.⁶³

Irrespective of whether the policy is unconstitutional on its face, LAUSD's implementation of that policy almost certainly violates the Fourth Amendment. Staff selecting students for searches non-randomly, using the searches to enforce policies unrelated to safety such as contraband policies, targeting searches of certain protected groups, and requiring students to remove articles of clothing all run afoul of students' constitutional rights.

The Eighth Circuit ultimately found these types of searches to be unconstitutional, concluding: “Rather than acting *in loco parentis*, with the goal of promoting the students' welfare, the government officials conducting the searches are in large part playing a law enforcement role with the goal of ferreting out crime and collecting evidence to be used in prosecuting students.”⁶⁴

In an opinion that LAUSD cites in its mandatory metal detector search policy, the California Attorney General analyzed the legality of such policies and cautioned against using suspicionless searches, advising: “Before resorting to metal detectors in particular schools or school districts, it is strongly recommended that school administrators make a specific finding why this weapons deterrence system is being adopted. . . . As a general rule, less restrictive alternatives should always be pursued in order to minimize the invasion of privacy interests.”⁶⁵ Here, despite the evidence that these searches do not increase safety and instead inflict tremendous costs on students and educators, LAUSD has consistently made their searches more intrusive, likely in violation of its students' Fourth Amendment rights.

LAUSD is the Only Large School District in the United States that Conducts Mandatory Metal Detector Searches in Such an Overbroad and Intrusive Manner

LAUSD's mandatory search policy is far out of step with other similarly situated school districts' student search policies.⁶⁶ To date, LAUSD staff have failed to identify any other district with a similar policy. We performed our own review of search policies, surveying the 15 largest school districts in California and the 15 largest school districts nationwide.⁶⁷ We found that no other large district maintains a metal detector search policy that even remotely resembles LAUSD's.

Among the largest school districts, LAUSD's mandatory metal detector policy is an outlier in almost every respect. Every other large school district we examined either does not employ metal detector searches or has policies that are far more limited in scope. For example, no other large district requires every middle school and high school campus to conduct metal detector searches. No other large district requires metal detector searches to be conducted on a daily basis. No other large district requires – or even contemplates – that metal detector searches occur during instructional time. And no other district allows staff members to search through students' bags indiscriminately. In California, for example, Fresno Unified School District's search policy allows staff members to search a student's bag pursuant to a metal detector search only if the metal detector activates.⁶⁸ Another California school district, Riverside Unified, has a policy that does not mandate schools to conduct daily metal detector searches and permits certain schools to use metal detectors to scan students only when entering the school, and no individual search may be conducted unless the student activates the metal detector twice.⁶⁹ Other California school districts, including Fresno Unified School District,⁷⁰ San Bernardino City Unified School District,⁷¹ Oakland Unified School District,⁷² and Sacramento City Unified School District,⁷³ have policies where schools are not mandated to conduct daily metal detector searches. In Fresno, San Bernardino, Oakland, Riverside, and Sacramento City, no physical search of a student, sometimes referred to as a "pat-down", may be conducted unless the student activates the metal detector twice. In these individual searches, only the area that activated the wand may be searched.

Elsewhere in Los Angeles, the Los Angeles County Office of Education ("LACOE") manages schools independent of LAUSD and has its own search policy. LACOE and LAUSD schools are sometimes located in the same neighborhoods; yet, LACOE does not mandate daily metal detector searches of its students and, when random searches are conducted with hand-held metal detectors, the policy requires that a student activate a metal detector wand three times before permitting school staff to conduct an individual search of the student.⁷⁴

Critically, many large California school districts do not authorize any metal detector searches. For example, the search policy in San Diego Unified School District, the second largest school district in California, makes no reference to metal detectors and instead provides clear guidance for when staff can conduct searches based on individualized reasonable suspicion.⁷⁵ In 2014, the San Diego County Grand Jury issued a report on school safety policies in light of concerns around mass shootings on campus.⁷⁶ The report concluded that because expensive "screening equipment such as metal detectors . . . does not necessarily deter violence," funding for school safety would be better directed toward developing "a county-wide culture of security awareness."⁷⁷

"The random wandering issue is an ethical and an equity issue. Pulling students out of their classroom to search their bodies and their possessions isn't what happens in 'good' schools: It happens to students of color in urban communities. This policy is an extension of the way poor communities are over-policed, under-protected and under-resourced. To be truly restorative in this district, we have to systemically repair generational harm. We have to address - and not reproduce - oppressive systems that continue to target black males in particular. Punitive approaches intensify oppositional relationships between community members and authorities, especially in communities of color. We can't 'wand' ourselves into building a better community. But we can build authentic relationships, which help us get the most of our already limited learning time. School should be a haven and instructional time – and our students – should be protected. They should be learning in innovative ways and being prepared for college and career – just like the students in 'good' schools."

**Middle School Teacher
South Los Angeles**

Across the country, many other large districts also do not authorize metal detector searches of any kind. Clark County School District in Nevada, which serves over 300,000 students, maintains a search policy that does not authorize random searches or metal detector searches at all⁷⁸ and Gwinnett County Public Schools in Georgia, which enrolls roughly 180,000 students, similarly does not conduct metal detector searches.⁷⁹ Further, in Clark County, school staff must log and notify parents following any search conducted under reasonable suspicion or in an emergency situation.⁸⁰ Similarly, the Hawaii Department of Education, which serves roughly 180,000 students, expressly prohibits random searches aside from locker searches. The policy states: “As a general policy, except . . . regarding student lockers, the searches and seizures are permissible if there are reasonable grounds to suspect, based on the attendant circumstances that the search will turn up evidence that the student or students have violated or are violating either the law or the student conduct prohibited under this chapter. . . . Random searches are prohibited.”⁸¹


Two large school districts in Florida, Broward⁸² and Hillsborough⁸³ Counties, which each serve over 200,000 students, also do not conduct metal detector searches and are not considering implementing metal detectors into their school safety plans. In fact, following the Parkland mass shooting, which occurred at a Broward County school, the superintendent declined to begin using metal detectors, stating “someone is not going to go through a metal detector with an AR-15,” and “metal detectors do not help create a welcoming learning environment and pose a logistical challenge in a school as large as Stoneman Douglas High, which has more than 3,200 students.”⁸⁴

The New York Department of Education, which oversees almost one million students and is the largest district in the nation, is currently reconsidering its random metal detector search policy.⁸⁵ While New York’s policy is also problematic, unlike LAUSD’s, the policy is not mandatory at every school and does not interfere with class time. Rather, according to a recent report, “[s]chools are also randomly selected for scanning throughout the year or scanning may occur at a specific school ‘when there is reason to believe that there is a threat to the safety of the school community.’”⁸⁶ Currently, roughly 16% of New York’s schools have metal detectors.⁸⁷ Still, while New York’s policy is considerably narrower than LAUSD’s, groups have called for the elimination of metal detector searches, arguing that they are ineffective, harm school climate, and are discriminatory. For instance, at a recent town hall convened by Mayor Bill de Blasio following the Parkland Shooting, Andrea Colon, a senior at Rockaway Park High School, stated “After Columbine, the reaction was not to invest billions of federal and local money in policing students through more police officers and metal detectors. They received resources such as counseling and mental health support, but what did communities of color get? Metal detectors and school safety officers by NYPD. Why are you making the same mistake—prioritizing police and metal detectors—instead of ensuring we have enough social, emotional and mental health support and resources in our schools?” Roughly 50 students protested outside the town hall to protest the use of metal detectors in their schools.⁸⁸ Similar to their peers in New York, students in Los Angeles have also called for the elimination of random metal detector searches, arguing that the policy unfairly targets students of color, is ineffective, and interferes with their learning.

Search Policies of the 15 Largest School Districts in California⁸⁹

Unified School District (“USD”)	Permits Indiscriminate Searches of Contents of Students’ Bags?	Mandates searches of any kind?	Mandates searches at every middle school and high School?	Mandates <u>daily</u> searches?	Mandates searches that interfere with class time?
Los Angeles USD	Y	Y	Y	Y	Y
San Diego USD	N	N	N	N	N
Long Beach USD	N	N	N	N	N
Fresno USD	N	N	N	N	N
Elk Grove USD	N	N	N	N	N
San Francisco USD	N	N	N	N	N
Santa Ana USD	N	N	N	N	N
Capistrano USD	N	N	N	N	N
Corona-Norco USD	N	N	N	N	N
San Bernardino USD	N	N	N	N	N
San Juan USD	N	N	N	N	N
Oakland USD	N	N	N	N	N
Sacramento City USD	N	N	N	N	N
Garden Grove USD	N	N	N	N	N
Riverside USD	N	N	N	N	N

Search Policies of the 15 Largest School Districts in the United States⁹⁰

School District	Permits Indiscriminate Searches of the Contents of Students' Bags?	Mandates searches of any kind?	Mandates searches at every MS & HS?	Mandates <u>daily</u> searches?	Mandates Searches that interfere with class time?
New York City Department of Education (NY)	N	N	N	N	N
 Los Angeles USD (CA)	Y	Y	Y	Y	Y
Chicago Public Schools (IL)	N	N	N	N	N
Miami-Dade County Public Schools (FL)	N	N	N	N	N
Clark County School District (NV)	N	N	N	N	N
Broward County Public Schools (FL)	N	N	N	N	N
Houston Independent School District (TX)	N	N	N	N	N
Hillsborough County Public Schools (FL)	N	N	N	N	N
Orange County Public Schools (FL)	N	N	N	N	N
School District of Palm Beach County (FL)	N	N	N	N	N
Fairfax County Public Schools (VA)	N	N	N	N	N
Hawaii Department of Education (HI)	N	N	N	N	N
Gwinnett County Public Schools (GA)	N	N	N	N	N
Dallas Independent School System (TX)	N	N	N	N	N
Wake County Public School System (NC)	N	N	N	N	N

In sum, LAUSD's overbroad policy is out of alignment with other similarly situated school districts' approaches to school safety. Indeed, the use of metal detectors in public schools is rare and declining across the nation. According to the National Center for Education Statistics, 7.2% of public schools used random metal detector searches in 1999-2000, with the rate falling to only 4.2% in 2013-14 and remaining relatively flat at 4.5% in 2015-16.⁹¹ In contrast, LAUSD has significantly increased its use of mandatory metal detector searches during that period, expanding the policy to require every middle school and high school in the district to conduct them daily.

School Safety Is Improving Across the Nation

The significant reduction in school officials' reliance on metal detector searches is likely related to dramatic improvements in school safety in districts across California and the U.S. Research by policy organizations, academics, and the federal government unanimously find that crime and weapons in schools have plummeted since the early 1990s, when LAUSD first implemented the mandatory metal detector search policy.

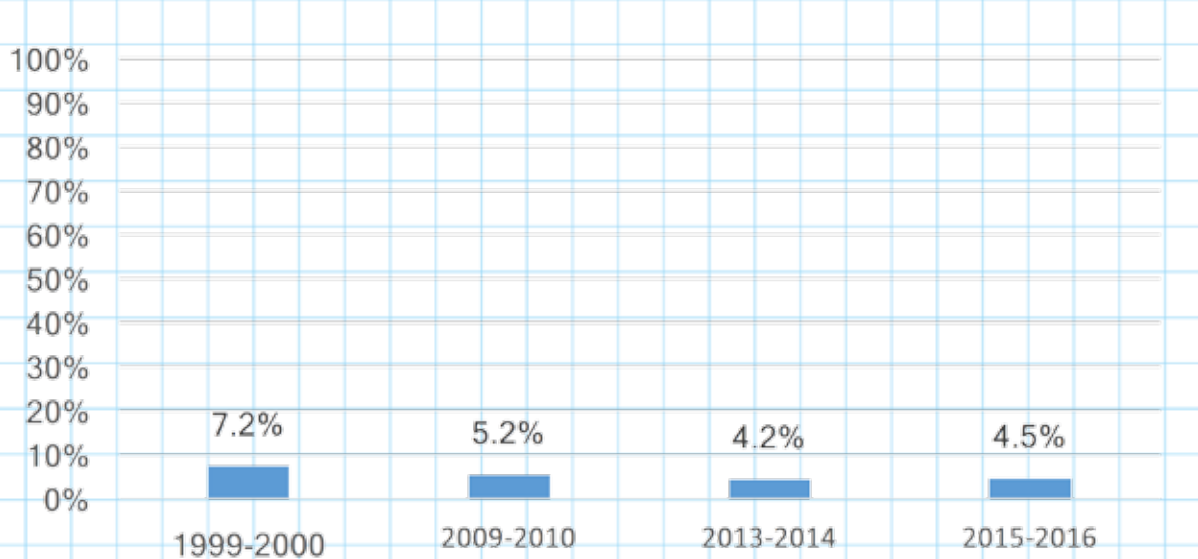
First, despite intense recent media coverage, mass shootings at schools remain rare. A 2018 study found that, on average, mass murders occur between 20 and 30 times per year nationwide, and only one of those incidents takes place at a school. The study also found that shootings between students has dramatically decreased, with four times fewer students being killed by gun violence now than in the early 1990s. The study found that only roughly 10 out of the nation's 50 million students

were killed per year by gunfire at school on average.⁹² The U.S. Department of Education published a 2018 report confirming that school shootings are uncommon, finding that 0.2% of schools had an incident involving a school-related shooting and roughly 1 out of every 100,000 students reported a school-related shooting or school-related homicide at their school during the 2015-16 school year.⁹³

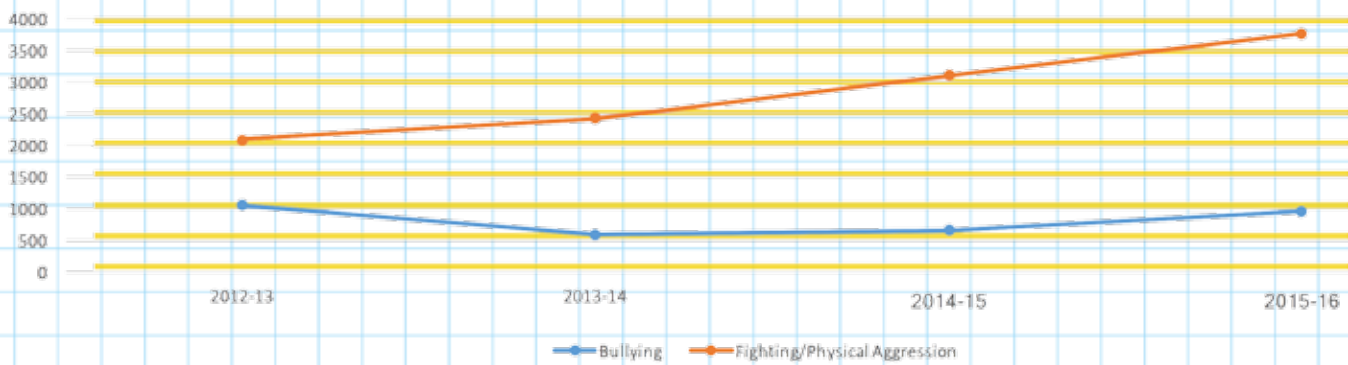
Beyond school shootings, research consistently has demonstrated that safety is increasing in schools nationwide by every metric. For example, the Center on Juvenile and Criminal Justice conducted a study in 2017 showing that crime across California has consistently and substantially declined since the 1970s, with young Californians showing the steepest declines in "serious crime and violence, especially homicide."⁹⁴ Citing federal government data, the study found that, between 1980 and 2015, youth violent crime rates dropped 72%, and homicide arrests of urban youth reduced by 92%.⁹⁵ Arrest rates for young people aged 10-24 fell in almost all categories, "including violent crime (down 47 percent), property crime (down 84 percent), total crime (down 57 percent), and homicide (down 76 percent)."⁹⁶ Admissions of people under 25 to prisons, jails, and juvenile facilities saw a corresponding decline from over 18,000 per year in 1990 to under 8,000 in 2015.⁹⁷ In particular, California's largest cities, including Los Angeles, have experienced great strides in safety, as rates of gun homicides with youth or young adult victims ages 15-24 fell 33%, while national rates declined 8%.⁹⁸

The U.S. Bureau of Justice Statistics and National Center

Percentage of U.S. Public Schools That Use Random Metal Detector Searches



LAUSD iSTAR Incidents



for Education Statistics have confirmed this marked improvement in youth safety. Nationally, the number of students between the ages of 12 and 18 who were the victim of a crime at school fell 82% between 1992 and 2015, from 181 per 1,000 students to 33 per 1,000 students.⁹⁹ Similarly, the rate of students being victims of violent crimes at school declined from 68 victimizations per 1,000 students in 1992 to 21 per 1,000 in 2015 and the rate of serious violent victimizations at school fell by half, from 8 per 1,000 students in 1992 to 4 per 1,000 in 2015.¹⁰⁰ Between 1995 and 2015, the percentage of students who had been in any fight fell from 42% to 23%, and the percentage of students reporting having been in a fight on school property decreased from 16% to 8%.¹⁰¹ Critically, in that time, rates of students carrying weapons on school property on at least 1 day within the last 30 days declined by two thirds, from 12% to 4%.¹⁰²

Students' perceptions of school safety have also improved, with the percentage of students who reported being afraid of attack or harm at school fell by more than two thirds, from 12% to 3% between 1995 and 2015.¹⁰³ Rates of student bullying have fallen as well, with only 16% of public schools reporting that bullying occurred at least once per week in 2013-14, compared with 29% reporting weekly incidents of bullying in 1999-2000. Similarly, only 5% of schools reported students verbally abusing teachers in 2013-14, while 13% reported such verbal abuse in 1999-2000.¹⁰⁴

In some ways, LAUSD reflects these national trends in school safety. For example, LAUSD students were arrested for "crimes against persons" at a rate of only 0.4 per 1000 students in 2016-17.¹⁰⁵ Likewise, the rate of students facing mandatory expulsion for possessing a firearm or brandishing a knife was also relatively small at 0.056 per 1000 students. Suspensions also have fallen precipitously in the district, from 5,726 in 2013-14 to 2,892 in 2016-17.¹⁰⁶ Such figures demonstrate that

LAUSD schools are already generally safe and undermine LAUSD's repeated attempts to subject its students to harsher and more punitive security measures.

By other measures, LAUSD has not made the same strides in improving safety as other districts. For instance, LAUSD's Incident System Tracking Accountability Report (iSTAR) system shows that incidents of fighting/physical aggression increased steadily between the 2012-13 and 2015-16 school years. Incidents of bullying recorded in iSTAR showed an initial dip after 2012-13, but then rose steadily to almost match its earlier level by 2015-16. These incidents will not be resolved by intrusive searches with metal detector wands. Instead, to reduce interpersonal conflict and bullying, LAUSD will need to invest in community-based schooling and restorative justice models that strengthen relationships between students, parents, teachers, and administrators.



EVALUATION

of LAUSD's Metal Detector Search Logs 2013-14,
2014-15

The Mandatory Metal Detector Policy is Ineffective at Deterring or Finding Weapons

LAUSD officials use two bold and contradictory claims to justify their continued use of the mandatory metal detector policy. First, they claim, the searches are necessary because school staff and police recover hundreds of weapons and over a dozen guns from students each year.¹⁰⁷ Second, they claim, even if the random metal detector searches reveal few weapons, they are effective in deterring students from bringing weapons to school. Neither claim is supported by LAUSD's data.

As an initial matter, LAUSD does not track weapons found as a result of the mandatory metal detector policy. Rather, it only tracks the total number of weapons found by all means, so the district lacks any meaningful way to evaluate the effectiveness of the policy.

Accordingly, to evaluate the district's claims, InnerCity Struggle filed a request under the Public Records Act on August 29, 2016 for all records pertaining to weapons found in searches conducted under the district's random mandatory metal detector policy in the 2013-2014 and 2014-2015 school years. LAUSD provided the final production of responsive documents on September 22, 2017. In fulfilling the request, the district provided hand-recorded search logs from those years for only 58 middle school and high schools, or 29% of the total district schools covered by the policy. LAUSD's PRA response indicates that no weapons of any kind were found in random metal detector searches at the remaining 142 middle school and high schools in the district during those years.

The logs LAUSD provided in response to the PRA catalog at least 30,566 individual student searches across 4,647 search incidents conducted pursuant to the mandatory metal detector search policy (as discussed, LAUSD only provided search logs that identified contraband, so the actual number of searches conducted in the district is much higher).¹⁰⁸ While eight of the 58 schools provided search logs representing daily or more-than-daily searches for both school years, the vast majority did not. The produced logs show that either many schools are not in full compliance with the daily search requirement, as the LAUSD audit confirmed, or that school staff in those 58 schools also conducted many more searches where no weapons of any kind were found.¹⁰⁹

Researchers with UCLA's Civil Rights Project analyzed the logs. In their review, they noted that in addition to

recording random metal detector searches, the logs also recorded constitutional searches based on the reasonable suspicion that the particular student has violated a law or school rule. School staff may use reasonable suspicion searches to ensure safety regardless of the district's metal detector search policy. These searches were excluded from the analysis. The logs also included potentially unconstitutional searches targeting students for non-random reasons – these searches were excluded from the analysis of the policy results but will be discussed further below.

Regardless of the type of search (constitutional, potentially unconstitutional, or “random” searches pursuant to the mandatory metal detector policy), the logs show zero guns recovered by searches in 2013-2014 and 2014-2015. In those same years, LAUSD incident reports show that two and eight students, respectively, were expelled from school for possessing, selling, or furnishing a firearm.¹¹⁰ Taken together, these data indicate that any guns found on LAUSD campuses each year are found by means other than the mandatory metal detector search policy.

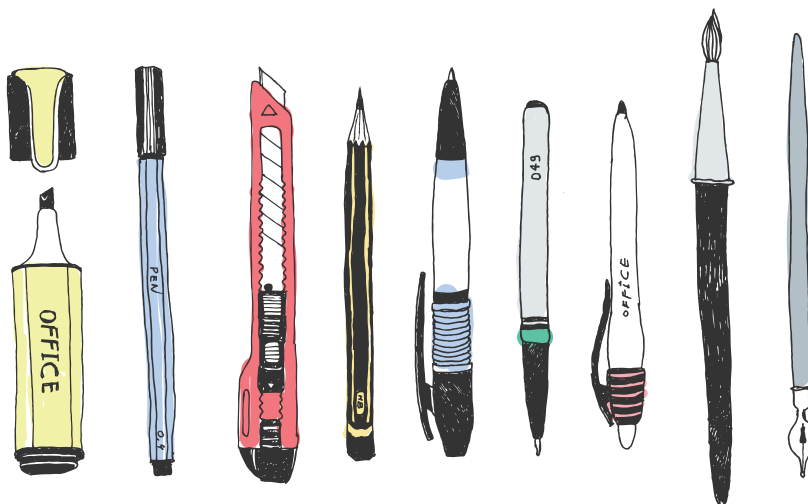
Only a very small number of weapons of any sort were recovered in each year in comparison to the number of searches conducted and to the number of personal items confiscated. For example, during one of the school years, only a dozen knives were uncovered from the mandatory searches across the entire district, which included pocket and utility knives. Because the PRA records do not represent all searches conducted in 2013-14 and 2014-15 – reflecting only log sheets that record a purported weapon and not sheets where nothing was found – Civil Rights Project researchers estimated that all secondary schools conducted searches at the same rate as the schools represented in the logs.

Following this calculation, 86 weapons were found in an estimated 105,366 individual student searches across two years. In other words, only approximately 0.08% of individual student searches. or 1 out of 1.225 searches,

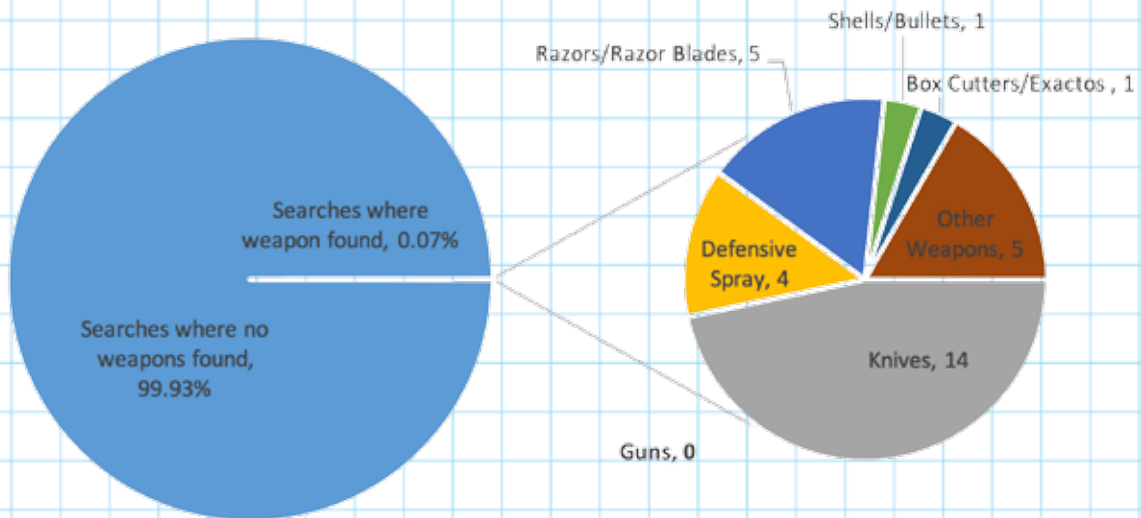
conducted in LAUSD in 2013-14 and 2014-15 revealed a weapon of any sort.¹¹¹

Some LAUSD officials claim that the low number of weapons found in searches pursuant to the mandatory metal detector policy should be taken as evidence that the policy is effective at deterring weapons on campus. This claim is refuted by LAUSD's iSTAR reports. These reports show a total of 1,436 weapons incidents recorded in the system in 2013-14 and 2014-15. At most, 6% of these incidents can be accounted for by mandatory metal detector searches, which indicates that the vast majority of weapons found in LAUSD are found by other means, likely by searches where staff have individualized suspicion that a student or other person on or near campus violated a rule or law. Despite this increase, they account for only a very small proportion of weapons found across the district.

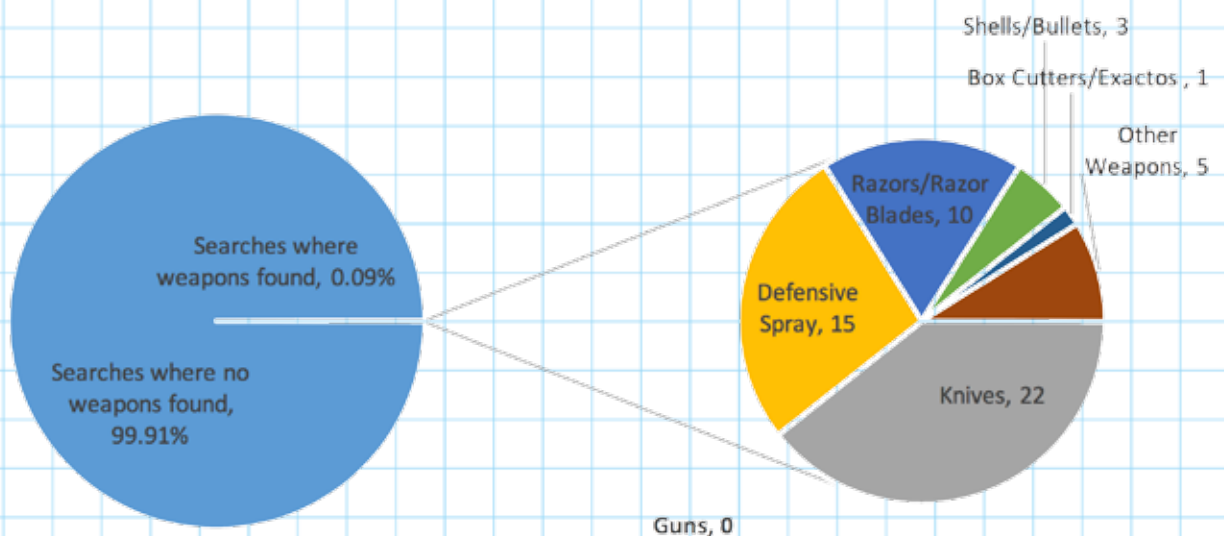
In addition, the iSTAR reports and the logs both show that the number of weapons incidents have actually increased since daily random metal-detector wand searches were made mandatory in 2011. The number of reported weapons incidents increased from 705 incidents districtwide in 2012-13 to 982 incidents in 2015-16. This increase is especially concerning given that student enrollment in LAUSD declined by 16,157 students between 2012-13 and 2015-16. And this increase in weapons found did not occur as a result of the district conducting more mandatory metal detector searches, because almost all of these weapons were found by other means. Despite schools conducting more metal detector searches between 2013-14 and 2014-15, the number of “weapons” found by such searches only increased by 26 total districtwide, from 30 to 56. As such, LAUSD's data demonstrates that mandatory metal detector search policy has been wholly ineffective in deterring weapons in LAUSD schools.



Results from LAUSD Mandatory Metal Detector Searches in 2013-14



Results from LAUSD Mandatory Metal Detector Searches in 2014-15



Mandatory Metal Detector Search Policy Results in Confiscating School Supplies and Students' Other Personal Belongings

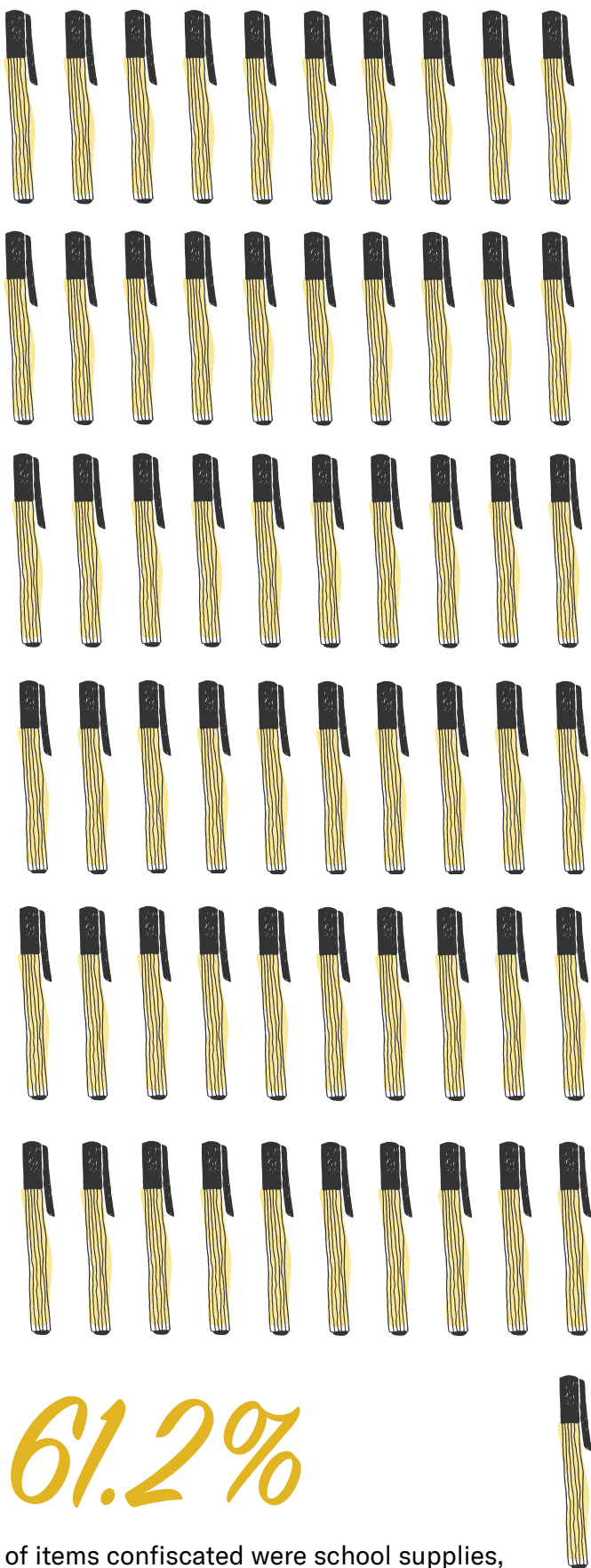
While the mandatory metal detector policy finds exceedingly few weapons, it does result in confiscating a large number of school supplies and other non-weapons. Although the mandatory metal detector search policy is intended only to target weapons, these 86 weapons represent a very small proportion of the 2,188 items confiscated during mandatory metal detector searches recorded in the logs.

Weapons account for an even smaller portion of total items confiscated each year. Researchers estimated that the searches left out of the PRA response involved similar confiscations to the searches in the logs. Following this estimate, weapons accounted for only 1.2% of the confiscated items. The most common confiscated item categories were:

- school supplies (61.2%), primarily markers, scissors, white-out, and highlighters
- self-care and hygiene items (9.9%), including body spray, over-the-counter pain medication such as Advil and Midol, lotion, cough drops, asthma inhalers, and hand sanitizer
- lighters (8.8%)
- drug paraphernalia (3.3%)
- electronics (2.7%)
- marijuana (2.4%)
- cigarettes and vape pens (2.2%)
- items used to draw graffiti or marked with word art in a “tagging” style (2.0%)
- food, gum, and candy (1.4%)
- weapons (1.2%)
- tools (0.5%)
- alcohol/drugs other than marijuana (0.14%)
- miscellaneous items (4.3%) including dice, a fork, golf balls, pen caps, a photo of a tattoo, and balloons.

LAUSD’s confiscating personal items, including school supplies, personal hygiene items, and prescription medicine, illustrates why many students experience the searches as a violation of their privacy. By targeting common items students bring to school, LAUSD sends students subjected to the random metal detector search policy a clear message that their schools are not welcoming places and that staff do not respect their belongings or personal integrity. Just as troubling, over 90% of these confiscated items *contain no metal*, indicating that they were not exposed by passing a metal detector wand over students’ bodies or bags but through more intrusive – and potentially unconstitutional – means such as rummaging through students’ backpacks or pat-downs.

Finally, it is important to remember that many students



bringing items classified as “weapons” to school may not intend harm to themselves or to others. Some weapons have everyday utilitarian purposes, and others are used primarily for self-defense. Knives were the most common weapon type, accounting for 35 of the 86 confiscated weapons. While some of these are recorded in the logs as simply “knife,” others are referred to as “pocket knife,” “small utility knife,” or “butter knife,” suggesting that at least some of these items are not intended for use as weapons. Likewise, other similar items such as razors, exactos, and box cutters (19) have legitimate school-based uses such as art class. Pepper spray or mace (20) – items that are usually carried for self-defense – also represent a sizeable portion of the total weapons recovered. This is not to suggest that weapons possession on campus should be treated lightly; rather, the data from the logs and from LAUSD’s iSTAR reports indicate that mandatory metal detector searches are wholly inadequate to locate actual weapons on campus and actively erode student trust and belonging at school.

“Our school is in a dangerous area and a lot of stuff happens to kids on their way home or on their way to school. So it feels safe to carry pepper spray or tasers. I actually carry pepper spray, I don’t take it on school, I leave it somewhere so when I leave to go home, I can pick it up and have it.”

12th Grade Student Washington Preparatory High School Public Remarks at October 24, 2017 Study Session on Random Searches

Metal Detector Search Logs Reveal Violations of Students’ Rights

The metal detector search logs provided by LAUSD in response to the PRA request record many search incidents that appear to comply with the mandatory metal detector search policy, as well as a handful of search incidents based on reasonable suspicion. However, hundreds of searches recorded in the logs target students based on behavior, location, or personal characteristics. These include searches of students in “tardy sweep” or “truancy sweep,” the search of all students in a classroom after a “report of missing wallet,” the search of “kids on bleachers,” a search where staff “checked backpack of 8th grade male students” and a large-scale drug sweep searching over one hundred students for no other reason than it was April 20. These searches bear no reasonable

relationship to the supposed purpose of finding weapons and keeping students safe; instead, they appear to treat searches as punitive – a way of targeting students who are late to class or out of place by invading their privacy.

By way of example, the metal detector search log page in the image below highlights the potential for abuse inherent in the mandatory metal detector search policy.¹¹² Only three of the ten search incidents recorded below appear to comply with the mandatory metal detector search policy – the two searches selecting every third student in a classroom and the search reporting a “random” student selection method. Five of the searches target students based on their location or behavior, recording a handheld wand search for all students in tardy sweep or in the auditorium. These five search incidents

E. _____ F. _____ G. _____ H. _____

Day	Time	Participating Search Team Members	Student Selection Method	Number of Students Searched	Room Number	Search Results/ Findings
11/3/14	8:30AM	DEAN / SECURITY	1 ST PERIOD TARDY SWEEP	20	K109	PERM. MARKERS, JUNK FOOD.
11/4/14	10:20AM	DEAN / SECURITY	locker search 825-860	—	upper Kennedy	NONE
11/5/14	8:20AM	DEAN / SECURITY	1 st Period TARDY SWEEP	15	K109	GLASS PIPE & LIGHTER & PERM. MARKER
11/6/14	9:15AM	DEAN / SECURITY	EVERY 3 rd STUDENT	10	174	BACK OF CIGARETTES, CIGARETTES & LIGHTER
11/7/14	8:30AM	DEAN / SECURITY	ALL STUDENTS	22	AJD.	NONE
11/10/14	8:10AM	DEAN / SECURITY	2 nd PERIOD TARDY SWEEP	5	QUAD	LIGHTER.
11/12/14	9:10AM	DEAN / SECURITY	TEXT A TIP	1	K123	KNIFE & CIGARETTES & LIGHTER
11/18/14	10:20AM	DEAN / SECURITY	RANDOM	13	R246	NONE
11/19/14	9:20AM	DEAN / SEC.	EVERY 3 rd STUDENT	10	A162	NONE
11/13/14	8:00AM	DEAN / SEC.	ALL STUDENTS TARDY SWEEP	100+	QUAD	markers, lighters, screwdriver, ^{tiny} Book

Metal Detection Search Log

Name of School _____

Date	Time	Method of Individual Student Selection	Person(s) Conducting Search	Number of Students Selected	Room Number	Search Results/ Findings
10/4/13 _F	12 ³⁰	KIDS IN RESTRICTED AREA	AP LASP	7	BEHIND BOOK ROOM @ LUNCH	PEN CAPS 2
10/7/13 _{TH}	12 ³⁰	KIDS LATE FOR PE 15+ MIN @ GATE	SECURITY / AP LASP WAS OFF THURSDAY	13	PE GATE	NOTHING JUST A LOT OF KETCHUP PKTS
10/9/13 _W	11 ⁰⁰	SMELL OF MAF	AP LASP	15	AREA OUTSIDE U-BOW	NOTHING
10/17/13 _{TH}	10 ³⁰	KIDS LINED UP 4 CLASS (EYEBALL OTHERS)	AP SECURITY	20	24	CANDY FOR SALE
10/18/13 _F	9 ⁰⁰	DITCHERS	AP SECURITY	13	IMPERIAL BLACK TOP	PEN CAP, 1 LIGHTER SCISSORS
10/24/13 _{TH}	12 ³⁰	TIP FROM STUDENT	AP SECURITY	7	27, 31 22	EMPTY STINK BOMB BAG
10/29/13 _T	10 ⁴⁵	DITCHERS	AP LASP	4	BEHIND 72	NOTHING
11/5/13 _T	10 ⁴⁰	KIDS OUT OF CLASS W/O PASS	AP SECURITY	28	ALL DAY	NOTHING
11/7/13 _{TH}	12 ³⁰	KIDS OUT OF CLASS W/O PASS	AP LASP SECURITY	29	ALL DAY	NOTHING
11/12/13 _{TO}	10 ⁴⁵	KID OUT OF CLASS W/O PASS	AP SECURITY	15	ALL DAY	NOTHING

alone violated the rights of approximately 160 students and undermined the goal of safety by teaching these students that searches are a form of punishment. Further, the log confirms that the searches reveal innocuous non-metallic items, including junk food, stationary, and books.

As discussed above, unless there is reasonable suspicion that a student violated a school rule or law, school staff may only search a student if the student is selected on a truly random basis. Only one of the searches recorded in this page of the metal detector search log represents a search that could be even remotely considered to be conducted under “reasonable suspicion” – the search based on a tip from LAUSD’s nonemergency “Text-a-Tip” reporting system. This is also the only search on the page that revealed a weapon (knife). Searches based on reasonable suspicion that a student is carrying a weapon will still be available to administrators even if the mandatory metal detector policy is eliminated. Correctly employed, reasonable suspicion provides a more rational mechanism – and serves as a more effective deterrent – to maintain a weapons-free campus than conducting mandatory metal detector searches targeting students who are late or out of place.

Similarly, a search log from a school in South Los Angeles reveals that security and police officers participate in many searches. The log also demonstrates that dozens of students are being searched, that the students are not being selected randomly, and that the searches reveal nothing. This single sheet alone reveals that 151 middle school students were searched during school hours and that an administrator spent over 7 hours searching students (assuming 3 minutes per search) for no other

benefit than to uncover a handful of pen caps, candy, and “just a lot of ketchup pkts.”

When administrators, security guards, and school police perform targeted searches, they open the door to invidious discrimination. Even where school staff do not intend to discriminate, research on unconscious implicit bias shows that stereotypes influence their decisions of which students to select for surveillance and punishment.¹¹³ A large body of research shows that individual decisions and behaviors are influenced by stereotypes – even when the individual does not intend to act on stereotypes or believes that those stereotypes are false.¹¹⁴ Unconscious bias has a strong influence in schools, where teachers at every level from pre-school to high school tend to perceive students of color in general and Black students in particular as less intelligent and as more “trouble” than their white peers.¹¹⁵ Unconscious bias also has a strong influence on law enforcement, where police tend to treat non-white citizens with less respect and to perceive innocuous objects as weapons in the hands of people of color.¹¹⁶ These two pathways for discrimination converge in targeted searches, where unconscious bias can affect how students are selected for wandering and bag searches and when their possessions are treated as “contraband.”

The potential for discrimination is obvious in search logs that record unconstitutional searches, but it also may hide in searches that are recorded as “random” but where students are in fact chosen by nonrandom means. Because the logs do not reveal individual student information, they cannot show whether searches target students of color, students with disabilities, LGBTQ students, or students in other protected categories as reported by students and teachers. So long as LAUSD refuses to collect any disaggregated demographic data on student searches, there will be no mechanism to hold staff accountable for conducting searches in a manner that does not violate students’ civil rights.

“I was searched about 50 times under the random search policy between 9th and 10th grade. In 10th grade, I was part of a Black Male Youth Academy, a social justice-focused class. This class was searched about one to two times a week and I was regularly searched while in this class. This didn’t seem random to me – we were targeted because we were mostly Black and brown boys.

I was also searched a lot in my art class. I always asked, ‘how do you choose me every time because you had to skip people to get to me?’ The principal and security guards would simply say that it was a random search and they chose every other student but that couldn’t be the case if I was chosen almost every time.

During the ‘random’ searches, the administrators or security guards would put us in a row and have us take off our sweaters or jackets. They asked us if we had anything illegal on us and then they would wand us. Even if the wand didn’t go off, they would pat down our shirts and pants. For me, the wand would go off over my piercings and they would have me take off my earrings and then wand me again even though it was clear that the earrings made the wand go off. I felt like I was being harassed.”

LAUSD Graduate South Los Angeles

“I was not searched when I was in high school but the random searches impacted my ability to learn. I remember the first time that a police officer came into the class, selected five students, and took them out of the class to get wanded. It was an intense moment to have the police walk into the classroom and start choosing students. How was I supposed to concentrate after that happens?”

LAUSD Graduate

Mandatory Metal Detector Searches Waste Time and Money

Mandatory metal detector searches force students to miss valuable classroom learning time and waste staff time that could be spent on more productive activities to enhance student dignity and campus safety. The searches are also expensive, requiring both significant staffing and equipment costs.

The metal detector search logs indicate that an average of 6.5 students are pulled out of class for each search, and school principals report that students are typically kept out of class for approximately 10 minutes.¹¹⁷ If the district’s 200 secondary schools implemented policy with fidelity and performed searches every school day (approximately 180 days), LAUSD students would lose approximately 39,000 instructional hours each year.

This time loss estimate does not include additional time required to take students to a private location for an additional pat-down search if they are not able to clear a metal detector alert by removing items from their pocket. It also does not include time wasted on any conflicts that emerge when staff confiscate students’ personal items as “contraband,” nor does it account for time lost when students who are not selected for the searches become distracted by the intrusion into their classrooms. Yet, even under this conservative estimate, 39,000 hours represents a tremendous loss of learning time for a district seeking to improve instructional outcomes and keep students in school.

The learning time students lose is also wasted staff working time. If the policy is faithfully implemented, a minimum of two staff members (one of each gender) must conduct student searches, requiring at least 20 minutes per staff member to select the classroom, walk over to the classroom, select the students, conduct the searches, and log the searches. If the district’s 200 secondary schools fully complied with the policy requirement to perform searches on every non-testing school day, the district would spend 24,000 staff hours¹¹⁸ implementing the searches in each school year. In 2014, the median salary for a LAUSD assistant principal was \$97,384 and the median salary for a principal was \$112,400.¹¹⁹ Using the lower median pay of an assistant principal, full policy compliance would cost an estimated \$1,123,661 each year. True costs of full policy compliance are even higher, as searches may involve more than two staff members and because staff must spend considerable additional time handling any contraband found and for training.

The final expense associated with the mandatory metal detector policy is equipment cost. Hand-held metal detectors cost approximately \$125 each. The policy requires each school with 1,000 or fewer students to maintain at least two hand-held metal detectors at all

Resolution 5

Students not suspects: Oppose random searches

Whereas, students attend school for education and socialization; and

Whereas, students, especially in communities of color, are often treated with the presumption of guilt and their property is searched without probable cause, taking away valuable educational minutes and training students to become complacent in their rights; and

Whereas, random searches perpetuate and sustain the school-to-prison-to-deportation pipeline; and

Whereas, students deserve wraparound services, not an increased police presence in their schools;

Therefore, be it resolved, that the California Federation of Teachers oppose random searches of students; and

Be it further resolved, that the CFT publish an article on random searches and the harm they cause to school communities and the rights of students; and

Be it finally resolved, that the CFT provide model school board resolutions to challenge and prevent these degrading actions.

Submitted by the Civil, Human & Women's Rights Committee

times and each school with 1,000 or more students to maintain at least four hand-held metal detectors at all times. The total initial cost to equip all schools is between \$50,000 and \$100,000, plus expenses required to replace handheld metal detectors as they are lost or broken.

California Federation of Teachers Oppose Random Searches

United Teachers Los Angeles voted to repudiate the mandatory metal detector search policy on March 25, 2015, passing a resolution stating that it is "an outrageous violation of our students' human rights and an obstacle to the creation of the sort of nurturing learning environments our students need. Rationale: The very act of subjecting any person to a random search without evidence of wrongdoing is an act of criminalization that destroys the climate of trust needed between students and teachers. Furthermore, the Department of Education has found that, like the New York Police Department's notorious 'Stop and Frisk' policy, random metal detector searches at schools disproportionately target people of color and people of low-income backgrounds."¹²⁰ Similarly, California Federation of Teachers passed a resolution opposing random searches in 2018.¹²¹

Students Report that the Searches Violate their Personal Integrity

Students consistently report feeling alienated, disrespected, and violated by the mandatory metal detector searches. These feelings are particularly troubling in light of a 2014 study by LAUSD's School Mental Health Crisis Counseling & Intervention Services finding that 52% of the surveyed 6th and 9th grade students "had symptoms in clinical range of PTSD, depression, or anxiety."¹²² Despite the great need for supports, LAUSD has sparse resources to address these mental health issues. For example, LAUSD currently employs only 340 psychiatric social workers across the entire district, a ratio of about 2,000 students per social worker.¹²³

Rather than investing in resources that help create a welcoming and supportive environment – as reported by Los Angeles students, parents, teachers, and administrators – LAUSD's mandatory metal detector search policy frequently makes student feel more unwelcome and can aggravate existing trauma.

In 2017, Youth Justice Coalition conducted a survey of 374 students from more than 80 LAUSD schools, including Hollywood High School, Crenshaw High School, Venice High School, and Fairfax High School, among others. 83%

of respondents were high school students, 4% were middle school students, 2% were LAUSD graduates, and 11% did not indicate their grade level. According to students:

- “I witnessed mostly black students be asked out of class to be searched”
- “Police threw everything out of backpack and when they don’t find anything, they make us clean the mess and pick up everything they threw out.”
- “My best friend was searched and got all the things that belonged to her thrown on the ground.”
- “When I’ve had my bag searched they’ve taken my supplies and dumped out my things.”
- “I get searched almost every day because the police label me as a delinquent.”
- “Being wanded and told that this is what I get for dressing this way.”
- “They take students out of class and take some students out (mostly boys).”
- “They thought I was from a gang because I wore blue & got searched”
- “All the boys get searched and not the girls”

“I was in class working on my U.S. Government and Economics work when two administrators entered into the classroom. I and the other students were all called out to another room. I noticed the principal looking at me a lot during this time. I got the sense that she planned to choose me as a student to be searched.

The administrators then took our class roster and, as I expected, said my name first, and then also said the names of several other students. When we arrived in the side room, they told us to put all of our bags on the table. The principal told us that if we had any contraband in our possession, we “might as well give it up now,” and then she went through all of our things. While the principal was searching my bag, the assistant principal searched our bodies with the metal detector. He told me to take off my sweater and then waved the wand over my body. He then told me to take off my shoes and he waved the wand over my shoes. Neither administrator found anything from the search.

After the searches, I felt violated and I couldn’t focus on my class work. It made me feel like a criminal even though I didn’t do anything wrong. I felt like I was doing everything right by coming to school and doing my work, but the administrators still pulled me out and bothered me. It was very frustrating and made me not want to be in class. I also felt targeted because one of the administrators was looking at me, knew who I was, and chose me first. It made me feel very uncomfortable and, deep inside, it seemed like she was discriminating against me because I’m the only African American student in the class.

I did not return to school for a month after I was searched. I felt judged and discriminated against. I was worried that if I came back to school, there would be another search and I would again feel targeted because of my race. I was also concerned that if I were subjected to another search, I would feel agitated and respond in a way that is not respectful of my teacher and classmates. After leaving for about a month, I came back for the last two weeks of the semester because I realized how valuable my education is.”

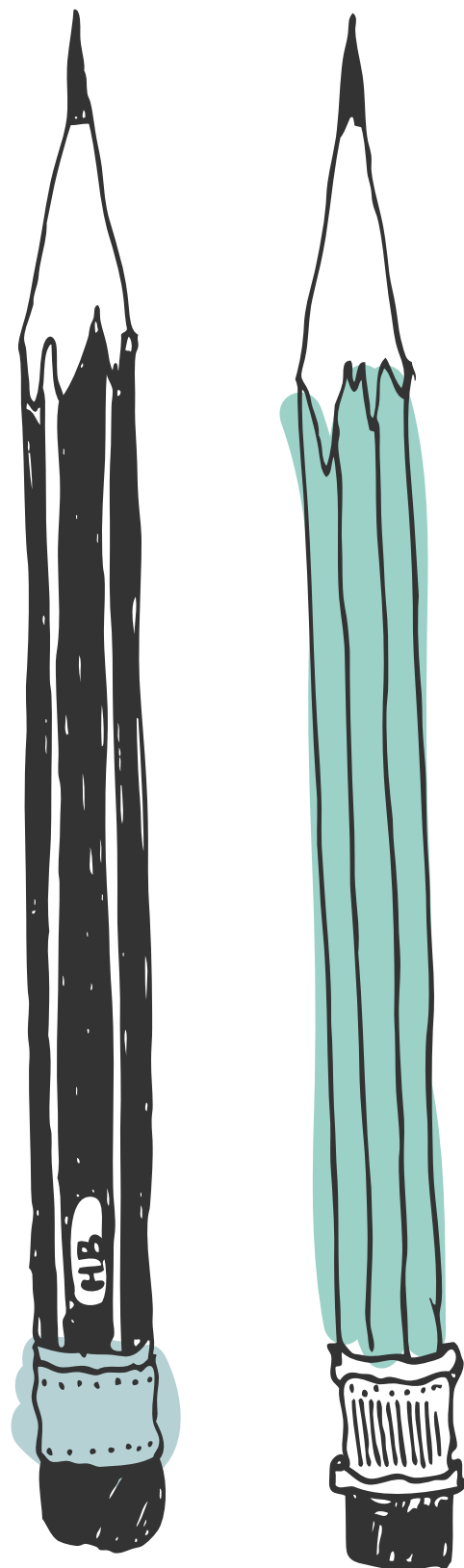
**LAUSD Graduate
Westside**

“My classmates and I were working on algebra assignments together when the principal and assistant principal came into the classroom and asked us to stop doing our assignments and to leave our room to be searched. When we entered the side room, the principal told us to put all of our bags and things on the desk. She then started going through all of the things in my bag. I didn’t have anything in there except for a pair of headphones and books and school supplies. She unzipped the lower pocket and looked through my things.

I got irritated, and I told her that I thought the policy was racist and that it wasn’t right that she was going through my things when I didn’t do anything. I was really frustrated at being searched and treated like a criminal when I didn’t do anything wrong and was just trying to do my math assignments. She seemed really dismissive of my complaints, so I took my bag back and left the side room. I then went outside to calm down. The principal came out a little while later and stated, “I don’t deserve to be disrespected like this. I didn’t do anything to deserve that. He owes me an apology.” She then came up to me and we talked for a little while.

The principal told me that the searches happen everywhere, but I spoke to my friends who go to school in Beverly Hills and Pacific Palisades and they said they’ve never been searched or seen anybody be searched. It makes me feel like they are targeting me and the others in my class because we are students of color, we don’t have a lot of money, and our school isn’t in a nice neighborhood. My dad also isn’t happy that I was searched for no reason. He knows that my school is safe and doesn’t like me being treated like a criminal just for going to class. He wrote a letter asking LAUSD and the board to stop the searches.”

**LAUSD Graduate
Westside**



RECOMMENDATIONS

For the reasons discussed in this report, members and allies of the #StudentsNotSuspects coalition have long called on LAUSD leaders to eliminate the mandatory metal detector search policy and invest in supports that will improve school climate, help students feel supported by their schools, and provide them with the resources they need to graduate and succeed. We urge LAUSD to honor and respect its students by listening to them, caring for them, and connecting with them in healthy, positive, and supportive ways. Below are evidence-based best practices and recommendations that will make LAUSD's schools safe.

■ **Eliminate the mandatory metal detector search policy**

LAUSD must fully eliminate the mandatory metal detector search policy (LAUSD Policy Bulletin 5424.2) because the searches mandated by this policy are ineffective, harm school climate, disrespect students' dignity, violate their civil rights, and for the other reasons described in this report.

Instead, LAUSD should focus resources on publicizing and strengthening the role of the Educational Equity Compliance Office (EECO), which is the LAUSD office charged with ensuring that students' civil rights are respected.¹²⁴ The EECO should provide anti-bias training to all school personnel and provide best strategies on addressing and eliminating biases in student searches of any kind in the district. The EECO should be given the resources to inform all students that they have the right to file complaints with their office if they have been discriminated against or harassed based on a protected characteristic, such as race, sex, gender identity, religion, sexual orientation, or others.

Eliminating the mandatory metal detector search policy is a positive step in signaling to students that the district respects their dignity and well-being. Respecting and honoring the whole child also means that LAUSD should meaningfully and equitably engage with parents and provide them with the space and the tools to be partners in promoting student success, student dignity, and school safety.¹²⁵ To achieve this, LAUSD must also respect the dignity of parents to be involved in their children's schools and must fully realize the promise of the "Parents Bill of Rights and Responsibilities."¹²⁶ For example, LAUSD should create meaningful and empowering participation opportunities for parents to have a voice at the school-site, local district, and district levels with staff who are culturally competent in working with parents of all backgrounds.¹²⁷ LAUSD should also require regular anti-bias training for all school personnel so that diverse students, particularly students of color, students of diverse abilities, and LGBTQ youth, and their families are valued and respected.

■ **Utilize constitutionally-compliant "reasonable suspicion" searches where staff have reason to believe that a student violated a school rule or law**

As explained in this report, the Fourth Amendment of the United States Constitution permits school districts across the country to search individual students if there is "reasonable suspicion" that the student committed, or is in the process of committing, a violation of a law or school rule.

In addition to eliminating the mandatory metal detector search policy (LAUSD Policy Bulletin 5424.2), LAUSD should train all personnel, including security officers and school police, on what constitutes a constitutionally-compliant search of a student based on "reasonable suspicion." LAUSD should not use any form of non-individualized searches, including metal detector searches. Further, LAUSD should log all student searches and publish disaggregated data on a consistent basis so the district and other stakeholders can determine whether such searches are disproportionately affecting any particular student groups.

■ **Fully implement the School Climate Bill of Rights: Integrate restorative justice practices and school-wide positive behavioral interventions and supports**

Creating and preserving a positive school climate is one of the most effective investments a school can make to ensure student safety and prevent violence.¹²⁸ To improve school climate, schools can implement both restorative justice (RJ) and school-wide positive behavioral interventions and supports (SWPBIS), which have been proven to be effective in creating a cultural shift for schools in the way they build community and trust on campus and respond to student's behavioral needs.¹²⁹

LAUSD has already committed to using restorative justice as an alternative to punitive or criminalizing policies and should fully invest in these practices and work with community stakeholders to create meaningful implementation of every element of the School Climate Bill of Rights (SCBR).

LAUSD must fully fund the SCBR and properly train existing staff and hire new staff on restorative justice and positive behavior intervention and supports. LAUSD should also create an implementation model for SCBR where restorative justice coordinators are placed at school sites with permanent positions, so they can develop roots in the school community and make lasting changes to school culture.¹³⁰ Further, the SCBR clarifies the role of school police officers and outlines that Los Angeles School Policy Department (LASPD) policies should be reviewed annually. The District must create an open and transparent process to review LASPD policies and budget that includes community input.

LAUSD has many models to examine to improve school climate.¹³² Locally, for example, Augustus Hawkins and other schools part of the Partnership for Los Angeles Schools have successfully used restorative justice practices to lower suspension and expulsion rates and improve school climate.¹³³ In Texas, the Dallas Independent School District successfully implemented restorative justice practices.¹³⁴

In addition to investing in restorative justice practices and SWPBIS, LAUSD can further improve school climate by ensuring that suspensions are used only when legally required by California law.¹³⁵ After passage of the SCBR, district staff and community stakeholders worked together on a guide to alternatives to suspension.

■ **Implement volunteer and community-based safe passage models at schools where students have safety concerns on their way to and from school**

Because some students feel unsafe on their commute to or from school, LAUSD should fully implement Safe Passage¹³⁶ models which train community members to monitor the safety needs of students and parents near schools. Because there is sometimes a lack of trust between law enforcement and certain community members, especially at a time of increased immigration enforcement, LAUSD should refrain from using any law enforcement officers to implement Safe Passage programs.

■ **Equip schools with appropriate programming and staffing to promote safety and social and emotional well-being, including increasing counselors, psychiatric social workers, and community intervention workers**

Providing students with access to mental health professionals and social service agencies support student safety and decrease school violence.¹³⁷ LAUSD should promote social and emotional well-being practices by instituting layered approaches to behavioral and emotional supports, including low student-to-adult ratios inside and outside of the classroom, positive behavior intervention strategies, and trauma-informed practices.

LAUSD must prioritize hiring appropriate support staff such as counselors and community intervention workers who are trained and are demonstrated to improve school climates. Critically, LAUSD must hire psychiatric social workers, clinical psychologists, psychiatrists for young adults, and other professionals in LAUSD's School Mental Health Programs and Services unit to provide trauma-informed practices and services at each school. To supplement the staffing required at school sites, LAUSD should partner with community-based organizations and social service agencies to provide mental health services and other support services, either on-site or off-site, for students and their families. To address temporary emergency situations, such as acute safety issues or

“As Psychiatric Social Workers (PSW), school safety is at the center of our job. Every part of our day is structured around addressing layers of safety concerns for our students, from State violence to community violence to family violence to bullying. The need is overwhelming. Only a fraction of LAUSD schools have a Psychiatric Social Worker on site, many of us on campus only part-time. Schools which are already strapped for resources have to choose between nurses, social workers, school psychologists, and other essential personnel. This means that on different days of the week we show up to different schools and try to do a whole week's worth of crisis management and follow up in a single day. Unfortunately, what this translates to is having to triage students into the most significant safety concerns. Responding to suicidal ideation, self-injury, domestic violence, child abuse, and substance use- we are often only able to slap band-aids on the most serious concerns, while students' early warning signs of mental health challenges are inadequately addressed. Early intervention and prevention become secondary, as we put out fire after fire.

Policies that increase the capacity for adults at school to manage their stress and be truly present for their students will improve school safety. Policies that increase the adult to student ratio, such as lower class sizes and increased staffing of PSWs, counselors, school psychologists, etc. will improve school safety. When adults have the capacity to form authentic relationships with our students and, very importantly, their families, we can monitor, identify, and address unmet needs in order to prevent violence.

We know that traumatic stress interferes with children's ability to learn. With this knowledge, how can we justify interrupting students' instruction to search them in front of their peers? Violence prevention is relational. It is about students feeling connected to each other and having safe, stable, relationships with adults. We cannot achieve this while profiling, humiliating, and alienating our children. And, frankly, we cannot achieve this without treating the adults that care for children with the utmost respect and value.”

LAUSD Psychiatric Social Worker

What are restorative justice practices?

According to the U.S. Department of Education, '[r]estorative justice practices' refers to non-punitive disciplinary responses that focus on repairing harm done to relationships and people, developing solutions by engaging all persons affected by a harm, and accountability. A variety of restorative practices can be used in schools, ranging from brief on-the-spot responses to student behavior in the classroom to community conferencing involving multiple parties, such as students, parents, and teachers. The goals of restorative justice intervention in schools are to address the harm committed and enhance responsibility and accountability, build relationships and community, and teach students empathy and problem solving skills that can help prevent the occurrence of inappropriate behavior in the future.¹³⁸

What does it look like?

Restorative practices aim to build, maintain, or repair relationships¹³⁹ and can include:

- Restorative conferences which bring together those affected by wrongdoing to repair harm.¹⁴⁰
- Restorative circles which can be used in classroom to build community, safety, and trust and to facilitate dialogue between all of its participants.¹⁴¹
- Discussion topics can include questions such as who do you admire and why?; what are your goals for yourself, your follow, and/or your classmates?; where does your name come from?; if you could have dinner with anyone dead or alive, who would it be?¹⁴²
- Tiered levels of supports and interventions to ensure school communities are universally supported and that those students who need more individualized and intensive support receive it.¹⁴³

Is it effective?

Research has consistently demonstrated that restorative justice and restorative practices are effective in improving school climate, promoting school safety, and improving attendance if implemented properly. A 2016 research review found, "[a]ll the empirical studies we reviewed report a decrease in exclusionary discipline and harmful behavior (e.g., violence) after implementing some type of RJ program."¹⁴⁴

- In Northern California, Cole Middle School in West Oakland has "eliminated violence and expulsions and reduced the rate of suspensions by more than 75%" after adopting restorative practices.¹⁴⁵
- In San Antonio, Texas, Ed H. White Middle School out-of-school suspensions and in-school suspensions

fell by 87% and 29%, respectively, in the first year of implementation. In-school suspensions subsequently reduced by 52% for the pilot group in the second year.¹⁴⁶

- Denver schools have invested in restorative justice for almost a decade. In 2018, "more than 40% of Denver's 207 schools have staff dedicated to restorative justice." And the district's suspension rate has plummeted. "In 2010, the district suspended nearly 9,000 of its 78,000 students, according to district and state statistics. Last school year it suspended just shy of 4,500 of its 91,000 students."¹⁴⁷
- West Philadelphia High School reports that "violent acts and serious incidents were down 52%" in the first year and 40% in the first semester of the second year of restorative justice implementation.¹⁴⁸ Assaults on students fell from 46 to 18 incidents, assaults on staff fell from 25 to 6 incidents, and instances of disorderly conduct fell from 43 to 12.¹⁴⁹ Elsewhere in Pennsylvania, disciplinary referrals fell from 913 to 516 in Palisades Middle School and incidents of inappropriate behavior fell from 99 to 32 in Springfield Township High School following restorative justice implementation.¹⁵⁰
- After 96% of staff at Cass Lake-Bena Elementary School in Minnesota were trained in restorative practices, the school experienced a 57% reduction in discipline referrals and in-school suspensions, a 35% reduction in average time spent in in-school suspensions, and a 77% reduction in out-of-school suspensions. Expulsions fell from 7 to 1.¹⁵¹ Similarly, a pilot program in Minnesota Public Schools found that implementing restorative practices resulted in "students reported significantly less fighting and skipping school," "positive, significant increases in their ability to make good choices about how to act, even when they are upset," and "Positive increases in family communication were reported both by students and their family members."¹⁵²
- Dyett High School in Chicago, after "implementing a series of restorative practices, including peace circles and peer injuries" experienced "a drop from 819 misconduct reports in 2006-2007 to 306 in 2007-2008, a decrease of 63%. Arrests also fell from 35 to 6, a decrease of 83% in just one year."¹⁵³
- Further, studies consistently find that restorative justice programs improve school attendance. For example, absenteeism fell by 50% and tardiness decreased by roughly 64% for students who participated in a restorative justice program in Denver Public Schools.¹⁵⁴ In Oakland, middle schools with a restorative justice program experienced a 24% decrease in chronic absenteeism, "compared to a staggering increase in non-RJ middle schools of 62.3%."¹⁵⁵ Similarly, "[f]rom 2010-2013, [restorative justice] high schools experienced a 56% decline in high school dropout rates in comparison to 17% for non-RJ high schools."¹⁵⁶

imminent threats of violence, the District should invest in transfer intervention counselors, school psychologists, psychiatric social workers, mental health professionals, and restorative justice resources to school sites temporarily until issues subside.

■ Empower students and community members to resolve disputes and take ownership of school safety

LAUSD should ensure that schools offer peer mediation and other conflict resolutions programs on campus that empower students to resolve disputes themselves and promote a sense of community within the school population.¹⁵⁷

The District should also hire Peace Builders, who are former students or others from the neighborhood who can relate to students and effectively build trusting relationships to promote school safety.

■ Create and expand safe spaces on campus and increase extracurricular offerings

Student safety is undermined when they lack a safe space or constructive activities to participate in either before or after school. The legislature has encouraged LAUSD and all school districts to “make available and accessible public school facilities and grounds to their communities as civic centers.”¹⁵⁸ Accordingly, schools should keep libraries or other safe spaces open during and after school to ensure students are not forced to leave school campus if it is not safe to do so. LAUSD should also invest in increasing extracurricular opportunities, including sports and arts opportunities, for students to participate in after school hours.

■ Invest in faithfully implementing and expanding community schools

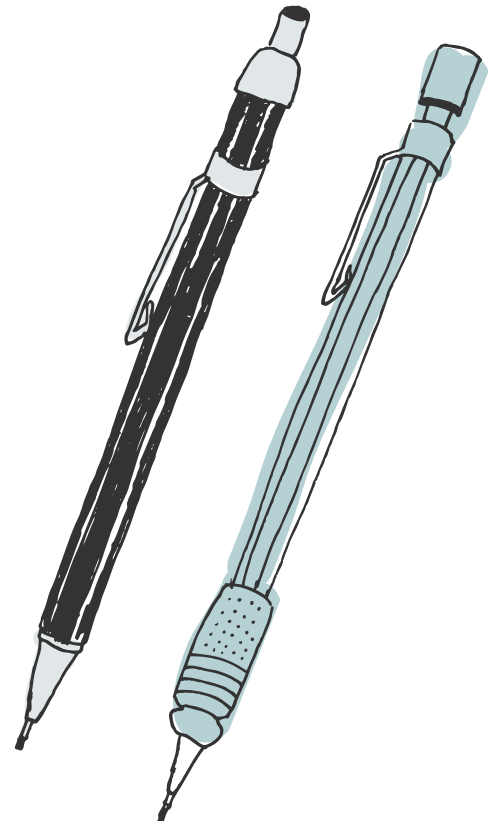
LAUSD should invest in the faithful implementation of its 2017 resolution, *Embracing Community School Strategies in the Los Angeles Unified School District*.¹⁵⁹ Community schools value student diversity as assets in determining strategies to improve educational outcomes, engage all stakeholders such as school staff, parents, students, community members, local government, and community-based organizations in identifying needs and problem-solving, and “include enriching academic and extracurricular options; restorative justice programs; health, mental health and other wrap-around services; and activities that engage families and civic partners as vital members of the community.”¹⁶⁰ According to a 2017 report by the National Education Policy Center and the Learning Policy Institute, successful community schools share four pillars: (1) integrated student supports; (2) expanded learning time and opportunities; (3) active parent and community engagement; and (4) collaborative leadership and practices.¹⁶¹ Two of these pillars—integrated student supports and active parent and community engagement—are characterized, in part, by a “climate of safety and trusting relationships.”¹⁶² Faithful implementation of

the Community Schools resolution and expansion of the program is urgently needed to graduate students who are college-, career-, and community-ready and to increase the safety and trust at each school site in LAUSD.



CONCLUSION

For over two decades, LAUSD’s random metal detector search policy has subjected thousands of Los Angeles students to demeaning and intrusive searches, has resulted in the loss of thousands of hours of instructional time, has needlessly criminalized and alienated students, and has wasted countless hours of district staff time. Despite this significant cost and heavy investment, LAUSD has never provided any evidence showing that the policy is effective in improving safety or has any benefits whatsoever. In fact, all available data establishes the opposite – that the policy is ineffective and harms school climate. It is clear that what LAUSD is doing is not working. We urge LAUSD to eliminate the ineffective and harmful mandatory metal detector searches immediately and replace them with the supportive and evidence-based recommendations put forward in this report.



ENDNOTES

¹ The mandatory metal detector search policy applies to all LAUSD secondary schools, including charter schools co-located on LAUSD campuses. This report calculates the number of secondary schools by combining the number of middle, high, and multi-level schools. The figure is likely lower than the actual number of schools required to conduct the searches because it does not include magnet schools, charter schools co-located on LAUSD campuses, and other types of schools governed by the mandatory metal detector search policy. See LAUSD, FINGERTIP FACTS (2017-18) 2 (Updated Oct. 2017), https://achieve.lausd.net/cms/lib/CA01000043/Centricity/Domain/32/NewlyUpdatedFingertip%20Facts2017-18_English.pdf.

² See Anna M. Phillips, Howard Blume, Sonali Kohli, & Joy Resmotivz, *Five things to know about L.A. school budget*, L.A. TIMES (June 13, 2017), <http://www.latimes.com/local/education/la-me-edu-superintendent-budget-20170613-htlmstory.html>; see also Nick Melvoin, *A bad deal for students and teachers in LAUSD*, L.A. DAILY NEWS (Feb. 15, 2018), <https://www.dailynews.com/2018/02/15/a-bad-deal-for-students-and-teachers-in-lausd/>.

³ LAUSD Office of the Chief Operating Officer, *Random Metal Detector Searches*, BUL-1824.0, at § I.A (Apr. 12, 2011), <http://lausd-oehs.org/docs/Bulletins/BUL-5424.0.pdf>.

⁴ LAUSD, *Random Metal Detector “Wandering” Searches to Ensure School Safety: A “Deep Dive” Discussion* 9 (Oct. 24, 2017), <https://boe.lausd.net/sites/default/files/10-24-17SpclBdWanderingStudentSearchesPresentation.pdf>.

⁵ *Id.*

⁶ Schools required to perform daily searches include traditional secondary schools, charter secondary schools co-located on LAUSD campuses, and “span” schools that serve primary grades in addition to secondary grades (e.g., K-12 schools). Community day schools and schools with satellite locations are still covered by the policy but may plan for searches that rotate among the schools.

⁷ LAUSD Office of Educational Services, *Administrative Searches to Ensure School Safety*, BUL-5424.2, at § VIII.A. (Oct. 26, 2015) [hereinafter BUL-5424.2], <https://achieve.lausd.net/cms/lib/CA01000043/Centricity/Domain/318/BUL%205424.2%20ADMINISTRATIVE%20SEARCHES%20TO%20ENSURE%20SCHOOL%20SAFETY%20w%20attach.PDF>.

⁸ BUL-5424.2, *supra* note 7, at § III.A.

⁹ BUL-5424.2, *supra* note 7, at §§ VI.A., VI.C.

¹⁰ BUL-5424.2, *supra* note 7, at § VI.D.

¹¹ BUL-5424.2, *supra* note 7, at § VII.A.

¹² BUL-5424.2, *supra* note 7, at § VII.B.

¹³ BUL-5424.2, *supra* note 7, at § VIII.H.

¹⁴ BUL-5424.2, *supra* note 7, at § II.A.

¹⁵ BUL-5424.2, *supra* note 7, at § II.A.

¹⁶ BUL-5424.2, *supra* note 7, at §§ VIII.B., VIII.D.

¹⁷ BUL-5424.2, *supra* note 7, at § VIII.D.

¹⁸ BUL-5424.2, *supra* note 7, at § VIII.G.

¹⁹ See www.aclusocal.org/here-to-learn for examples of LAUSD’s metal detector search logs that reveal violations

of the law and policy.

²⁰ Public Records Act Request sent to LAUSD on Aug. 29, 2016 on behalf of InnerCity Struggle, document production: PCL0038138-1348 (documents available upon request).

²¹ Public Records Act Request sent to LAUSD on Aug. 29, 2016 on behalf of InnerCity Struggle, document production PCL0038138-1365.

²² Public Records Act Request sent to LAUSD on Aug. 29, 2016 on behalf of InnerCity Struggle, document production PCL0038138-65.

²³ Public Records Act Request sent to LAUSD on Aug. 29, 2016 on behalf of InnerCity Struggle, document production PCL0038138-653.

²⁴ Public Records Act Request sent to LAUSD on Aug. 29, 2016 on behalf of InnerCity Struggle, document production PCL0038138-1309.

²⁵ LOS ANGELES UNIFIED SCHOOL DISTRICT OFFICE OF THE INSPECTOR GENERAL, INTERNAL AUDIT REPORT: DISTRICT’S RANDOM METAL DETECTOR SEARCHES AT SCHOOL SITES (Apr. 27, 2017) [hereinafter 2017 LAUSD Internal Audit Report], <https://my.lausd.net/webcenter/wccproxy/d?-dID=38536&Rendition=web>.

²⁶ 2017 LAUSD Internal Audit Report, *supra* note 25, at 1 (emphasis in original).

²⁷ LAUSD OFFICE OF THE INSPECTOR GENERAL, AUDIT REPORT: RANDOM METAL DETECTOR SEARCHES AT SCHOOL SITES 2 (Jun. 20, 2014), <https://achieve.lausd.net/cms/lib08/CA01000043/Centricity/Domain/416/Random%20Metal%20Detector%20Searches%20Audit%20Report.pdf>.

²⁸ See LAUSD, *We Are One L.A. Unified Pledge*, <https://achieve.lausd.net/Page/13470>.

²⁹ LAUSD, STRATEGIC PLAN 2016-2019: “A DISTRICT ON THE MOVE” DESTINATION GRADUATION 1, https://achieve.lausd.net/site/handlers/filedownload.ashx?moduleinstanceid=754&dataid=591&FileName=LAUSD_Strategic%20Plan16-17_vr19F.pdf.

³⁰ LAUSD School Operations, Office of the Superintendent, *Discipline Foundation Policy: School-wide Positive Behavior Intervention and Support* (BUL-6231.0) (Feb. 14, 2014), <https://achieve.lausd.net/site/handlers/filedownload.ashx?moduleinstanceid=34064&dataid=42289&FileName=BUL-DISCIPLINE%20FOUNDATION%20POLICY.PDF>.

³¹ LAUSD, School Climate Bill of Rights (2013), <https://achieve.lausd.net/Page/11924>.

³² LAUSD, Garcia - 2013 School Discipline Policy and School Climate Bill of Rights, 1, 6 (2013), <http://www.pub-liccounsel.org/tools/assets/files/2013-School-Climate-Bill-of-Rights-Policy-FINAL.pdf>.

³³ COMMUNITY ASSET DEVELOPMENT RE-DEFINING EDUCATION, MENTAL HEALTH ADVOCACY SERVICES, INC., & PUBLIC COUNSEL LAW CENTER, *HOW CAN YOU LOVE THE KIDS BUT HATE THE PARENTS? A SHADOW REPORT ON THE UNFULFILLED PROMISES OF LAUSD SCHOOL DISCIPLINE REFORM IN SOUTH LA* (Oct. 2017), http://cadre-la.org/newhome/wp-content/uploads/2018/02/Final-SR-Report.CADRE_Oct-2017.ENG_.pdf.

³⁴ RACHEL DINKES, E.F. CATALDI, & WENDY LIN-KELLY, *INDICATORS OF SCHOOL CRIME AND SAFETY: 2007* (NCES 2008-021/

- NCJ 219553) (U.S. Dep't Educ., Nat'l Ctr. Educ. Stat. 2007), <https://nces.ed.gov/pubs2008/2008021.pdf>; LAUREN MUSU-GILLETTE, ANLAN ZHANG, KE WANG, JIZHI ZHANG, & BARBARA A. OUDEKERK, *INDICATORS OF SCHOOL CRIME AND SAFETY: 2016* (NCES 2017-064/NCJ 250650) (U.S. Dep't Educ., Nat'l Ctr. Educ. Stat. 2017), <https://nces.ed.gov/pubs2017/2017064.pdf>; NATIONAL CENTER FOR EDUCATION STATISTICS, *INDICATOR 20: SAFETY AND SECURITY MEASURES TAKEN BY PUBLIC SCHOOLS, INDICATORS OF SCHOOL CRIME AND SAFETY* (Mar. 2018), https://nces.ed.gov/programs/crimeindicators/ind_20.asp.
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- ⁴⁸ LAUSD SCHOOL SURVEY REPORTS, *SCHOOL POLICE DATA REPORTS, 2016-2017 SCHOOL YEAR* (available upon request).
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- ⁵⁴ *Vernonia School Dist., 47J v. Acton*, 515 U.S. 646, 654-60 (1995).
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- ⁵⁷ *In re William G.*, 40 Cal. 3d 550, 563 (1985).
- ⁵⁸ BUL 5424.2, *supra* note 7, at § VIII.F.
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- ⁶³ *Id.* at 359.
- ⁶⁴ *Id.* (emphasis added).
- ⁶⁵ 75 Cal. Op. Att'y Gen. 155, 24, 28 (1992).
- ⁶⁶ This analysis only assesses the language of each school district's search and seizure policy. It does not analyze how district staff conduct the searches in practice.
- ⁶⁷ The 15 largest California and U.S. school districts were identified according to National Center for Education Statistics' most recent year of data, "Table 2015.30: Enrollment, poverty, and federal funds for the 120 largest districts, by enrollment size in 2014," https://nces.ed.gov/programs/digest/d16/tables/dt16_215.30.asp.
- ⁶⁸ Fresno Unified School District, *Search and Seizure Board Policy 5145.12*, <https://www.fresnounified.org/sites/board/policies/Documents/5145-12-AR-Search-And-Seizure.pdf>.
- ⁶⁹ Riverside Unified School District, *Search and Seizure Board Policy 5145.12*, <http://www.riversideunified.org/common/pages/DisplayFile.aspx?itemId=1690044>.
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- ⁷¹ San Bernardino City Unified School District, *Search and Seizure Board Policy 5145.12*, <http://gamutonline.net/DisplayPolicy/452014/5> (username & password is sbcsud).
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⁷⁶ SAN DIEGO COUNTY GRAND JURY 2013/2014, SCHOOL SECURITY: THERE IS NO GREATER PURPOSE (March 24, 2014), <https://www.lmsvschools.org/cms/lib/CA01001633/Centricity/Domain/20/SchoolSecurityReport.pdf>.

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⁷⁹ Gwinnett County Public Schools Board Approved Policies, Interrogations & Searches (JCAB), <http://publish.gwinnett.k12.ga.us/gcps/home/public/about/boe/content/policies>.

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⁸¹ Hawaii Administrative Rules Title 8, Department of Education, School Searches and Seizures § 8-19-16, 19-31 (emphasis added), <https://www.hawaiipublicschools.org/DOE%20Forms/Civil%20Rights/Chapter19English.pdf>.

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⁸³ Hillsborough County Public Schools Policy Manual, § 5771 – Search and Seizures, <http://www.sdhc.k12.fl.us/policymanual/detail/273>.

⁸⁴ Patricia Mazzei, *Florida School, on Edge Since Shooting, Requires Students to Carry Clear Backpacks*, N.Y. TIMES (March 18, 2018), <https://www.nytimes.com/2018/03/21/us/florida-school-shooting-clear-backpacks.html>.

⁸⁵ Madina Toure, *Use of Metal Detectors in New York City Schools Under Scrutiny Amid Parkland Shooting*, OBSERVER (March 9, 2018, 4:06 PM), <http://observer.com/2018/03/metal-detectors-nyc-public-schools/>.

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⁸⁸ *Id.*

⁸⁹ After an extensive search, we could not locate policies for San Francisco USD, Corona-Norco USD, or Garden Grove USD that mandate any searches, let alone that permit indiscriminate searches of students' backpacks, purses, or other personal property.

⁹⁰ After an extensive search, we could not locate policies for Orange County Public Schools, the School District of Palm Beach County, or Fairfax County Public Schools that mandate any searches, let alone that permit indiscriminate searches of students' backpacks, purses, or other personal property.

⁹¹ National Center for Education Statistics, *Indicator 20: Safety and Security Measures Taken by Public Schools, Indicators of School Crime and Safety* (Mar. 2018), https://nces.ed.gov/programs/crimeindicators/ind_20.asp.

⁹² Allie Nicodemo & Lia Petronio, *Schools are safer than they were in the 90s, and school shootings are not more common than they used to be, researchers say*, NEWS @ NORTHEASTERN (Feb. 26, 2018), <https://news.northeastern.edu/2018/02/schools-are-still-one-of-the-safest-places-for-children-researcher-says/>.

⁹³ U.S. DEP'T EDUC., OFFICE OF CIVIL RIGHTS, 2015-16 CIVIL RIGHTS DATA COLLECTION: SCHOOL CLIMATE AND SAFETY 2, <https://www2.ed.gov/about/offices/list/ocr/docs/school-climate-and-safety.pdf>.

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⁹⁶ *Id.* at 5.

⁹⁷ *Id.* at 6.

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¹⁰⁰ *Id.*

¹⁰¹ *Id.* at vii.

¹⁰² *Id.* at vii.

¹⁰³ *Id.* at viii.

¹⁰⁴ *Id.* at vi.

¹⁰⁵ LAUSD SCHOOL SURVEY REPORTS, STUDENT DISCIPLINE DATA REPORTS – SUSPENSION, 2016-2017 SCHOOL YEAR (file available upon request).

¹⁰⁶ LAUSD SCHOOL SURVEY REPORTS, STUDENT DISCIPLINE DATA REPORTS – SUSPENSION, 2013-2014 SCHOOL YEAR (file available upon request); LAUSD SCHOOL SURVEY REPORTS, STUDENT DISCIPLINE DATA REPORTS – SUSPENSION, 2016-2017 SCHOOL YEAR (file available upon request).

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¹⁰⁸ This includes searches marked as “admin” searches and searches where the method of selection was left blank. As discussed below, these logs also included searches based on reasonable suspicion and searches based on specific student characteristics or behavior in addition to searches conducted in a random manner. Those searches are excluded from this number, as are searches of student lockers that were also recorded in the logs.

¹⁰⁹ PRA requests submitted by the #StudentsNotSuspects coalition seeking other metal detector search logs suggest that LAUSD has additional search logs from those academic years, but the district did not provide them because the logs did not reflect any weapons found.

¹¹⁰ When a student is caught possessing, selling, or furnishing a firearm at school, expulsion is mandatory under Education Code sections 48915(c)(1) and 48900(b).

¹¹¹ An LAUSD audit assessing school compliance with the mandatory metal detector searches in 2013-14 found that 90% of schools audited conducted mandatory metal detector searches on a daily basis, providing further support that these types of searches rarely discover any weapons. LAUSD OFFICE OF THE INSPECTOR GENERAL, AUDIT REPORT: RANDOM METAL DETECTOR SEARCHES AT SCHOOL

SITES 2 (Jun. 20, 2014), <https://achieve.lausd.net/cms/lib08/CA01000043/Centricity/Domain/416/Random%20Metal%20Detector%20Searches%20Audit%20Report.pdf>.

¹¹² To preserve privacy, names and information about the school were redacted.

¹¹³ E.g., Douglas Downey & Shana Pribesh, *When Race Matters: Teachers' Evaluations of Students' Classroom Behavior*, 77.4 SOC. EDUC. 267 (2004); La Vonne Neal et al., *The Effects of African American Movement Styles on Teachers' Perceptions and Reactions*, 37 J. SPECIAL EDUC. 49 (2003), <http://web.pdx.edu/~jhumn/Neal%20et.%20a.pdf>.

¹¹⁴ See Anthony Greenwald & Linda Hamilton Krieger, *Implicit Bias: Scientific Foundations*, 94 CAL. L. REV. 945 (July 2006), <https://scholarship.law.berkeley.edu/cgi/view-content.cgi?article=1250&context=californialawreview>.

¹¹⁵ E.g., Hala Elhoweris et al., *Effect of Children's Ethnicity on Teachers' Referral and Recommendation Decisions in Gifted and Talented Programs*, 26 REMEDIAL SPECIAL EDUC. 25 (2005); Seth Gershenson et al., *Who Believes in Me? The Effect of Student-Teacher Demographic Match on Teacher Expectations*, 52 ECON. EDUC. REV. 209 (2016); WALTER GILLIAM ET AL., DO EARLY EDUCATORS' IMPLICIT BIASES REGARDING SEX AND RACE RELATE TO BEHAVIOR EXPECTATIONS AND RECOMMENDATIONS OF PRESCHOOL EXPULSIONS AND SUSPENSIONS? (Yale Child Study Center, Sept. 28, 2016), http://www.addressingracialmicroaggressions.com/wp-content/uploads/2016/10/Preschool-Implicit-Bias-Policy-Brief_final_9_26_276766_5379.pdf.

¹¹⁶ See E. Ashby Plant & B. Michelle Peruche, *The Consequences of Race for Police Officers' Responses to Criminal Suspects*, 16.3 PSYCHOL. SCI. 180 (2005); Rob Voigt et al., *Racial Disparities in Police Language*, 114 PROC. NAT'L ACAD. SCI. 6521 (2017).

¹¹⁷ This is a conservative estimate of average time spent out of class per students. It takes approximately 3 minutes to wand each student, but the whole group is usually kept out of class while all selected students are searched.

¹¹⁸ Estimating that each search is conducted by two staff members, takes 20 minutes to complete, and is conducted once per school day.

¹¹⁹ Thomas Himes, *LAUSD Educators Typically Earned \$75,504 Last Year*, LA DAILY NEWS (Mar. 21, 2015), <https://www.dailynews.com/2015/03/21/lausd-educators-typically-earned-75504-last-year/>.

¹²⁰ United Teachers Los Angeles, #6, *March 25, 2015 Safety Committee Policy* (Mar. 25, 2015).

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¹²² Ely Mena and Cherie Hudson, *A Guide to Crisis Response* (LAUSD School Mental Health, 2015), https://achieve.lausd.net/cms/lib/CA01000043/Centricity/Domain/214/School%20Crisis%20Intervention%20and%20Suicide%20Prevention_10-15-15.pdf.

¹²³ LAUSD Powerpoint Presentation, *Blue Ribbon Commission on School Safety* (April 8, 2018).

¹²⁴ LAUSD, *Educational Equity Compliance Office*, <https://achieve.lausd.net/Page/3494>.

¹²⁵ MIAMI-DADE COUNTY PUBLIC SCHOOLS RESEARCH SERVICES, *PREVENTING VIOLENCE IN SCHOOLS 10* (Oct. 2009), <https://files.eric.ed.gov/fulltext/ED544705.pdf>. Also, CADRE released a report, "How can you love the kids but hate the parents?," in October 2017, a human rights parent-led investigation into SWPBIS implementation ten years after implementation. Our coalition fully supports the urgent recommendations made by CADRE to transform the relationships between parents and school staff so that parents can become full partners in addressing racial harm and creating trusting and positive relationships. See COMMUNITY ASSET DEVELOPMENT RE-DEFINING EDUCATION, MENTAL HEALTH ADVOCACY SERVICES, INC., & PUBLIC COUNSEL LAW CENTER, *supra* note 34.

¹²⁶ COMMUNITY ASSET DEVELOPMENT RE-DEFINING EDUCATION, MENTAL HEALTH ADVOCACY SERVICES, INC., & PUBLIC COUNSEL LAW CENTER, *supra* note 34, at 18.

¹²⁷ COMMUNITY ASSET DEVELOPMENT RE-DEFINING EDUCATION, MENTAL HEALTH ADVOCACY SERVICES, INC., & PUBLIC COUNSEL LAW CENTER, *supra* note 34, at 19.

¹²⁸ See MIAMI-DADE COUNTY PUBLIC SCHOOLS RESEARCH SERVICES, *PREVENTING VIOLENCE IN SCHOOLS 9* (Oct. 2009), <https://files.eric.ed.gov/fulltext/ED544705.pdf>.

¹²⁹ See Amanda Johnston & Michelle Weaver, *Embedding Restorative Practices Within a PBIS Framework to Support Student Success 2*, STATE EDUCATION RESOURCE CENTER, <http://www.pbis.serc.co/docs/PBIS%20and%20%20Restorative%20Practices%20final.pdf>; Catherine P. Bradshaw, PhD, Med, Tracy E. Waasdorp, PhD, Med, & Philip J. Leaf, PhD, *Effects of School-Wide Positive Behavioral Interventions and Supports on Child Behavior Problems*, e1136, e1142, e1144, PEDIATRICS (Nov. 2012), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3483890/>.

¹³⁰ TANYA EVE FRANKLIN, *RESTORATIVE JUSTICE IN THREE PARTNERSHIP SCHOOLS: TRANSFORMING SCHOOL CULTURE AND DISCIPLINE THROUGH RESPECT, RELATIONSHIPS, AND RESPONSIBILITY 14* (Mental Health Advocacy Services, Inc. and Partnership for Los Angeles Schools, Feb. 2014) <https://cmhacy.org/wp-content/uploads/2014/06/8-Restorative-Justice-Midyear-Report.pdf>.

¹³¹ For a more detailed discussion of the role of law enforcement in schools, see LINNEA NELSON, ET AL., *THE RIGHT TO REMAIN A STUDENT* (ACLU of California, Oct. 19, 2016), https://www.aclunc.org/docs/20161019-the_right_to_remain_a_student-aclu_california_0.pdf.

¹³² Toolkits and references for educators and community to implement and advocate for supportive, inclusive discipline policies that hold students accountable and improve school climate and safety for all members of the school community, available at www.FixSchoolDiscipline.org.

¹³³ Public Counsel, *Fix School Discipline: Toolkit for Community 20-21* (2017).

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¹³⁵ See California Education Code § 48900.

¹³⁶ URBAN PEACE INSTITUTE & ADVANCEMENT PROJECT, *supra* note 39.

¹³⁷ See MIAMI-DADE COUNTY PUBLIC SCHOOLS RESEARCH SER-

VICES, *supra* note 130, at 9.

¹³⁸ U.S. DEPARTMENT OF EDUCATION, GUIDING PRINCIPLES: A RESOURCE GUIDE FOR IMPROVING SCHOOL CLIMATE AND DISCIPLINE 24 (Jan. 2014), <https://www2.ed.gov/policy/gen/guid/school-discipline/guiding-principles.pdf>. See also RESTORATIVE JUSTICE FOR OAKLAND YOUTH, RESTORATIVE JUSTICE, <http://rjoyoakland.org/restorative-justice/>.

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