

TO: Police Chiefs, Public Safety Directors, and Fund Commissioners

FROM: Chief Harry Earle (Ret.), J. A. Montgomery Consulting

DATE: October 5, 2020

RE: Law Enforcement Bulletin 2020-10 - "School Online Learning Presents Challenges to Reporting Emergencies that Occur in the Virtual Classroom"

COVID-19 has resulted in many students of all ages learning remotely from home utilizing various online platforms, essentially bringing a new definition of what constitutes being present at school. There have been several violent incidents at the home of students while they were actively engaged in their remote learning. Often these incidents are also witnessed or overheard by the teacher or other students participating in the online instruction. For example, in Milwaukee this September, a woman was killed by her brother while the student was online with his teacher and classmates.¹ In August, during a full class online session in a Florida community, a teacher heard people screaming and threatening one another in the background of a ten-year-old as she and all of the classmates saw the ten-year-old student covering her ears. The computer screen suddenly went blank, and it was later learned that a person was killed in the home, and the computer the child was using was struck by a bullet.²

In addition to violent acts, there have been numerous incidents where children displayed toy weapons during zoom class. One such incident occurred in August in Colorado Springs, prompting a call to police.³ Additionally, weapons and violence are not the only concerns with live online learning, as a forty-six-year-old high school teacher suffered a medical emergency while teaching an online class in Fargo, North Dakota, in April and later died.⁴

These incidents may be difficult, if not impossible, to prevent. Still, police leaders should have the appropriate conversations with their school officials, their officers, 911 operators, and other stakeholders to be best prepared for these incidents. Perhaps one of the most critical discussions and need for an appropriate response policy lies with the school staff. Furthermore, officers should be familiar with how the school intends to report these emergencies. Let us imagine the possible scenarios that may confront a police agency when a teacher hears a violent disturbance or witnesses a medical emergency in the background of a student's home:

- The teacher does not have access to the child's address but calls 911, thinking that the 911 operator can quickly find the child's address, or

- The teacher has access to the child's address, but delays calling 911 as he or she attempts to locate the Principal of the school before calling, or
- The teacher calls the School Resource Officer, believing that the officer can quickly learn of the child's address, or
- The teacher calls the main office, only to find that the person who can access the child's address has stepped away from their desk, or
- Numerous students tell the teacher they know the address of the student, but the teacher ignores this information and proceeds to contact the office, SRO, or school Principal and not call 911.

There is no clear best practice that fits neatly into every emergency plan of every school for these types of scenarios. Each school district may have different internal student information systems and staff permission access to view student records containing home addresses. However, the best time to prepare the school staff to report such emergencies is before any such emergency occurs. Such conversations should happen now. School administrators and police officials have spent decades preparing emergency operation plans to respond to an emergency that occurs within the school. However, COVID-19 has now triggered the need for a new discussion about what "within the school" means, and how to best respond to these new virtual classroom emergencies.

It is recommended that police leaders initiate a conversation with their school leaders on how teachers can best report an emergency that happens in the virtual classroom, so an emergency response is not delayed. Additionally, school administrators and police officials may wish to discuss what the appropriate law enforcement response should be, if any, to situations involving toy weapons and other items that are prohibited in the classroom but yet visible or possessed by students in the virtual classroom.

The materials provided in this correspondence are for general informational and educational purposes only and are not intended to be and should not be considered legal advice or opinions. Prior to making any policy or rule changes seek the advice of your municipal attorney.

Endnotes:

1. Kallingal, Mallika. (2020, September 20). Milwaukee students attending online classes heard fatal shots and their teacher called 911. Retrieved from KIMT3 News: <https://www.kimt.com/content/national/572459482.html>
2. Burke, Minyvonne. (2020, August 12). Florida mother shot during 10-Year-olds virtual school session. Retrieved from NBCNews: <https://www.nbcnews.com/news/us-news/florida-child-s-mother-shot-killed-during-online-zoom-class-n1236499>

3. The Associated Press. (2020, September 12). Principal calls police on 12-year-old black boy playing with toy gun during school zoom session. Retrieved from ABC7 Eyewitness News: <https://abc7chicago.com/toy-gun-zoom-seventh-grader-7th/6420176/>
4. Young, Kathy. (2020, April 19). Fargo students mourn teacher after he suffered medical emergency during online class. Retrieved from The Dickinson Press: <https://www.thedickinsonpress.com/news/education/5382285-Fargo-students-mourn-teacher-after-he-suffered-medical-emergency-during-online-class>