

FOR IMMEDIATE RELEASE:

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Fifteen states including Arizona, California, New York, Washington and Texas have already waived governmental immunity for simple negligence claims against school districts. Those states have either expressly or impliedly found that schools owe a duty of reasonable care to protect students from foreseeable harm. For a full list or more information please contact Brenna Wieker, brenna.wieker@gmail.com.

STATEMENT BY MICHAEL AND DESIREE DAVIS REGARDING SENATE APPROVAL OF SB15-213 AND IT'S FOCUS ON SCHOOL ADMINISTRATIONS, NOT TEACHERS

We would like to extend our sincere appreciation to the 25 State Senators who voted today to approve SB15-213 and for the honor they bestowed on our daughter by naming the measure The Claire Davis School Safety Act. We especially appreciate the hard work of the bill's Senate sponsors, Senator Bill Cadman and Senator Mark Scheffel.

A common misconception about the measure is that it somehow raises the liability of teachers. This misconception seems to persist even though the Senate approved an amendment that clearly states that an employee or teacher at a public school could not be sued under this bill. We sincerely hope that this amendment eases the concern that some teachers may have. This bill is not about teachers - it's about an impersonal bureaucracy that we all refer to as "the Administration." It's not about a person -- it's about a legal entity, just like a private school, that should be held accountable for keeping kids safe while they're there. We'd like everyone to understand that SB15-213 does not create any liability whatsoever for teachers.

Claire loved her teachers - and her favorite teachers ever were at Arapahoe High School. Claire started high school with a strong aversion towards math, and convinced that she was no good at it. Somewhere along the way her Algebra, Trigonometry and Geometry teachers at AHS turned her around - one of them was so funny that she would come home and repeat all his jokes, laughing so hard that she could hardly contain herself. When she was preparing college applications someone asked her what her favorite subject was - I was shocked to hear her say, "math." Had she lived, she would have taken calculus in her last semester of high school. Her favorite teacher of all time was Mr. B., her Spanish teacher at AHS. She intentionally created her schedule each semester to ensure that she could always get into his class. Mr. B. is a kind and compassionate human being, and Desiree and I have grown to love him -- he was a pall bearer at Claire's funeral. This bill is not about teachers.

At this time we still don't know exactly what happened at Arapahoe High School, but we do know from the Sheriff's report that it was initially the teachers that brought Karl Pierson to the attention of the Administration. Karl's primary intended target was a teacher. We've heard that the teacher was very afraid for his life, and even talked openly about resigning his position. Other teachers also seemed to be afraid of Karl, and we believe may have raised those concerns to Administration. What none of us know, is what the Administration did or didn't do with those warnings. Perhaps whatever they did was reasonable, but perhaps it wasn't. But no one would ever know if the laws in this State aren't changed. SB-213 does not attempt to change

teachers' behavior - its goal is to change the behavior of the impersonal legal entity that all of us expect to protect our kids when we send them to school.

What we currently have in Colorado is a bureaucratic entity that continues to protect itself from liability, and in so doing has the right to withhold all information about its actions. SB-213 seeks to change this situation in only one remote, yet tragic, instance - an instance of criminal violence that results in someone being seriously injured or killed. If passed, this bill will create the nation's narrowest exception to governmental immunity for public schools, and it was deliberately drafted that way so the intent is very clear - Colorado citizens expect that the public school bureaucracy be accountable if it fails to take reasonable steps to prevent kids from getting seriously hurt or killed as a result of school violence, and should be required to disclose information when things go wrong.

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