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## Opinion: Denver's Board of Education ignored safety concerns before East High School shooting and should resign

School leaders were calling for help, but the board barreled ahead with disregard for safety



By **ALEXANDER OOMS** | Guest Commentary  
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In November of 2021, Austin Lyle was arrested and charged in juvenile court for possession of an AR-15-style weapon and high-capacity magazine. A month earlier Denver's board of education finalized a substantial revision of their discipline matrix so that possession of a dangerous weapon outside school grounds no longer resulted in a mandatory expulsion.

Fourteen months later these events would collide.

In January 2023, still on probation and expelled from a neighboring school district, Lyle's transfer to East High was approved by Denver Public Schools, contingent on a daily "pat-down" for weapons.

On March 22nd Austin Lyle shot Jerald Mason and Eric Sinclair, school administrators assigned to pat him down. As police sirens echoed, East's students and teachers — for the fourth time this school year — locked classroom doors, turned off lights, and waited. Outside, parents gathered by police barricades praying for the safety of their children.

Considering DPS policy, prayer seems an appropriate response.

Asked how many students were on safety plans that included a pat down, Superintendent Alex Marrero plunged his head deep into the sand, saying there was no way to “pinpoint” the number, and that safety plans existed in “every” school in the district.

After three-dozen Colorado Open Records Act (CORA) requests to individual schools, I’ll report here the statistics DPS could not be bothered to track:

The week of the East shooting there were 12 students at North High School who received pat-downs. Six students at Lincoln High, six at Kennedy. Four at Thomas Jefferson and at Kepner Beacon. Two additional students at East, two more at Manual, and one each at Bruce Randolph, McAuliffe International, McAuliffe Manual, and Lake. Forty students at 11 schools.

Policies that increasingly place students with violent backgrounds at traditional schools raised numerous objections from school leaders. DPS ignored them and doubled down.

East’s former principal wrote Marrero [an email last September](#) that begins “I am anticipating that this will be my fifth unanswered communication to you all regarding school safety in DPS.” Another principal’s request to transfer a student [accused of attempted first-degree murder](#) was refused. A third principal [obtained a restraining order](#) for a student who had threatened to “shoot up” her and the school, only for DPS to tell her the student would remain — but she would not be allowed in the building.

The day after the East shooting the DPS Board president spoke out. “I believe there has been a societal failure,” she told a press conference, an accusing finger extended to shift blame to a faceless society.

But failure sits at the feet of the school board. Under [Colorado law](#) a student charged in juvenile court with a “crime of violence” has their case reported to their school district. The law specifically charges the district’s board of education (or its designee) to determine if the student has “exhibited behavior” that is detrimental to the “safety, welfare and morals” of other students or staff.

Juvenile records are sealed, but media reports [detailed three cases](#) that DPS determined were not a safety threat to others: possession of an AR-15-style rifle; first-degree attempted murder; and threatening to shoot a principal.

To balance student safety with the obligation to educate all students, the law provides options between expulsion and the traditional classroom. If a district determines that a student’s behavior is detrimental to the safety of others, the law explicitly states the district may suspend, expel, or “provide the student with an appropriate *alternate* [my emphasis] education program.”

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Alternative programs exist precisely to provide additional services and support. Within DPS, Justice High School targets students “involved in the criminal justice system.” But these programs can’t support students if DPS won’t refer them. Despite an increase in youth violence, Justice’s enrollment snapshot shows the school is at its lowest enrollment in four years.

Hypocrisy reigns. On March 3rd, DPS board members released a statement supporting students demonstrating for stricter gun laws — after they changed policy to ensure that students who violate existing gun laws suffer no educational consequences stricter than a pat down.

Twenty days later Austin Lyle shot two people and himself. He died alone by the side of a rural road, miles from the people who justly and deeply loved him. It is hard to believe he was well-served by DPS’s determination that he was not a threat to other students, to staff, or to himself.

A bullet from the gun that Lyle tried to smuggle into a crowded high school traveled clear through Eric Sinclair’s body, somehow missing all vital organs. The immediate presence of medical staff called to the school on an unrelated issue helped save his life. Every day he rises is a gift.

Both lives should haunt the DPS board members who consistently rejected the advice of school leaders, neglected safety data, and abandoned their legal responsibility for the safety of Denver students, teachers, and staff.

This Board, and the Superintendent, must resign.

*Alexander Ooms is the father of three DPS students and has served on the advisory and governance boards of several education organizations.*