

# Guns on Campus?

## Managing Staff and Student Safety

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## Overview

- Are Schools Considering allowing guns on Campus?
- What laws apply?
- Best practices and practical considerations
- Discussion/Questions

# Are NM Schools Considering Guns on Campus?

- Modern active shooter protocols
- Urban and rural district/school differences
  - Access to law enforcement services
- Who carries the gun and how?
  - Administrators?
  - Teachers?
  - Security personnel?
  - Volunteers?
  - Students?
  - Parents?



"An armed security guard isn't in the school budget, so all teachers will have to take turns."



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## Federal Law

# Federal Gun Free Zones Act (GFSZA)

## 18 USC § 922(q)(2)

- Unlawful to knowingly possess a firearm in a school zone. §922(q)(2)(A)
- Exceptions:
  - If licensed to carry a firearm on school premises
  - Unloaded and locked in a container or rack in a vehicle
  - Approved by the school for use in a program (i.e. ROTC)
  - Use pursuant to a contract with the school (individual or contractor)
  - Law enforcement acting in official capacity
  - Unloaded while crossing premises for accessing public/private hunting grounds (only with school permission)



# New Mexico Law

## Unlawful Carrying of a Deadly Weapon on School Premises

### NMSA § 30-7-21

- Unlawful to carry a deadly weapon on school premises
- Premises includes buildings, grounds, fields, parking lots, school busses and non-school property where school-sanctioned activities are taking place
- Exceptions:
  - Peace officer
  - School security personnel
  - ROTC programs or state-authorized hunter safety training
  - School-approved program, class or other activity involving a deadly weapon
  - If older than 19, a weapon in a private vehicle, for lawful protection of property
- 4<sup>th</sup> degree felony

## NMSBA Policy Service

- **Staff Conduct:** Shall not bring firearms onto or possess on school property, “except with proper authorization”.
- **Volunteers:** no firearms or weapons on school property, “except with proper authorization”.
- **Employees:** No employee, other than one who has obtained authorization from the appropriate school administrator, shall carry a weapon on school grounds.
- **Questions for District Determination:**
  - What is proper authorization?
  - Who is the appropriate school administrator?

# Risk and Policy Considerations

- Best Options for Armed Security on Campus:
  - Law enforcement Contract (SRO)
  - Armed Security Contracting Firm
  - Dedicated School Security Employee
    - Possibly a retired NM law enforcement officer
- Other options raise difficult issues:
  - Administrator: What are primary roles in a crisis?
  - Teacher: What happens to the teacher's class in a crisis?
  - Volunteer: Training, attendance, personal demeanor?

# Other Critical Considerations

- Requiring a Level 3 Security License:
  - Criminal background check
  - Specific training curriculum
  - Must pass the exam
  - Firearm certification, endorsements, and other weapon training
  - Completion of a psychological evaluation for suitability to carry firearms
- School Site Specific Training – Working among middle schoolers, teenagers, small children, etc.
- Additional On-Going Training:
  - Firearm safety, operational tactics, legal responsibilities and duties
  - Crisis intervention training and certification
  - Non-violent crisis intervention certification
  - Continuing education training hours for license renewal



## More Critical Considerations

- MOU with all applicable law enforcement agencies, approving:
  - The presence of an armed employee on campus, and
  - standard operating procedures
- Providing all applicable law enforcement agencies with identification and pictures of persons on school grounds with firearms

## Discussion and Questions

- Are we considering guns on campus?
- What laws, regulations and policies apply?
- How do we implement best practices?

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