

Updated with
NMPSIA
Mandatory
Standards

Guns on Campus?

Managing Staff and Student Safety

NMSBA Region VI Spring Meeting – March 26, 2018

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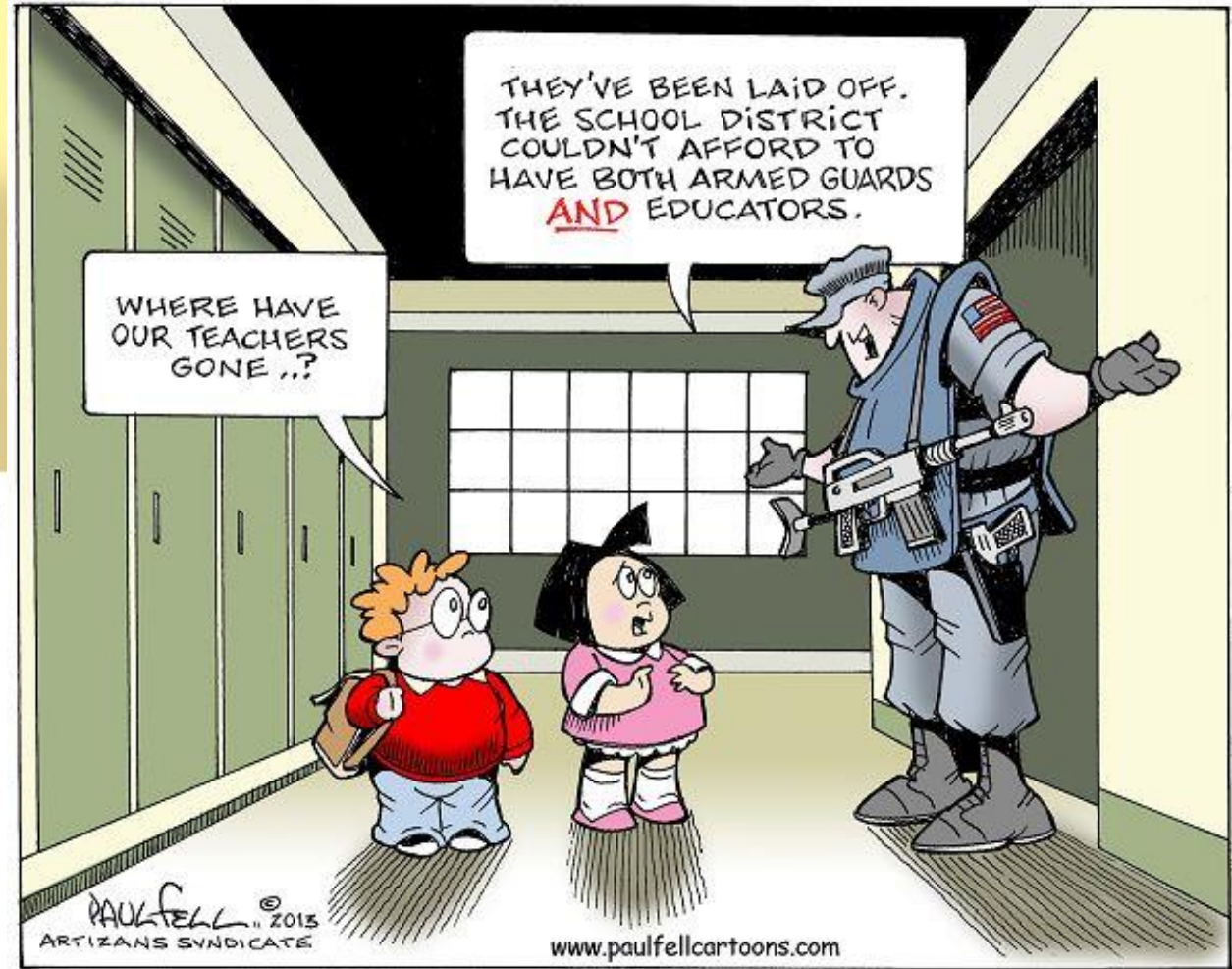
Overview

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



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

Funding



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?

Issue Spotting

- Overall Concern: Training and personal demeanor?
 - Administrator: What are primary roles in a crisis?
 - Teacher: What happens to the teacher's class in a crisis?
 - Other staff or volunteer: Attendance, background?
- How is firearm carried and stored?
- How does law enforcement know who is carrying?

Teacher Duties





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)



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
- 4th 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?

NMPSIA Mandatory Standards for School Security Personnel

- Adopted March 8, 2018
- Only 3 options for Districts and Charters “to be followed and implemented” in the following order:
 - Option 1: School Resource Officer (SRO)
 - Contract with local law enforcement agency
 - Option 2: Licensed Private Security Guard
 - Licensed through RLD, training for students and campus setting
 - Option 3: School Security Personnel (SSP) with Level 3 Security Guard License
 - Only as a LAST RESORT, if options 1 & 2 impossible
 - No SSP until complete NMPSIA licensing, training and contracting requirements

NMPSIA Mandatory Standards

- 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
- Retired Law Enforcement Officer with up-to-date certification and training meeting NMPSIA standards

NMPSIA Mandatory Standards

- Board MUST adopt a policy reflecting NMPSIA requirements
- MOU with all applicable law enforcement agencies, approving:
 - presence of an armed employee on campus
 - standard operating procedures
- Provide all applicable law enforcement agencies with identification and pictures of persons on school grounds with firearms
- Follow standards for carrying and storing firearms on campus

Consequences

Failure to follow
NMPSIA Mandatory
Standards could lead
to denial of coverage

Discussion and Questions

- Are we considering guns on campus?
- What laws, regulations, policies and insurance mandates apply?
- How do we implement NMPSIA mandatory standards?

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