

# Guns on Campus?

## Managing Staff and Student Safety

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Updated with  
NMPSIA  
Mandatory  
Standards

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## Overview

- Are Schools Considering allowing guns on Campus?
- What laws apply?
- Best practices and practical considerations
- What we've learned in 2018
- 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
- 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?

NMPSIA  
Mandatory  
Standards for  
School  
Security  
Personnel –  
Adopted  
March 8, 2018

- NMPSIA/POMS are neither promoting nor discouraging the arming of School Security Personnel
- Mandatory Standards establish a solid process with minimal liability exposure for the districts and their employees
- Failure to follow NMPSIA Mandatory Standards could lead to denial of coverage

# NMPSIA Mandatory Standards for School Security Personnel

- Only 3 options for Districts and Charters “to be followed and implemented” in the following order:
  - **Option 1**: School Resource Officer (SRO)
    - Employed by a local law enforcement agency
  - **Option 2**: Licensed Private Security Guard
    - Contracted Security - Licensed through RLD, trained for students and campus setting
  - **Option 3**: School Security Personnel (SSP)
    - Employed by District, or appointed volunteer
    - If armed, Level 3 Security Guard License
    - Armed only if Options 1 & 2 impossible
    - No armed SSP until complete NMPSIA licensing, training and contracting requirements
    - SSP includes School District law enforcement/police department commissioned by local law enforcement

# 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

# What We've Learned in 2018

- How do you document consideration of options 1, 2, and 3?
- What's wrong with a volunteer parent group that wants to be armed security presence on my campus?
- Is a retired police officer a good candidate to be employed as my school's armed security staff?
  - What about pre-employment background check, mental health exam, and updated training (including firearms training)?
- What about employing a retired military member?
- What should be included in your Board policies for school personnel?
  - Job requirements, training, screening, storage, specs for firearms and carrying?
  - Use of deadly force on a student?
- What should be the effect on insurance premiums for districts with armed security staff vs. no armed security staff?

## 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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