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Beyond Crisis Planning:

Creating a Climate of Safety in Your School District



What this presentation will Cover?

- Overview of school violence statistics
- Board obligations related to school safety
- Search and Seizure of students
- Suggestions for creating a climate of safety in your school district
- Arming school administrators and teachers





Violence On Campus

What does it look like for students?

- 7.1% did not go to school on one or more days because they felt unsafe at school or on their way to or from school (previous 30 days).
- 19.6% reported being bullied on school property - 14.8% reported being bullied electronically (previous 12 months before the survey).
- 8.1% reported being in a physical fight on school property (previous 12 months).
- 6.9% reported being threatened or injured with a weapon on school property one or more times (previous 12 months).
- 5.2% reported carrying a weapon (gun, knife or club) on school property on one or more days (previous 30 days).
- Data from the CDC Youth Risk Behavior Surveillance System, Grades 9-12 surveys, 2013.**

Violence Against Teachers

- Each year, 253,100 (7%) teachers are threatened with violence by students at school.
- Each year, 127,500 (3%) teachers are physically attacked by students at school.
- Experts say rate of school shootings is statistically unchanged since the mid-to-late 1990s – still troubling.

○ **Note:** Assault and Battery on School Personnel is a separate criminal offense in New Mexico. See NMSA 1978 § 30-3-9.

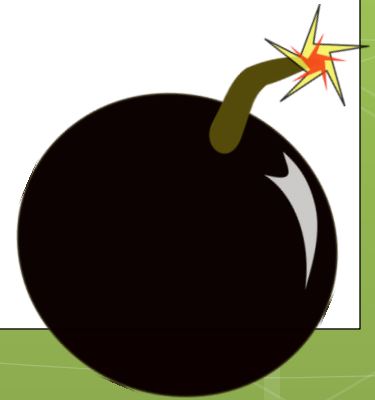
○ *Data from a 2013 survey of the American Psychological Assoc.*



Threats of Violence

- 812 threats against schools across the country between Aug. 1 and Dec. 31 of 2014.
- 70% were directed at high schools (320 arrests).
- Nearly half of all threats were bomb threats (44%).
- 73% of threats made were Bomb or Shooting in nature.
- Approximately 30% caused school evacuations.
- 37% of all threats were made through combined social media, text, email & other on-line resources. 28% of threats came from social media alone.
- Top social media sites included Twitter, Snapchat, Facebook and Insta-gram.
- ***The majority of these threats were ultimately determined to be hoaxes.***

Data from Campus Safety Magazine, February 2015 edition.



Types of School Violence

- **Peer Conflict/Fighting**
- **Bullying/Cyberbullying**
- **Dating (Domestic) Violence**
- **Gang Violence**
- **Homicide**
- **Suicide**



Risk Factors

- Prior history of violence
- Delinquency
- Drug, alcohol use
- Gang involvement
- Poor family functioning
- Poor grades in school
- Poverty
- Mental Illness

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"No, I can't explain my D in math. That class teaches us about numbers, not letters!"

Your Obligations

- ◉ NMAC 6.12.6.8
 - ◉ School safety plans required at all public schools focused on supporting healthy and safe learning environments.
 - ◉ Plan must be submitted to PED for approval on a 3-year cycle and include an Emergency Operation Plan.

Obligations Cont.



- NMAC 6.12.7.8
 - **Cyberbullying and Bullying policies** and programs in effect by 2013-14.
 - Anti-bullying policy must include:
 - Procedures for reporting incidents of cyber/bullying
 - Consequences for knowingly making false reports
 - A requirement that staff report incidents
 - A requirement that anti-bullying be included as part of the health education curriculum
 - Must investigate
 - Must train staff to recognize cyber/bullying



Student Search Requires Reasonable Individualized Suspicion

- o **New Jersey v. T.L.O**, 469 U.S. 325 (1985)
 - o Adopted the “**Reasonable Suspicion**” standard for searches in public schools.
 - o Search must be:
 - o Justified at inception – *Reasonable grounds* for believing that search will reveal evidence of violation of law or school rules
 - o Not excessively intrusive in light of age and sex of the student and the nature of the infraction.
 - o A mere “hunch” is not a proper basis for a search.

Search and Seizure Cont.

- NM PED Regulations on Search & Seizure
 - [NMAC 6.11.2.10 \(B\)](#)
 - *Search and seizure*: School property assigned to a student and a student's person or property while under the authority of the public schools are subject to search, and items found are subject to seizure, in accordance with the requirements below.
 - *Notice of search policy*. Students shall be given reasonable notice, through distribution of [written policies](#) or otherwise, of each school's policy on searches at the beginning of each school year or upon admission for students entering during the school year.



Emergency Drill Requirements

NMSA § 22-13-14 and NMAC

6.29.1.9(N) Emergency Drills Required

An emergency drill shall be conducted in each public and private school of the state: **(12 total)**

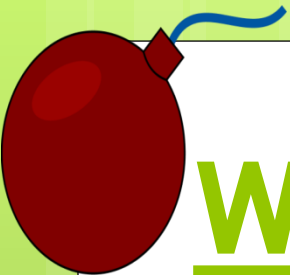
- ***At least 1X each week during first 4 weeks*** of the school year; and ***at least 1X each month thereafter*** until end of school year (13 total)
- **2 *Shelter-In-Place* Drills**
- **1 *Evacuation* Drill** (Off-site locations)
- The remainder shall be ***fire*** drills



School-Wide Discipline Policies

○ NMSA § 22-5-4.3A

District-wide student discipline policies shall be adopted by the school board, and filed with PED, in order to be enforceable.



Weapon-Free Schools

- o **22-5-4.7. Additional student discipline policies; weapon-free schools.**
- o A. In addition to other student discipline policies, each school district shall **adopt a policy providing for the expulsion from school, for a period of not less than one year, of any student who is determined to have knowingly brought a weapon to a school under the jurisdiction of the local board. The local school board or the superintendent of the school district may modify the expulsion requirement on a case-by-case basis.**
- o B. Student discipline policies shall also provide for placement in an alternative educational setting, for not more than forty-five days, of any student with a disability who is determined to have knowingly brought a weapon to a school under the jurisdiction of the local board. If a parent or guardian of the student requests a due process hearing, then the student shall remain in the alternative educational setting during the pendency of any proceeding, unless the parent or guardian and the school district agree otherwise.
- o C. For the purposes of this section, **"weapon" means:**
 - o (1) any firearm that is designed to, may readily be converted to or will expel a projectile by the action of an explosion; and
 - o (2) any destructive device that is an explosive or incendiary device, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter-ounce, mine or similar device.

How to create a Climate of Safety?

- 1. Do your schools have written policy/procedure for programs and incidents?*
- 2. Do you have a practice and protocols that all schools follow when circumstances present themselves?*
- 3. Are schools teaching cyber/bullying curriculum in grade schools?*
- 4. Is staff being trained to correctly assess the difference between - Bullying v. Teasing v. Peer Conflict v. Dating Violence?*
- 5. Does staff member behavior mirror curriculum taught? Is workplace bullying/harassment being addressed by administration?*



What else can you do?



- 1. Do you have a policy, procedure and practice for progressive discipline?**
- 2. Are victim-support programs in place?**
- 3. Do staff encourage student bystanders to safely help victims?**
- 4. Do you promote a culture where students will report concerns about other students to teachers/administration/campus security?**
- 5. When reports are made of bullying and harassment, are they investigated thoroughly? Are those investigations documented?**
- 6. Do school officials have positive working relationships with SROs or local law enforcement?**

Assessing Dangerous Behavior



Threat Assessment

- **Process of identifying, assessing, and managing individuals who might pose a risk of violence to an identified or identifiable target.**
- **Effective threat assessment can only occur within the larger context of school safety.**
- **Cultures and climates of safety, respect, and emotional support can help diminish the possibility of targeted violence in schools.**





Threat Assessment Teams

Multidisciplinary team convened to conduct a fact-based investigation to determine how likely the person is to carry out a threat/act of violence.

T/A Team should consist of:

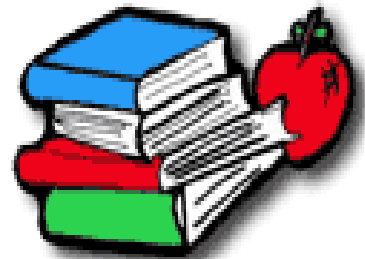
School administrator, LE/SRO or P/O, School Security, Mental health professional, School Guidance Counselor, Teachers, School Nurse, District Media PIO, Other contributing persons

Ways to minimize risk

- Create cultures and climates of safety, respect, and emotional support.
- Use policies, procedures and protocols, in conjunction with a threat assessment team, to determine level of risk and next steps.
- Improving access to mental health services – in school and within community.
- Social/emotional learning programs in schools.
- Teaching problem-solving and conflict-resolution skills before the high school years.
- Improved staff training in Threat Assessment and emergency response.



Arming School Administrators and Teachers



- Hot topic in light of continued school shootings- not advisable.
- Most educators prefer to be armed with books and knowledge.
- Allowing administrators and teachers to be armed is essentially deploying those school employees in a public safety capacity to protect the masses.
- Violates state law, unless educator certified as "School Security Personnel."
 - Check with NMPSIA. May not provide coverage.
- Assumes that by arming educators they can provide protective services.
- Packing is not protecting.

New Mexico Law related to carrying weapons on School Premises



N.M. Stat. Ann. § 30-7-2.1 (1994).

- A. Unlawful carrying of a deadly weapon on school premises consists of carrying a deadly weapon on school premises **except by:**
- (1) a peace officer;
- (2) **school security personnel;**
- (3) a student, instructor or other school-authorized personnel engaged in army, navy, marine corps or air force reserve officer training corps programs or state-authorized hunter safety training instruction;
- (4) a person conducting or participating in a school-approved program, class or other activity involving the carrying of a deadly weapon; or
- (5) a person older than nineteen years of age on school premises in a private automobile or other private means of conveyance, for lawful protection of the person's or another's person or property.

New Mexico Law related to carrying weapons on School Premises

N.M. Stat. Ann. § 30-7-2.1 (1994) continued

- B. As used in this section, “school premises” means:
 - (1) the buildings and grounds, including playgrounds, playing fields and parking areas and any school bus of any public elementary, secondary, junior high or high school in or on which school or school-related activities are being operated under the supervision of a local school board; or
 - (2) any other public buildings or grounds, including playing fields and parking areas that are not public school property, in or on which public school-related and sanctioned activities are being performed.
- C. Whoever commits unlawful carrying of a deadly weapon on school premises is **guilty of a fourth degree felony.**

Firearms not allowed on school property, except in limited circumstances.

- Further, school board can prohibit the carrying of guns in cars by students (over the age of 19), faculty and staff.
- N.M. Stat. Ann. § 29-19-8(B) (2003) “Nothing in the Concealed Handgun Carry Act shall be construed as allowing a licensee in possession of a valid concealed handgun license to carry a concealed handgun on school premises, as provided in Section 30-7-2.1 NMSA 1978.”



NMPSIA Regs.

○ **6.50.17.8 POLICY ON USE OF SCHOOL FACILITIES BY PRIVATE PERSONS:**

- **G.** In addition to the safety rules included in the site use agreement, any user of school or school district facilities must agree to the following liability and risk related rules.
- **(1)** The use of alcohol, illegal drugs and tobacco are prohibited on all school property at all times.
- **(2)** Guns are not permitted on school property except for those in the possession of authorized law enforcement personnel.

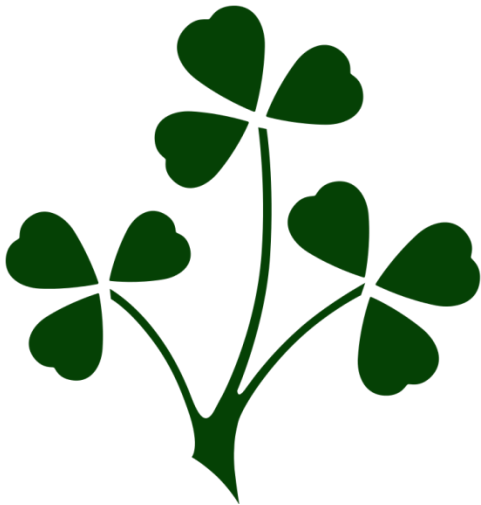
Private Property Owners

- NMSA 1978 § 29-19-12 allows the property owner to post signs prohibiting firearms on the property and/or to inform individuals directly that firearms may not be carried on the property.



Questions? Contact Us.

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Happy St. Patrick's Day

*May your blessings outnumber
The Shamrocks that grow.
And may trouble avoid you
Wherever you go.*