

# Understanding House Bill 128, Related Loss Prevention Programs, and How Board Members Can Make a Difference

# Understanding House Bill 128

## How Board Members Can Make a Difference

Presented by:  
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NMPSIA General Counsel

# What Is Important to Your Constituents?

## 1. Accountability

- Transparent decisions and clear communication.
- Consistent enforcement of policies.
- Measurable performance standards for administrators and programs.

## 2. Student Safety

- Protecting students from predators, grooming, and inappropriate contact.
- Secure campuses through proper supervision.
- Effective anti-bullying measures and safe facilities.

## What Is A School Board's Role to Ensure Student Safety?

- Establishing safety policies for campuses, staff conduct, reporting procedures, emergency response, and student protection.
- Ensuring compliance with federal and state laws, including mandatory reporting, background checks, and child-protection requirements.
- Approving and overseeing safety plans, including emergency preparedness, lockdown procedures, visitor protocols, transportation safety, and facility security.
- Setting expectations for school administrators, who implement safety measures and enforce rules consistently.
- Promoting a culture of safe conduct, including bullying prevention, anti-harassment policies, and protections against grooming or predatory behavior.

# Using the Superintendent's Annual Review to Ensure Safety is Paramount

## 1. Establish Clear Safety Metrics

- Identify specific, measurable indicators: incident reporting accuracy, response times, compliance with safety protocols, training completion rates, and campus audit results.
- Require annual goals tied to reducing safety incidents and improving prevention measures.

## 2. Require Annual Safety Reports

- Direct the Superintendent to submit a comprehensive safety report each year, including data on discipline, bullying, threats, emergency drills, facility safety, and staff training.
- Assess whether staff have received the required safety, reporting, and emergency training, including Vector training and Understanding of Policy.

## 3. Review Compliance With Laws & Policies

- Confirm the Superintendent has ensured compliance with mandatory reporting laws, background checks, child-protection requirements, and emergency-preparedness mandates.
- Evaluate whether District policies on student protection, harassment, grooming prevention, and staff conduct are being consistently implemented.
- Confirm Principals understand and appreciate standards

# Using the Superintendent's Annual Review to Ensure Safety is Paramount

## 4. Examine Campus Security Measures

- Review progress on physical safety upgrades such as secure entrances, visitor management systems, camera coverage, and facility maintenance.
- Check that each school's emergency and supervision plans are current and tested.

## 5. Include Student and Staff Feedback

- Incorporate climate surveys measuring perceptions of safety, bullying, trust in reporting, and sense of protection on campus.
- Require the Superintendent to respond to findings with action plans.

## 6. Tie Safety Performance to Contractual Expectations

- Clearly state that meeting safety benchmarks is a required component of contract renewal or compensation adjustments.
- Ensure accountability by documenting all expectations in the evaluation instrument.

## Do Not Micromanage but Set Clear Expectations

- Set clear student-safety goals and measurable performance metrics for the Superintendent.
- Hold the Superintendent accountable for achieving those goals while respecting administrative boundaries.

# Mistakes Made and Lessons Learned in School Litigation

- Summary of Negligence and Civil Rights Claims Against Schools
- Importance of Evidence Preservation
- Employment Litigation Traps
- Importance of School Contacts for Litigation Matters
- Consequences of Board Member Involvement in Administrative Matters

# Loss Prevention Programs Available to NMPSIA Members

Presented by:  
Julie Garcia, Regional Director  
Poms and Associates

**It is estimated that 1 in 5 girls and 1 in 8 boys are victims of sexual abuse.**

**Only 6% of abused children will report the abuse.**

## NMPSIA through Poms and Associates provides:

### Review of current policies and procedures (available on Demand)

#### Hiring Process:

- ❖ Are you asking the correct questions on your application? (three essential questions).

**We can provide a template application that meets initial screening requirements**

- ❖ Are you asking for reference checks from all past employers in which the applicant had unsupervised access to children?

**We can provide a template for sending questions to former employers**

## Review of Current Policies and Procedures

Review process for engaging volunteers

**We can provide a sample application or provide an affidavit for all volunteers**

Review of Contractors and Contractor vetting

**We can recommend best practice procedures**

Discuss the criteria used for “unsupervised access to children.”

- When?
- Where?
- How often?

**We can recommend helpful procedures**

## Employee Handbooks and Board Policies

- ❖ Are the Employee Handbooks up to date?

  - Current duty to report language

  - Report to the Superintendent if a school employee is involved

  - We will provide language to insert**

- ❖ Are your Board Policies up to date?

  - Policy on Ethical Misconduct

  - We will provide you with the appropriate NMSBA policy to insert.**

# Poms and Associates is Uniquely Aware of the Needs of Large and Small Districts

- ❖ **We have worked through many structures and policies.**
- ❖ **We are here to help you be creative, including drafting any document that you may need.**

## Training and Reporting

**NMPSIA has purchased the following for all Members:**

### **Vector Solutions:**

Child Sexual Abuse Program training series for school employees, grooming, and the duty to report.

### **STOPit Anonymous Reporting System:**

Gives you an alert of information shared by your students and parents - SO YOU HAVE AN OPPORTUNITY TO RESPOND

# Training and Reporting

In-person training provided by Poms and Associates through NMPSIA

## ❖ **Training for Staff**

- Identifying a Predator
- Boundaries
- Duty to Report

## ❖ **Training for Administration**

- Threat Assessment Comprehensive School Threat Assessment Guidance (CSTAG)
- General Investigation Tips: Do's and Don'ts

# Training and Reporting

## For Students and Parents

- Healthy Relationships
  - Family dynamics, friendships, romantic relationships
- Unhealthy Relationships
  - Recognizing red flags
- Sexting
- Sextortion
- Digital Citizenship
- Identifying Healthy Boundaries
- Identifying Grooming Behavior

## The training list is extensive

Poms and NMPSIA are concerned about your safety  
and the safety of your students

**WE ARE HERE TO HELP**

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## Email us

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