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FISCAL IMPACT REPORT

ORIGINAL DATE 2/01/19
 LAST UPDATED 3/02/19

SPONSOR SPAC HB _____

SHORT TITLE School Safety Drill Requirements SB 147/SPACS/aHEC

ANALYST Hawker

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY19	FY20	FY21	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	NFI				NFI	NFI

(Parenthesis () Indicate Expenditure Decreases)

Relates to HB 129

SOURCES OF INFORMATION

LFC Files

SUMMARY

Synopsis of HEC Amendment

The House Education Committee Amendment for the Senate Public Affairs Committee Substitute for Senate Bill 147 stipulates each school, during the first four weeks of school shall conduct one “shelter in place drill that includes preparation to respond to an” active shooter.

Prior to the amendment, the bill stated each school was to conduct an “active shooter drill” within the first four weeks of school.

Synopsis of Original Bill

The Senate Public Affairs Committee Substitute for Senate Bill 147 amends Section 22-13-14 NMSA 1978, public and private school must:

- During the first four weeks of the school year, each school shall conduct one active shooter drill, one evacuation drill and two fire drills.
- After the first four weeks, for the remainder of the school year, each school shall conduct a least four more emergency drills, at least two of which shall be fire drills.
- the requirement for public and private schools to conduct monthly emergency drills throughout the school year after the first four weeks of the school year is stricken.

FISCAL IMPLICATIONS

The Senate Affairs Committee Substitute for Senate Bill 147 would have an initial minimal fiscal impact on PED as it initiates the rulemaking process to amend New Mexico Administrative Code. The PED Safe Schools Program Coordinator will need to collaborate with the State Fire Marshal's Office, the New Mexico Department of Public Safety and other experts to identify approved trainings for "active shooter response". These costs could be covered by PED's current operating budget.

SIGNIFICANT ISSUES

According to PED, no child has died in a school structure fire since 1958. Since the 1960's, states have enacted laws governing better school construction and have implemented requirements for school fire drills. Since 2016 the PED has required school staff receive training on how to respond to active shooter situations.

The LFC Hearing Brief *Preventative and Responsive Interventions for School Shootings, March 22, 2018*, recommends:

For those planning and designing new schools:

- Work to involve law enforcement and other emergency responders in the planning process so that law enforcement has sufficient signage on separate buildings to identify incident locations and medical responders have sufficient entry points for ambulances.
- The Public School Facilities Authority should include security systems as a component of the statewide adequacy standards and advise school districts on passive building design strategies to improve school safety.
- The Public School Facilities Authority should provide guidance to architects and construction-related personnel about best practices for safe building designs.
- The Public School Capital Outlay Council should consider prioritizing funding for projects to improve emergency notification, communication, and secure building access. The council should also consider using the capital outlay funding for other one-time costs such as training for schools' law-enforcement, behavioral health providers, and architects.

For schools:

- Ensure law enforcement has access to school buildings, floor plans, and security cameras so law enforcement can fully assess the situation and provide all appropriate personnel more quickly.
- Schools should continue to work with NMPSIA and APS risk services providers to manage and plan for risk across the full spectrum of threats and hazards they face for a given facility or location. These services along with a wide variety of safety, security, and human resource trainings are available at no cost to schools.

For law enforcement:

- Ensure access to school buildings, floor plans, and security cameras so law enforcement can fully assess the situation and provide all appropriate personnel more quickly.

For the Public Education Department:

- Consider streamlining the safe schools toolkit to make it more accessible.

- The Public Education Department should consider collecting data on school bullying, discipline, and other measures of student well-being.
- The Public Safety, Health, Public Education, and Human Services Departments, and federal agencies should develop a cross-agency early warning system to identify students who pose a potential threat to themselves and others to apply appropriate supports or interventions.

The National Fire Protection Association recommends a fire drills be held at least once a month while school is in session as a national best practice.

ADMINISTRATIVE IMPLICATIONS

SB147/SPACS will have short- and long- term administrative impacts on the PED, in that PED may be required to: (1) define appropriate active shooter response drills for schools; (2) develop and/or approve a training curriculum or materials, as well as potentially be required to develop an oversight process ensuring local education agencies (LEA) adhere to the additional training and other requirements; and (3) promulgate revised NMAC rules. PED would need to determine which other state agency(ies) to collaborate with on the development and implementation of appropriate active shooter response drills for the schools.

The bill requires the administrative services of existing Full Time Equivalent (FTEs) for the promulgation of rules, research of evidenced based practices, collaborating with other state agencies, and approving of appropriate training curricula on active shooter response.

RELATIONSHIP

HB129 amends Section 30-7-2.1 NMSA 1978 to allow retired peace officers, contract security officers, and school security personnel carry deadly weapons on school premises.

TECHNICAL ISSUES

Line 25 “During the first four weeks of the school year” duplicates “during the first four weeks of the school year in line 20.

VKH/sb