

Policy Brief

Fostering Comprehensive School Safety

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As the LESC and the broader Legislature explore ways to improve school safety in our state, it is essential these efforts are designed to enable school districts and charter schools to establish a safety philosophy and action plan that are responsive to their unique context.

With school safety, education decisionmakers at the state level are asked to navigate a complex landscape and strike a difficult balance between physical security and more preventative measures prioritizing mental health and emotional supports.

State funding and technical assistance are vital components of an effective school safety approach. But once these supports are provided to schools, their effectiveness is determined both by the people charged with implementing safety initiatives and the school community they serve.

The Legislature's role in school safety is primarily one of financial support and expectation-setting. Establishing a multi-faceted school safety approach that balances physical security with student wellbeing and emotional support requires significant financial investments, especially in the early stages, often beyond the existing capacity of districts and charter schools.

Additionally, the state has an important role to play in protecting the rights of students to bring their authentic selves into educational settings. For a school to truly be a safe, welcoming place, all students must be able to honor their culture and heritage without discrimination.

This second and final installment of the LESC school safety report offers concrete policy and budget recommendations to promote safe, inclusive school environments, while also ensuring schools have the financial resources to make needed investments in a variety of safety measures.

Policy Options to Support School Safety

The first installment of LESC's school safety [report](#) illustrated the challenges and threats facing New Mexico schools. In the intervening months between the two segments of this report, LESC staff conducted interviews, site visits, and additional research to assess school safety needs and offer a set of policy and budget recommendations to further support districts and charters in keeping students safe.

Behavioral Health Funding

Ensuring students feel supported, safe, and included in school is a vital part of school safety as well as a key component of academic success. [Research](#) shows that young people who enjoy mental wellness, in other words students who have positive regard for themselves and have positive relationships with those important to them,

Key Takeaways

- The Legislature's role in school safety is primarily one of financial support and expectation-setting (*Page 1*).
- The Legislature should consider appropriating \$5 million in behavioral health funding in FY26 (*Page 3*).
- The Legislature should consider appropriating \$50 million for safety and security funding in FY26, sourced from the public school capital outlay fund (*Page 4*).
- The Legislature should also consider allowing capital outlay dollars to be used for the purchasing of furniture and other infrastructure needs to support the operation of student wellness and behavioral health support spaces in school buildings (*Page 4*).
- The Legislature should consider amending the Public School Code to include language protecting tribally-enrolled students' right to wear traditional tribal regalia and culturally significant items at school ceremonies (*Page 6*).

are generally resilient when faced with challenges at school or at home. When schools commit to promoting student mental wellness, the entire school community [benefits](#).

One way for schools to promote student mental wellness is through the use of wellness spaces. These spaces are for students to calm down and destress. The idea is to provide students with a calming place to go for stretches of 10 to 15 minutes based on a teacher's referral or by request. In 2022, the Legislature passed [House Memorial 43](#), School Mental Wellness Spaces, which established a task force to develop a plan for mental wellness spaces in public schools.

School Use of Restraint and Seclusion

Schools' use of restraint and seclusion as disciplinary practices has garnered increased attention as a school safety issue in the last 15 years; allegations of abuse in school settings have increased from advocates and families of students with disabilities, both in New Mexico and nationally. [Data](#) from the federal Office of Civil Rights illustrates students with disabilities experience restraint and seclusion at higher rates than their general education peers; while students with disabilities only comprised 17 percent of students in the 2020-2021 school year, they comprised 58 percent of restraint and seclusion incidents.

The U.S. Department of Education (ED) [reports](#) there is no evidence that restraint or seclusion is effective in reducing the occurrence of problem behaviors that frequently precipitate the use of such techniques, and less restrictive techniques and de-escalation practices should always be prioritized.

In the absence of federal legislation addressing the use of restraint and seclusion in schools, the majority of states (29) have passed laws to provide meaningful protections against restraint and seclusion for all students and provide guardrails to keep students and staff safe. Improper use of restraints and seclusion can have lasting and damaging effects on students, teachers, and school staff.

State law governing restraint and seclusion—as well as rules laid out in administrative code—apply to all students, not just those with disabilities. Since 2017, there have been bills proposed almost annually to amend state law regarding restraint and seclusion. Federal guidance stresses that restraint and seclusion should be used only when there is a threat of imminent danger of serious physical harm to the student or others and should occur in a manner that protects the safety of all children and adults at school.

In the 2023 legislative session, Senate Memorial 68 (SM68) proposed to create a working group to review the use of restraint and seclusion in New Mexico public schools and to issue a report with findings and recommendations for consideration by LESC. Staff are drafting a bill to align state law with the working group [report](#), ED [guidance](#), and feedback from LESC members based on a [brief](#) and presentation to LESC in July 2024.

The bill focuses on clearly defining restraints and seclusion. Defining what is restraint or seclusion, what is not, and what actions are allowed will provide the necessary guidance schools need to take decisive action in dangerous situations and avoid the harmful effects of improper use of restraints and seclusion. There was broad consensus among members of the working group established by SM68 that clearer definitions were needed to keep all students and staff safe. For example, some school staff explained that lack of clarity in definitions fostered a culture of fear at schools and made staff afraid to touch students, even to intervene in fights or prevent a student from running away.

In addition, schools need guidance and support to train designated school staff on less restrictive intervention and proper restraint techniques. Training on less restrictive interventions, such as positive behavior interventions and de-escalation, as well as hypothetical situations for triaging use of less restrictive interventions, will help reduce the use of restraints. Practice sessions on restraint techniques, as well as restraint techniques in proportion to the student's age of physical condition, will help keep students and staff safe. Finally, ensuring monitoring, documenting, and reporting when restraint is used is essential, and training is needed to ensure this starts happening consistently in New Mexico public schools.

The proposal to amend current state statute, Section 22-5-4.12 NMSA 1978, Use of Restraint and Seclusion; Techniques; Requirements; will be presented to the committee for potential endorsement at the December 2024 meeting in Santa Fe.

LESC and PED staff, in addition to other stakeholders, met during the 2022 interim to develop a comprehensive plan to provide mental health spaces in public schools, gather data and information from other states that have created mental wellness spaces to determine their efficacy, and develop standards for wellness spaces and their uses. In FY24, the Legislature appropriated \$200 thousand to PED to pilot wellness spaces in public and charter schools. In FY25, wellness spaces received another \$200 thousand appropriation through a transfer from the opioid crisis recovery fund.

PED's [Office of Safe and Healthy Schools](#) focuses on the interconnectedness of behavioral health and school safety to provide holistic supports for students with goals of reducing exclusionary practices and improving attendance. The Office of Safe and Healthy Schools reports they are focused on ways to increase behavioral health supports in schools despite the lack of trained and available personnel, echoing what LESL staff heard from school staff on school safety site visits. The Office is interested in creating a behavioral health liaisons peer-to-peer network to help school staff triage lower levels of support to address student needs—for example in social emotional learning (SEL)—that don't need to be addressed by a licensed social worker. In addition, the Office of Safe and Healthy Schools wants to develop and implement new SEL standards, integrated with health standards, and aligned with an SEL framework.

The Office also noted that it provides the Panorama wellbeing assessment for schools that opt-in and have seen more school districts and charter schools participate as other schools recognize the effectiveness of the Panorama assessment. Finally, the Office of Safe and Healthy Schools wants to strengthen its multipronged approach to supporting schools in adopting restorative practices, ensuring multiple onramps for schools, from short introductory sessions on what restorative practices look like to multi-tiered multi-day trainings, depending on school interest and capacity.

LESL has included \$5 million to support behavioral health in its preliminary FY26 budget considerations. PED could use this funding to support more schools in the development of school wellness spaces, as well as to support the myriad initiatives the Office of Safe and Healthy Schools plans to implement in the 2025-2026 school year to support student wellness and success. To support initiatives by school districts and charter schools to better care for students' emotional and mental wellbeing, the Legislature should consider appropriating \$5 million in behavioral health funding in FY26.

Capital Outlay Dollars for Safety and Security

Efforts to assess the security needs of schools in New Mexico have revealed an ongoing and critical demand for security funding. Contrary to assumptions schools need high-tech solutions like smart cameras or facial recognition software, many schools report a pressing need for simpler, foundational items like security fencing and reliable radio communication devices.

Importantly, school radios — a crucial tool for staff and school resource officers — can have a price tag of \$8,000 apiece, making these financially burdensome for schools with limited budgets. Reliable communication is essential for handling emergencies. The layout and infrastructure of a school building can further complicate communication, highlighting the need for signal repeaters and amplifiers alongside radios.

Each school faces unique challenges and requires tailored solutions. LESL staff's outreach found schools desire items such as bulletproof window coatings, security systems, and emergency response infrastructure, alongside the more straightforward needs like fencing and radios. These findings do not encompass all needs, as individual schools may require additional advanced security options, fire and emergency systems, and crisis alert devices.

In response to the growing demand, the New Mexico Legislature passed House Bill 505 (HB505) in the 2023 legislative session, allocating \$35 million from the public school capital outlay fund (PSCOF) to support security infrastructure in public schools. Schools have used these funds for a range of security items, including access control systems, consultation services, fencing, security lighting, and even gunshot detection technology. Although the HB505 allocation offered significant assistance to schools, the need for additional funding remains, as the \$35 million allocation has been completely distributed. Based on insights from PSFA staff who administered the HB505 funds, an allocation of \$50 million would meet ongoing demand for flexible security funding. LESL staff, based on its analysis and interactions with school leaders, anticipates a need for sustained support into the foreseeable future.

LESL and PSFA staff are exploring distribution guidelines that would maximize the efficient, equitable allocation of funds, enabling schools to better meet their diverse safety needs. The ideal distribution method would seek

A Safety Tool Available to All New Mexico Schools

The New Mexico Public Schools Insurance Authority (NMPSIA) has contracted STOPit Solutions to provide public and charter schools under NMPSIA coverage with access to the company's Anonymous Reporting Software (ARS) at no additional cost. This platform allows students and staff to anonymously report safety, misconduct, or other concerns through a mobile app, web interface, or hotline. School leadership can monitor and respond to reports in real-time using STOPit's "2-Way Messenger" tool.

STOPit's services include an around-the-clock Incident Response Center (IRC), staffed by specialists who continuously monitor incidents and escalate life-threatening situations to local authorities when necessary. The platform also features a nationwide crisis text line, where trained counselors respond to individuals in crisis. In addition, the Social and Emotional Learning (SEL) & Wellness Learning Center provides an online curriculum on SEL, safety, and trauma-informed care, with content for grades five through eight and nine through 12 aligned with standards from the Collaborative for Academic, Social, and Emotional Learning (CASEL), a nonprofit, nonpartisan organization focused on implementing evidence-based social emotional learning in education.

Support options include Out-of-Hours Incident Management, in which certified specialists review and address incidents during weekends, holidays, and non-business hours. The 24-Hour Vetting service provides districts with incident review within the first 24 hours, reducing the need for immediate district administrator response.

STOPit offers onboarding for program administrators, along with training for students and adults on recognizing safety, misconduct, and compliance concerns, as well as using the STOPit Anonymous Reporting System. This support is facilitated through account management, training, and customer success teams. During onboarding, school administrators have the option to customize how incidents are categorized. Incidents can be classified as life-threatening or non-life-threatening, enabling administrators to prioritize their response actions effectively.

According to data provided by STOPit Solutions, 36 school districts and 11 charter and community schools have been onboarded, providing 119.5 thousand students access to the STOPit services. The app has been downloaded and activated 20.5 thousand times, resulting in 5,782 reported incidents. Additionally, STOPit Messenger has received 11.2 thousand notifications, and there have been 1,633 interventions via the crisis text line, along with 371 requests for help. Notably, 89 percent of incidents have been reported through the mobile app, while nearly 11 percent were submitted via the website.

to incorporate lessons learned from the administration of the HB505 funds and establish provisions that include charter schools located in publicly owned facilities.

It is important to recognize not every school will need or want physical security upgrades. In several conversations between LESC staff and local education officials, the need for flexible funding was a recurring theme. While physical security measures may be the priority for some districts and charter schools, other schools may instead be interested in making capital investments to support restorative practices. In particular, the renovation and furnishing of spaces to support student wellbeing, behavioral health, and mental wellness, could be a desired use for these dollars.

The Legislature should consider appropriating \$50 million for safety and security funding in FY26 from the PSCOF. To ensure capital outlay funding for school safety is responsive to diverse needs at the local level, the Legislature should also consider allowing capital outlay dollars to be used for the purchasing of furniture and other infrastructure needs to support the operation of student wellness and behavioral health support spaces in school buildings.

Protecting Cultural Identity Supports Safer Schools

When schools address cultural- and racial-based expressions within their safety protocols, they help reduce incidents of discrimination and harassment. Fostering an atmosphere where all students feel safe to express their identities without fear of punitive actions or marginalization is integral to their psychological wellbeing and sense of belonging. Policies that protect cultural and racial expressions, such as traditional hairstyles and cultural headdresses, reinforce an inclusive environment that respects and validates students' diverse backgrounds.

In 2019, Congress passed the [Create a Respectful and Open World for Natural Hair \(CROWN\) Act](#) to prevent workplace and school discrimination based on hairstyles linked to racial identity. This law extends legal protections to natural hair textures and protective styles like braids, locs, twists, and knots. Under the act, “natural hair” refers to hair in its unaltered kinky, curly, or coiled form, while a “protective hairstyle” is defined as one that shields hair ends from damage caused by sun, heat, and frequent styling. New Mexico is one of 27 states that adopted the CROWN Act to prohibit racial discrimination based on hairstyles. Additionally, 54 cities, including Albuquerque, have incorporated the act into their antidiscrimination laws.

In 2021, the New Mexico Legislature passed [Senate Bill 80 \(SB80\)](#), No School Discrimination for Hair, to address racial and cultural protections in educational settings. SB80 amended Public School statute ([Section 22-5-4.3 NMSA 1978](#), and [Section 22-8B-4 NMSA 1978](#)) prohibiting discipline, discrimination, or disparate treatment in schools based on race, cultural identity, and specific physical characteristics associated with cultural or racial heritage.



SB80 also amended the Human Rights Act ([Section 28-1-2 NMSA 1978](#)), to incorporate definitions of cultural headdresses, protective hairstyles, and race. These additions aimed to prevent racial or cultural bias in school discipline policies by codifying protections for students' personal appearance choices as expressions of cultural identity.

Recent headlines in New Mexico illustrate the discrimination students of color can face for expressing their racial or cultural identities through their attire. In 2018, [a teacher at Cibola High School](#) in Albuquerque cut a Native American girl's long hair and called another student by a racial slur. Most recently, a [Farmington High School](#) graduate was instructed to remove their cap, decorated with Native American beading and a plume, and upon its return, part of the plume had been cut. These incidents demonstrate a need to further safeguard students' rights to express cultural and racial identity without facing undue disciplinary actions or bias in educational settings.

Arizona's [House Bill 2705 \(HB2705\)](#) offers a model for how New Mexico can further protect students' right to cultural expression in educational contexts. While SB80 broadly ensures that students in New Mexico are not penalized for cultural attire in everyday school settings, Arizona's HB2705 specifically safeguards Arizona students' ability to wear traditional tribal regalia and culturally significant items at graduation ceremonies, highlighting a legislative trend towards honoring cultural identity in educational environments.

To further reinforce the state's commitment to culturally responsive schools, the Legislature should consider amending the Public School Code to include language protecting tribally-enrolled students' right to wear traditional tribal regalia and culturally significant items at school ceremonies.

Policy and Budget Recommendations

The policy and budget considerations outlined in this brief are intended to offer the Legislature substantive options to better support districts and charter schools in their varied school safety efforts while also solidifying the state's commitment to a culturally responsive education system.

Effective school safety approaches require a multidisciplinary, multifaceted response to the challenges facing students. Ultimately, comprehensive school safety schemes strike a balance between longer-term preventative efforts grounded in welcoming school culture, student belonging, and relationship-building, and the physical security measures designed to detect and mitigate potential threats.

To support school safety efforts throughout New Mexico, the Legislature should consider:

- Appropriating \$5 million in behavioral health funding in FY26;
- Amending statute to clarify definitions for restraint and seclusion, and require specific training for designated individuals to keep all students and staff safe;
- Appropriating \$50 million for safety and security funding in FY26, sourced from the PSCOF;
- Allowing capital outlay dollars to be used for the purchasing of furniture and other infrastructure needs to support the operation of student wellness and behavioral health support spaces in school buildings; and
- Amending the Public School Code to include language protecting tribally-enrolled students' right to wear traditional tribal regalia and culturally significant items at school ceremonies.