

1 SENATE BILL 441

2 **54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

3 INTRODUCED BY

4 George K. Munoz

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10 AN ACT

11 RELATING TO PUBLIC SCHOOLS; CREATING A DUTY TO REPORT; CREATING
12 DUTIES FOR THE PUBLIC EDUCATION DEPARTMENT.

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14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

15 SECTION 1. A new section of the Public School Code is
16 enacted to read:

17 "[NEW MATERIAL] SCHOOL SECURITY--SCHOOL DISTRICT DUTY TO
18 REPORT.--

19 A. A public school employee who receives or has
20 knowledge of a threat made by a student to commit an act of
21 violence on school property or at a school-sponsored event
22 shall immediately call local law enforcement and report the
23 threat. After reporting the threat to local law enforcement,
24 the school employee shall report the threat to the local
25 superintendent or head administrator. The head administrator

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1 of a charter school shall also report to the local
2 superintendent in the school district in which the charter
3 school is geographically located of a possible threat to the
4 charter school. The local superintendent shall then report the
5 threat immediately to the department.

6 B. The department shall create a report of every
7 threat made. The report shall include:

- 8 (1) the name of the student;
- 9 (2) the date and location of where the threat
10 was made;
- 11 (3) the details of the threat;
- 12 (4) who the reporting school employee was and
13 how the employee came to learn of the threat; and
- 14 (5) a copy of the local law enforcement agency
15 incident report.

16 C. The department shall retain the reports for five
17 years after the date of the report. Reports created by the
18 department, school district or school pursuant to this section
19 shall be treated as confidential and shall not be subject to
20 the Inspection of Public Records Act.

21 D. If the student transfers to a new public school
22 within the state, the department shall provide the new school
23 with a copy of the report of the student's history of
24 threatening school violence."