

Regulation EB-R

Las Cruces Public Schools

Related Entries: EB
Responsible Office: Associate Superintendent for Operations

Environmental and Safety Program

I. PURPOSE

The purpose of this regulation is to ensure that all Las Cruces Public Schools school buildings and grounds and facilities create a safe environment for students, parents, community members and staff.

II. DEFINITIONS

1. “ALICE” means ALERT, LOCKDOWN, INFORM, CCOUNTER, EVACUATE and is a set of proactive strategies that increase chances of survival during an active shooter/killer event.
2. “CPTED” means Crime Prevention Through Environmental Design and recognizes the important role that the design of the built environment can play in reducing the risk of criminal activity.
3. “Clear Text/Plain Language” means communication without the use of agency-specific codes or jargon; in other words, the use of plain English. For example, instead of calling a lockdown a “Code Red,” it is called a lockdown.
4. “Desk-top evacuation drill” means the mock removal of students, faculty and staff from the school campus. This is similar to a full evacuation drill except that under a desk-top evacuation drill, students, faculty, and staff are not removed from campus, but are sent to pre-determined areas on campus; whereas, removal from campus would occur if a full evacuation drill were being carried out.
5. “District property” means all property owned or under the direct control of the School District.
6. “Family Educational Rights and Privacy Act” (FERPA), means a Federal law which requires that schools, with certain exceptions, obtain a parent’s written consent prior to the disclosure of personally identifiable information from the child’s education records. However, schools may disclose appropriately designated “directory information” without written consent.
7. “Full evacuation drill” means the practiced evacuation of school buildings, including all campus areas, as though there were an actual fire, chemical exposure, bomb threat or other emergency, with the goal of a safe and orderly assembly of all evacuees at pre-determined locations.

8. *“Freeze” means* when the District uses K-9 sniffer dogs to conduct proactive sweeps of campuses for illegal substances and will use a Shelter-in-place response. A Freeze response will also mean when school administration, police, or security need to control large areas or rooms filled with students in order to find and escort students of suspected school rule violations.
9. *“Lockdown” means* to lock all school building entrance access doors and all interior doors in response to acts of violence, active shooter/killer, police response to felony incidents. Staff shall keep kids low out of sight, turn lights off, and be quiet. No visitors are allowed in or out during this drill. The goal is to lock out dangerous individuals trying to harm staff or students in buildings or classrooms.
10. *“Safety Data Sheets” (SDS) means* forms, which provide detailed information on health hazards, physical hazards, personal protective equipment, and proper emergency response measures associated with chemicals or materials used within a school or school district/department building. [Required by OSHA Globally Harmonized System for Hazard Communication]
11. *“National Incident Management System” (NIMS) means* a system mandated by the United States Homeland Security Department Presidential Directive 5 that provides a consistent nationwide approach for federal, state and local governments; the private-sector; and nongovernmental organizations to work effectively and efficiently together to prepare for, respond to, and recover from domestic safety and security incidents, regardless of their cause, size, or complexity.
12. *“Pesticide” means* any substance or mixture of substances intended for preventing, destroying, repelling or mitigating any pest.
13. *“Pest” means* any living organism injurious to other living organisms, except man, viruses, bacteria or other microorganisms in or on other living organisms other than plants, which is declared to be a pest pursuant to the Pesticide Control Act.
14. *“Public Playground Safety Handbook” means* the U.S. Consumer Product Safety Commission handbook on how to properly maintain public playground structures.
15. *“Safe Routes to School Program” means* a guide for the school community to plan, build and support infrastructure and enact educational programs in efforts to promote safe and accessible active commuting to school and create a healthier, safer, cleaner, and more livable community that links students, parents, schools and community members.
16. *“Shelter-in-place drill” means* the method of practicing to secure students, staff and visitors from a harmful threat whose origin is known or unknown. It means that exterior building doors are locked but instruction continues within the buildings. No visitors are allowed in or out during this drill.

17. *“Video surveillance” means* digital video, videotape, or any other tape, computer hard-drive, CD, disc, or other device or medium used to store information from a video surveillance system.
18. *“Video surveillance system” means* a closed-circuit television camera, video, physical, or other mechanical, electronic, or digital surveillance system or device that enables continuous or periodic video recording, observing, or monitoring of personal information about individuals in open, public spaces on school district property.

III. PROCESS

A. Safety Standards

1. Las Cruces Public Schools shall implement, enforce and update district-level and school-level safety plans that are in full compliance with federal, state, and local statutes, the New Mexico Administrative Code and other regulatory mandates that are designed to keep students and adults safe at school facilities.
2. The district’s Safety & Security Coordinator shall conduct or coordinate the required safety inspections necessary throughout the district. All schools/departments will conduct annual safety inspections as required under New Mexico State Statute 52-1-6.2.
3. Pursuant to NMAC, the district shall ensure that all buildings, facilities and grounds provide a safe and orderly environment for public use; i.e., that they shall be:
 - a. safe, healthy, orderly, clean and in good repair;
 - b. in compliance with the Americans with Disabilities Act-Part III and state fire marshal regulations, Sections 59A-52-1 through 59A-52-25 NMSA 1978.
4. The district will have a Preventative Maintenance Plan (PMP) maintained by the Physical Plant Department.
 - a. The PMP will guide the district in maintaining compliance with OSHA and State fire/safety codes.
5. School buildings and facilities shall utilize technology to assist in creating a safe environment by implementing the use of video surveillance cameras to monitor district properties, security patrols, and door access control measures.

6. The district will implement the Crime Prevention through Environmental Design (CPTED) to make improvements to school entrances, courtyards, access points, and other measures to make a school safer.

B. Safety Committee Structures

1. Each school principal and administrative department supervisor shall establish a safety committee that will facilitate a culture of safety for each site.
 - a. Each School Safety Committee shall minimally meet once a month and shall be chaired by the school principal/department director or his/her designee.
 - b. The principal/director shall appoint sufficient members to the committee to insure that all safety issues related to all operations of the school/department are considered; a cross-section of school staff is encouraged.
 - c. Building principals/supervisors shall designate a representative to attend meetings of the LCPS District Safety Committee.
2. The LCPS District Safety Committee shall meet not less than twice a year and shall be chaired by the LCPS Safety and Security Department Coordinator and shall be administratively supported by the LCPS Operations Division.
3. All School/District Safety Committees shall utilize the New Mexico Public Education Department (NMPED) Safety Plan template in developing a more site-specific safety plan.

C. Safety Committee Responsibilities

1. The School Safety Committee shall develop plans that will include, but are not limited to, prevention, intervention, policies and procedures, mitigation, emergency response, protection resources and recovery procedures.
2. The committees shall:
 - a. make recommendations to the Superintendent that will help reduce the frequency and/or severity of employee accidents;
 - b. address specific safety issues at the school and provide recommendations to the principal or his/her designee;

- c. periodically monitor the effectiveness of School District safety policies and recommend modifications to the Superintendent as deemed necessary;
 - d. forward minutes of its monthly meetings to the LCPS Safety and Security Department for review and appropriate follow-up on safety issues or initiatives.
3. The superintendent shall ensure that the District Safety Committee has a safety/crisis plan in place which will include, but not necessarily be limited to, prevention, intervention, policies and procedures, mitigation, emergency response, protection resources, and recovery procedures.
 - a. The School District's protocols for emergency response shall follow procedures as outlined through NIMS;
 - b. The District Safety Committee shall have a minimum of two members who serve on the District's Crisis Team; said Team will update the Crisis Notebook annually.
 4. The district shall provide the necessary emergency documents and/or emergency flipcharts to schools.

C. Safe Routes to School

1. The district will implement a Safe Routes to School (SRTS) program through the LCPS Department of Safety & Security.
2. The district Safety & Security Coordinator shall work cooperatively with SRTS staff and school staff to develop and initiate safe, age-appropriate activities for all grade levels, including but not limited to walking/biking to and from school. STRS will encourage schools to participate in annual, weekly, and daily walking/biking activities.
3. The SRTS program will periodically conduct student/parent surveys to assess the needs of the program.
4. The SRTS program shall coordinate efforts with local government and citizens through the SRTS coalition monthly meetings. The SRTS will also participate in the update of the City of Las Cruces Metropolitan Planning Organization Safe Routes to School Action Plan.
5. The SRTS staff/participants will request to be placed on school safety committee agendas and School Advisory Council agendas to inform others about SRTS, student pick-up and drop off, or any other safety issue related to traffic or pedestrians.

D. Playgrounds

1. The District will maintain and inspect playground equipment based on the U.S. Consumer Product Safety Commission Public Playground Safety Handbook. Staffs that supervise students on playgrounds shall be trained on playground safety and inspections as addressed in handbook.
2. Schools will develop and provide a list of playground rules to all students. School staff will assist with educating students on playground rules.
3. Staff will monitor students at all times while they are on the playground.
4. Safety tips on playground supervision will be included on the LCPS Safety & Security website.

IV. GUIDELINES

A. Training

1. All LCPS staff, new hires, and volunteers shall take the required Safe Schools web/online safety trainings, as directed through the Human Resources Department.
2. All Staff will be notified of the requirement to take the federal NIMS online, self-paced course:
<http://www.training.fema.gov/is/courseoverview.aspx?code=IS-700.a>
After being notified of the required training, each employee has three (3) months to complete the requirement.
3. All staff and students shall be trained on how to respond/manage an emergency, implement the safety plan, and how to create a safe environment. The District will utilize the ALICE response for Lockdown/acts of violence incidents. All staff shall ensure students are educated about emergency response, drills, and expectations during emergency incidents.
4. The district shall provide training to insure that employees are knowledgeable about all applicable U.S. Occupational Safety and Health Administration (OHS) and other federal, state, and local safety regulations pertaining to employees' assigned tasks.

B. Emergency Drills and Practiced Evacuations

1. Each school building principal and administrative building supervisor, or his/her designees, shall conduct all fire and emergency drills at each school building as required by state and federal statutes and District regulation.

2. Specific emergency drills shall be conducted by each school, each school year. These emergency drills shall consist of at least one (1) time per week during the first four (4) weeks of the school year and at least one (1) time per month during the remainder of the school year.
 - a. Nine (9) of these drills shall be fire drills, with one (1) fire drill required each week during the first four (4) weeks of school;
 - b. Two (2) of these drills shall be shelter-in-place drills;
 - c. Two (2) of these drills shall be lockdown drills;
 - d. One (1) of these drills shall be an evacuation drill or a desk-top evacuation drill.
3. Fire drills shall be initiated by the fire alarm panel or a pull station. In locations where a fire department is maintained, a member of the fire department shall be requested to be in attendance during the emergency drills for the purpose of giving instruction and constructive criticism.
4. All fire and emergency drills shall be documented by the Principal/Building Supervisor on the appropriate school district form.
 - a. Each individual school/department shall maintain a copy of the fire and emergency drills form completed after each drill; and within one month of conducting the drill, forward a copy (not original) of the drill form to the LCPS Safety and Security Department.
 - b. After a major safety and security incident, the school principal or department director or his/her designee shall debrief with the affected staff and shall document the debriefing.
 - c. Any lessons learned during a drill or incident shall result in appropriate changes to the school's or department's safety plan to facilitate a better response during future emergencies.
5. All LCPS administrative buildings shall also practice emergency drills each year.
6. District administrators shall use clear text/plain language to communicate the initiation of emergency response to staff, students, and visitors. The School District shall not use color codes to initiate a lockdown, evacuation, shelter-in-place, or any other type of needed response.

7. Failure or refusal to comply with the requirement to conduct mandated fire or emergency drills shall constitute grounds to suspend or revoke the administrative license of the person(s) responsible for compliance. The due process procedures under the Uniform Licensing Act shall apply. Failure to conduct required drills could result in disciplinary action.

C. Safety Inspections, Labs and Chemicals

1. It shall be the responsibility of the Principal to conduct yearly safety inspections of all school/department buildings, grounds, and playground sets. The Coordinator of the LCPS Safety and Security Department may be contacted as a resource for the completion of the inspections and reports.
2. Schools that have laboratories and shops must ensure safety of all equipment, infrastructure, and materials, including chemicals. The district will follow required OSHA safety guidelines for lab/shop areas and chemical storage.
3. The Principal shall work with the LCPS Safety & Security Department for the following:
 - a. ensure yearly inspections of all chemicals on site are conducted and maintain an inventory of the chemicals with all related safety data sheets;
 - b. ensure labs and shops are safe for conducting experiments and school projects, as established in written school safety procedures. Procedures include, but are not limited to:
 - i. personal protective equipment;
 - ii. adequate ventilation and electrical circuitry;
 - iii. safety data sheets;
 - iv. body and eye washes; and
 - v. training appropriate for each teaching situation;
 - c. ensure the maximum number of occupants in a laboratory or shop teaching space shall be based on the following:
 - i. the number of work stations;
 - ii. the building and fire safety codes;
 - iii. the design of the laboratory or shop teaching facility;
 - iv. appropriate supervision and the special needs of students; and
 - v. all applicable OSHA regulations.
 - d. Injuries will be investigated and preventative measures taken, as needed. Injuries will be documented on appropriate district

forms. Statements from staff and witnesses on the incident shall be provided to the appropriate supervisor/principal.

4. Copies of the yearly safety inspection report shall be forwarded to the coordinator of the LCPS Safety and Security Department and the director of the LCPS Physical Plant Department.
5. Safety Inspections and Safety related items are made available to administrative or safety committee staff on the Safety T Network drive.

A. Pest Management Plans

1. LCPS shall develop procedures for the implementation of pest management with consideration for reducing the possible impact of pesticide use of human health and the environment, including people with special sensitivities to pesticides. PPD staff and contractors shall follow the guidelines below.
2. No pesticide may be applied to public school property and no pest control device, as defined in the New Mexico Pesticide Control Act, may be used on public school property except those pesticides and devices currently registered for legal use in the state by the New Mexico Department of Agriculture.
3. No pesticide may be applied to public school property except by those persons certified in the applicable category and currently licensed by the New Mexico Department of Agriculture or by employees under their direct supervision.
4. Pesticides will only be applied in or on the outside of school buildings when a pest is present, and will not be applied on a regular or “calendar” basis unless it is to treat an infestation and is a part of a pest management system being implemented to address a particular target pest. A pest is considered to be present when it is observed directly or can reasonably be expected to be present based on finding evidence, such as droppings, body parts, or damage that is typically done by the pest. This section of the regulation does not apply to pre-construction termite treatments or the use of outdoor herbicides.
5. Pesticides that are applied in a liquid, aerosolized, or gaseous form through spraying, aerosol cans, bombs, fumigation or injections into the ground, foundation, or plants will not be applied on public school property when students, staff, or visitors are present or may reasonably be expected to be present within six (6) hours of the application. In emergency cases, where a pest infestation threatened the health and/or safety of the occupants of public school property, and which requires the immediate application of a pesticide to remediate, students, staff,

and other school occupants will be removed from the treatment area prior to the application. Small amounts of gel or liquid pesticides applied to cracks and crevices or baits used to treat pest infestation are exempt from this section.

6. At the beginning of each year, and when new students register, schools will develop a list of parents and guardians who wish to be notified prior to pesticide application during the school year. These parents/guardians will be notified in writing prior to pesticide application. General notification of anticipated pesticide applications will occur by posting or dissemination of notices, by oral communication or other means of communication. In emergency cases where a pest infestation threatens the health and/or safety of the occupants of public school property, no pre-notification is required. Immediately following the application of a pesticide in emergency cases, signs will be posted indicating an application was made.
7. Written records of pesticide application will be kept for three (3) years at the LCPS Physical Plant Department and be available upon request to parents, guardians, students, teachers, and staff.
8. If any part of this section is found to be in conflict with the provisions of the Pesticide Control Act, the remainder of the regulation will remain in full force and effect.

V. VIDEO SURVEILLANCE SYSTEMS

- A. Through the use of video surveillance systems (VSS), the district seeks to deter the destruction of district property and other conduct prohibited by law and district policies, as well as aid the investigation process when disciplinary infractions are reported.
- B. The Schools safety team/committee, principal, and his/her designee will be consulted on location and placement of VSS.
- C. The Safety and Security Coordinator will work cooperatively with the Technology Support Services Director on installation and implementation of VSS within the district.
- D. The VSS shall be designed and operated so as to primarily focus on oversight of school property and to minimize oversight and intrusion on non-school property and surrounding areas.
- E. The VSS shall monitor only those areas on School District property where individuals do not have a reasonable expectation of privacy. For example, video surveillance may monitor hallways, parking lots, and courtyards/plazas, and other areas or rooms as necessary, so long as this surveillance does not violate any existing bargaining contracts.

F. **Notification and Records**

1. Students and employees of the school district shall receive notice of this policy at the beginning of the school year or within fifteen (15) days upon enrolling in or gaining employment with the school district in the LCPS employee and student handbooks. Reception of the handbook shall constitute adequate notice to students, their parents, and school district employees that the school district uses a VSS to monitor activity and school district property.
2. Each school district campus that uses a VSS shall post signs in public areas explaining that video surveillance devices are used on the premises to monitor activity and school district property. These postings shall constitute adequate notice to all individuals who enter onto school district property.
3. The information collected and recorded by the VSS shall be used by the School District to maintain a safe and secure educational environment, and may be used for law enforcement and disciplinary action, as appropriate.

G. **Maintenance and Viewing of Recorded Information**

1. The LCPS surveillance systems are not intended to be monitored by staff.
2. Each School District campus shall maintain its VSS in a locked, secure/covert location, accessible only to the Safety and Security Department Coordinator, Technology Support Services staff and the school's principal or his/her designee.
3. The Safety and Security Department Coordinator, Technology Support Services staff, principal, or his/her designee may arrange to have videos collected by the VSS to be placed on a CD/jump drive for the purposes of investigation and referral to law enforcement officers or for student disciplinary action. The principal, with the approval of the LCPS Communications Director, also may authorize the disclosure of video records to individuals based on a court order, search warrant, request by law enforcement and/or the District Attorney's Office, or by other requests produced through the NM Inspection of Public Records Act. Any disclosure shall not violate a student's rights as protected by FERPA.
4. With regard to access for personal information, the information recorded by the VSS will be disclosed only in compliance for FERPA, the NM Inspection of Public Records Act, and any other applicable state law.

H. Retention of Recorded Information

1. All data downloaded, copied, and/or saved from the VSS shall be stored securely in a locked container, such as a cabinet, closet, or safe, located at the school or in the Safety and Security Coordinator's office and under the control of the Safety and Security Coordinator, principal, or his/her designee.
2. All data that has been saved, copied, and/or downloaded onto a CD or other medium must be dated and labeled with the name of the school where the data was recorded. The data can also be saved on local computers that are secured as stated above.
3. A written incident report or a synergy entry shall be kept of all access to and use of CDs, video storage devices, or other media on which data is saved, copied, and/or downloaded. The written incident report or a synergy entry shall include the date and time of viewing and the name(s) and signatures of person(s) to whom the material is disclosed. The written incident report or a synergy entry shall also include the date on which the information is destroyed.
4. Any downloaded, copied, and/or saved information that has been disclosed for investigative, disciplinary, safety, or law enforcement purposes shall be retained for five (5) years after last entry, or two (2) years after last attendance from the date of disclosure, or until the date of the resolution of the incident, whichever comes later.
5. Other information normally maintained on the VSS shall be retained for a minimum of thirty (30) days from the date of recording, where the VSS system is capable of such recording.
6. After the retention period for saved, downloaded, and/or copied information has expired, the information contained on CD or other medium shall be disposed of in a manner that prevents the retrieval or reconstruction of the information contained thereon. Shredding or magnetically erasing the recorded information are examples of acceptable methods of disposal.
7. After the information is destroyed, the date of disposal shall be recorded on the written incident report or a Synergy entry pursuant to Section H.

IV. REVIEW

This Regulation shall be reviewed on an ongoing basis in accordance with the Board of Education policy review process.

Terry S. Dean

Terry Dean
Chief Financial Officer / Chief Operations Officer

Nov. 5, 2015

Date Approved

History: *New Regulation, 11.05.15*

Legal Reference: *NMAC 6.30.2.7&10, NMAC 21.17.50, NMAC 21.17.56, NMAC 6.29.1.9, NMAC 6.12.6.8, NMAC 1.20.2.9, & Pesticide Control Act Chapter 74, Article 4.*