

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current and previously issued FIRs are available on the NM Legislative Website (www.nmlegis.gov) and may also be obtained from the LFC in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

ORIGINAL DATE 02/14/14
 SPONSOR Jeff LAST UPDATED 02/18/14 HB 325
 SHORT TITLE School Security Systems SB _____
 ANALYST Gudgel

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

Estimated Revenue	Recurring or Nonrecurring	Fund Affected
FY15 to FY17		
\$3,000.0	Recurring	Public School Capital Outlay Fund – Security Systems Initiative
(\$3,000.0)	Recurring	Public School Capital Outlay Fund – Existing Programs

(Parenthesis () Indicate Revenue Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Public Education Department (PED)
 Public School Facilities Authority (PSFA)
 Regulation and Licensing Department (RLD)

SUMMARY

Synopsis of Bill

House Bill 325 creates two new section of the Public School Capital Outlay Act that requires each school district and charter school to establish and implement a security system and establishes a process for school districts and charter schools to apply for funds from the Public School Capital Outlay Fund (PSCOF) to finance these systems. The bill earmarks up to \$3 million of the PSCOF to be expended between FY15 and FY17 to establish and implement security systems. Any grant made for a security system would need to be expended within two years of the grant. The bill has an emergency clause.

FISCAL IMPLICATIONS

The bill does not make an appropriation; however it allows the Public School Capital Outlay Council (PSCOC) to expend up to \$3 million of the Public School Capital Outlay Fund to make award to schools to establish and implement security systems in fiscal years 2015 through 2017. Allowing the use of funds for building systems will decrease the amount of funds available annually for standards-based projects.

The Legislature is also considering using the Public School Capital Outlay Fund for the purchase of school buses and education technology, building prekindergarten classrooms, and funding a building systems initiative and education technology deficiency correction initiative. **The Legislature should consider these issues simultaneously and analyze the merits of each use to ensure the state will continue to meet its constitutional obligations under the Zuni court decree.**

The Legislature is also considering using the Public School Capital Outlay Fund for the purchase of school buses, building prekindergarten classrooms, a building system initiative, and education technology. The Legislature should consider these issues simultaneously and analyze the merits of each use to ensure the state will continue to meet its constitutional obligations under the Zuni court decree.

The Public School Capital Outlay Fund (PSCOF) is the source of funding for the standards-based capital outlay program for public schools statewide, as well as the state match for the Public School Capital Improvements Act (SB9), Lease Assistance Program, Master Plan Assistance, and other programs under the Public School Capital Outlay Act (Chapter 22, Article 24 NMSA 1978). Revenues to the fund are principally from supplemental severance tax bonds and allocations from the fund are authorized by the Public School Capital Outlay Council (PSCOC).

SIGNIFICANT ISSUES

The amount of funds needed over the next three fiscal years to support this initiative is unknown at this time and would be dependent on the number of applications received and the state/local match of the applicant districts.

The PSCOC currently provides standards-based roofing awards based on applicant's roofing condition index in order to avoid the consequential costs of failed roofs. It replaces a certain facility system to extend the life of the whole facility. The current standards based roofing awards will continue through FY15.

The bill establishes an initiative that would be executed similar to the roofing initiative. Based on language in the bill, applications for security systems will be processed much like applications for standards-based awards. School districts and charter schools will be required to submit an application that includes an assessment of the security system they are seeking funding for. Applications will be ranked pursuant to a methodology adopted by the PSCOC. The PSCOC will hold public hearings and approve those applications based on the established priority basis. In order to be eligible for a security system award, a school district or charter school will be required to pay a matching portion of the project – this is the same local match requirement a school district or charter school is responsible for with a standards-based project. Any funds awarded must be spent within two years of the allocation. The bill does not include a definition of “security system”.

PED's analysis indicates the safe schools plans guidance of the department provides schools with a guidance document to assist in developing clear plans and procedures for schools. Mandatory requirements apply to every NM school to have safe schools plans that include active shooter drills, lockdown, shelter-in-place, as well as numerous other, comprehensive emergency response plans. These are practiced on a regular basis by every school in the state. All safe schools plans require compliance and approval from the PED through a statewide review team of experts. Plans must be updated annually. See <http://ped.state.nm.us/sfsb/tools/>.

To enhance school safety, the U.S. Department of Homeland Security offers funding, training, and resources for efforts such as providing money for emergency preparedness, training school bus drivers in security and hardening school buildings' vulnerability. PSFA analysis indicates Homeland Security published a K-12 School Security Checklist dated April 2013 that makes considerable recommendations. The Emergency Operations Plan portion may be considered even more important than physical characteristics of the school facility. Important parts that include two-way communication and alarming have already been accomplished throughout New Mexico through the PSCOC deficiencies correction and standards-based programs and each time a school is renovated or replaced, security is enhanced. The proposed level funding provided in the bill could further enhance communications systems and with statewide standard signalization and training it could greatly enhance emergency communications and the safety of students and staff.

PSFA analysis indicates the number of homicides per thousand committed by students at primary and secondary schools has steadily shrunk from 1993 to 2010.

ADMINISTRATIVE IMPLICATIONS

The bill requires the Public School Capital Outlay Council to develop guidelines for grant awards for the security system initiative. It also requires all school districts and charter schools to establish and implement a security system.

RELATED

HB 325 relates to SB 264 which gives districts an option to establish a police force and adopt policies and rules applicable to the force.

House Bill 68 and House Bill 149 (duplicates) allow the PSCOC to allocate up to \$15 million from the fund for a "building system" renewal program.

House Bill 260 and Senate Bill 159 (duplicates) allow the PSCOC to allocate up to \$10 million a year from the fund for education technology from FY14 through FY19.

As mentioned in Fiscal Implications, the Legislature should consider all initiatives that use Public School Capital Outlay Fund revenue simultaneously and analyze the merits of each use to ensure the state will continue to meet its constitutional obligations under the Zuni court decree.

TECHNICAL ISSUES

The bill does not include a definition of qualifying "security system". The Legislature may wish to include a definition to ensure consistency across school districts and charter schools.

OTHER SUBSTANTIVE ISSUES

Public schools use a variety of practices and procedures intended to promote the safety of students and staff. In the [School Survey on Crime and Safety](#), public school principals were asked about their school's use of safety and security measures and procedures. Certain practices, such as locked or monitored doors or gates, are intended to limit or control access to school

campuses, while others, such as metal detectors, security cameras, and limiting access to social networking websites, are intended to monitor or restrict students' and visitors' behavior on campus.

- The use of safety and security measures varied by school level during the 2009-10 school year. In general, higher percentages of high schools than middle or primary schools and higher percentages of middle schools than primary schools reported using the following safety and security measures: drug testing for athletes; drug testing for students in extracurricular activities; requiring students to wear badges or picture IDs; random dog sniffs to check for drugs; random sweeps for contraband, and using security cameras to monitor the school.
- For example, 84 percent of high schools, 73 percent of middle schools, and 51 percent of primary schools reported that they used security cameras to monitor their schools. In addition, the percentages of middle schools (71 percent) and high schools (67 percent) that reported having an electronic notification system for a schoolwide emergency were higher than the percentage of primary schools with such a system (61 percent), and the percentages of middle schools (48 percent) and high schools (46 percent) having a structured, anonymous threat reporting system in place were higher than the percentage of primary schools (30 percent) having such a system in place.
- However, a lower percentage of high schools (86 percent) than middle schools and primary schools (94 percent each) reported controlling access to buildings during school hours, and the percentage of high schools (80 percent) that reported prohibiting the use of cell phones and text messaging devices was lower than the corresponding percentages of primary schools (93 percent) and middle schools (97 percent).
- In the 2009–10 school year, 43 percent of schools reported the presence of one or more security guards, security personnel, School Resource Officers, or sworn law enforcement officers at their school at least once a week during the school year. About 28 percent of primary schools reported the presence of one or more security staff at their school at least once a week in 2009–10. Schools were also asked to report whether any of their security staff routinely carried a firearm at school. Twelve percent of primary schools, 25 percent of combined schools, 51 percent of middle schools, and 63 percent of high schools reported the presence of one or more security staff at their schools routinely carrying firearms during the 2009–10 school year.

SOURCE: U.S. Department of Education, National Center for Education Statistics. (2013). [*Indicators of School Crime and Safety: 2012*](#) (NCES 2013-036).