

LADH 0100

ENVIRONMENTAL AND SAFETY PROGRAM

I. PURPOSE

The purpose of this regulation is to ensure that La Academia Dolores Huerta buildings and facilities create a safe environment for both students and staff by implementing safety plans, a safety team, and are in full compliance with New Mexico State Law with regard to conducting the appropriate number of fire and emergency drills.

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.

All staff/students shall be trained on how to respond/manage an emergency, implement the safety plan, and how to create a safe environment.

II. DEFINITIONS

1. "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.
2. "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.
3. "District property" means all property owned or under the direct control of the school.
4. "Emergency drill" means the necessity that a total of 12 drills be conducted in each public and private school in New Mexico each school year. These emergency drills shall consist of nine fire drills, two shelter-in-place drills, and one evacuation drill at the intervals set forth in Subsection M of 6.30.2.10 NMAC.
5. "Evacuation drill" means the practiced evacuation of school buildings as though there were an actual fire, chemical exposure, bomb threat, or other emergency. Evacuation drills may be accomplished by a full evacuation drill or a desk-top evacuation drill, at the discretion of the school principal or his or her designee.
6. "Family Educational Rights and Privacy Act" (FERPA), refers to a Federal law which requires that schools, with certain exceptions, must obtain a parent's written consent prior to the disclosure of

personally identifiable information from the child's education records. However, schools may *EB-R: Environmental and Safety Program* disclose appropriately designated "directory information" without written consent.

7. "Fire drill" means the practiced evacuation of school buildings as though there were an actual fire.

8. "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.

9. "Material Safety Data Sheets" (MSDS) 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.

10. "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, local, and tribal 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.

11. "Shelter-in-place drill" means the method of practicing a lockdown of school buildings, including all campus areas, as a way to protect students, faculty, and staff from a harmful threat whose origin is known or unknown. This would require the school population to seek protective cover in a pre-determined manner and selecting potential off-site locations.

12. "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.

13. "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. In accordance with this regulation, all schools/departments will establish a safety committee that will facilitate the development of a safety culture for each site. All schools/departments will conduct annual safety inspections as required under New Mexico State Statute 52-1-6.2.

B. All schools/departments will adopt a New Mexico Department of Education (NMPED) Safety Plan that will include, but may not be limited to, prevention, intervention, policies and procedures, mitigation, emergency response, and recovery procedures.

C. The Principal shall ensure that the school has a safety plan in place which will include, but not necessarily be limited to, prevention, intervention, policies and procedures, mitigation, emergency response, and recovery procedures.

1. The NMPED safety plan shall be used by all LADH schools/departments as a template in developing a more site-specific safety plan.

2. The School shall manage all emergency response incidents using NIMS.

3. Each school building principal and department director or his or her designee shall conduct all fire and emergency drills at each school building as required by state and federal statute and by this regulation.

4. Each school building principal and department director or his or her designee shall have an active safety committee at the school or school district building.

5. All LADH staff, once officially notified, will, within a three-month period following that notification, complete the NIMS training as required under State of New Mexico Executive Order 2005-0014. The NIMS course can be found on line at FEMA.gov and is an on line, self-paced course that all staff shall complete.

IV. GUIDELINES

A. Emergency drills and practiced evacuations

1. Emergency drills shall be conducted in all School District schools as follows:

a. at least one time per week during the first four weeks of the school year and at least one time per month during the remainder of the school year;

b. two of these drills shall be shelter-in-place drills;

c. one of these drills shall be an evacuation drill or a desk-top evacuation drill;

d. nine of these drills shall be fire drills, with one fire drill required each week during the first four weeks of school;

e. 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;

f. it shall be the responsibility of the school principal or his or her designee to carry out the provisions mandated for the conduct of emergency drills. 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.

2. School 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, or shelter-in-place.

3. All fire and emergency drills shall be documented 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 shall, within a month of the conducting of said drill, forward a copy of the drill form and After Action Report to the LADH Safety and Security Department.

b. After a major safety and security incident, the school principal or department director or his or her designee shall debrief with the affected staff and shall document the debriefing using the LADH After Action Report. This form can be found on the school district's forms webpage.

c. Any lessons learned during a drill or incident shall result in appropriate changes to a school's or department's safety plan to facilitate a better response during future emergencies.

B. Safety Committees

1. LADH District Safety Committee Structure

a. The LADH District Safety Committee shall meet not less than quarterly and shall be chaired by the LADH Safety and Security Department Coordinator.

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.

3. LADH and School/Department Safety Committee Responsibilities

The focus of this committee shall be to create a culture of safety and awareness throughout the School District and at each school and department. In accomplishing this mission, the committee may:

a. make recommendations to the Principal that will help reduce the frequency and/or severity of employee accidents.

b. implement school-wide training to insure that employees are knowledgeable about all applicable U.S.

Health Administration (OHSA) and other federal, state, and local safety regulations pertaining to said employees' assigned tasks.

c. conduct yearly inspections of all chemicals on site at each school/department and maintain an inventory of the chemicals together with all related Material Safety Data Sheets.

d. upon the request of the school principal or department director or his or her designee, address specific safety issues and provide recommendations to the principal or department director or his or her designee.

e. periodically monitor the effectiveness of school district safety policies and recommend modifications to the Principal as deemed necessary.

f. forward minutes of its monthly meetings to the LADH Safety and Security Department and to the Principal for review and appropriate follow-up on safety issues or initiatives.

g. It shall be the responsibility of the S/DSC chairperson or his or her designee to conduct yearly safety inspections of all school/department buildings, grounds, and playground sets. Copies of the yearly safety inspection report shall be forwarded to the principal with recommendations.

V. VIDEO SURVEILLANCE SYSTEMS

A. The school district seeks to deter the destruction of district property and other conduct prohibited by law and school district policies, as well as aid the investigation process when disciplinary infractions are reported.

B. The school district shall designate its Safety and Security Coordinator or his or her designee as its law enforcement liaison responsible for the physical safety and security of school district students, staff, volunteers, visitors, and property for purposes of policy compliance.

C. The Safety and Security Coordinator or his or her designee is authorized to create and maintain records for law enforcement purposes, including, but not limited to, the creation and preservation of evidence through digital surveillance for use in potential criminal prosecutions and student disciplinary proceedings. The Safety and Security Coordinator or his or her designee is authorized to install and maintain a video surveillance system (VSS) on school campuses throughout the school district. The VSS will monitor and record activity and school district property and such information may be used for law enforcement and student disciplinary purposes.

VI. SCOPE OF SURVEILLANCE *EB-R: Environmental and Safety Program*

A. 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.

B. 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 plazas, and other areas or rooms as necessary, so long as this surveillance does not violate LADH employment contracts with the National Education Association-Las Cruces and/or the Classified School Employees Council-Las Cruces.

VII. NOTICE

A. Students and employees of the school shall receive notice of this policy at the beginning of the school year or within 15 days upon enrolling in or gaining employment with the school district in the LADH 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.

B. 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.

VIII. RECORDS

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.

IX. MAINTENANCE AND VIEWING OF RECORDED INFORMATION

A. Each school district campus shall maintain its VSS in a locked, secure location, accessible only to the Safety and Security Coordinator and the school's principal or his or her designee.

B. The Safety and Security Coordinator, principal, or his or her designee may arrange to disclose the records and information collected by the VSS for purposes of investigation and referral to other law enforcement officers or for student disciplinary action. The principal may authorize the disclosure of records and information in the possession of the Safety and Security Coordinator to other individuals in connection with a health or safety emergency.

C. The Safety and Security Coordinator or his or her designee may arrange for the records and information collected by the VSS to be disclosed to the appropriate law enforcement authorities or third parties pursuant to a search warrant or court order in compliance with FERPA.

X. RETENTION OF RECORDED INFORMATION

A. 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 under the control of the Safety and Security Coordinator or his or her designee.

B. All data that has been saved, copied, and/or downloaded onto a CD or other medium must be dated and labeled with a unique, sequential number and the name of the school where the data was recorded.

C. A written log 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 log 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 log shall also include the date on which the information is destroyed pursuant to Section X, below.

D. Any downloaded, copied, and/or saved information that has been disclosed for investigative, disciplinary, safety, or law enforcement purposes shall be retained for 12 months from the date of disclosure, or until the date of the resolution of the incident, whichever comes later.

E. Other information normally maintained on the VSS shall be retained for a minimum of seven days from the date of recording, where the VSS system is capable of such recording.

XI. DISPOSAL OF RECORDED INFORMATION

A. 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.

B. After the information is destroyed, the date of disposal shall be recorded on the written log pursuant to Section X, above.

XII. ACCESS TO PERSONAL INFORMATION

The information recorded by the VSS will be disclosed only in compliance with FERPA and applicable state law.

History: New Regulation, created
04.29.09

Legal Reference: NMAC 6.30.2.7, 2.10