

Case Brief #1

1. **Case Caption:** Butler v. Rio Rancho Public School Board of Education, 02-2199(2003)
2. **Nature of the Case:** This case is about a high school student that was contesting his right to free public education because he was suspended for a complete school year for having weapons on school campus in a vehicle.
3. **Procedural Summary:**
 - a. **Plaintiff:** Stephen BUTLER, as parent and next friend of Joshua Butler, a Minor; Mary Butler, as parent and next friend of Joshua Butler, a Minor
 - b. **Defendant:** RIO RANCHO PUBLIC SCHOOLS BOARD OF EDUCATION, local public governing body of the State of New Mexico; Sue Cleveland; Gary Tripp; Sally Marquez, individuals; Gerard Hyatt; George Doe, in their individual and official capacities
 - c. **Lower Court Decisions:** Rio Rancho Public Schools Board of Education and certain school officials appeal a district court decision denying their motion to dismiss based on qualified immunity.
4. **Facts:** Joshua Butler borrowed his brother's car to attend school. He parked in the faculty parking lot without a permit. A school security guard noticed the vehicle and ran a registration check. During this observation, the guard noticed a knife in the vehicle. The student was called to open the vehicle and the guard also found a handgun, ammunition, and drug paraphernalia. The student denied knowing about the weapons. The student was suspended for a year.
5. **Issue:** Did Mr. Butler receive substantive due process?
6. **Holding and Decision:** Exercising jurisdiction under 28 U.S.C. § 1291, the decision was reversed by Circuit Judge, Brorby, Senior Circuit Judge, and Murphy, Circuit Judge, Joan M. Waters, Albuquerque, New Mexico. It made it the 10 Circuit Court.
7. **Comment:** This can also be seen as a no tolerance example as well. As administrators, we must make sure students, parents, and guardian understand the ramifications of having weapons on campus- knowingly and most important unknowingly. Also as administrators and policy makers it is important that we think about unintended consequences and if and when a case by case assessment is necessary.