

Legal Reference(s):

HB 43: Black Education Act Statute

SECTION 8. Section 22-5-4.3 NMSA 1978

#### SCHOOL DISCIPLINE POLICIES

A. Local school boards shall establish student discipline policies and shall file them with the department. The local school board shall involve parents, school personnel and students in the development of these policies, and public hearings shall be held during the formulation of these policies in the high school attendance areas within each school district or on a district-wide basis for those school districts that have no high school.

B. Each school district discipline policy shall establish rules of conduct governing areas of student and school activity, detail specific prohibited acts and activities and enumerate possible disciplinary sanctions, which sanctions may include in-school suspension, school service, suspension or expulsion. Corporal punishment shall be prohibited by each local school board and each governing body of a charter school.

C. An individual school within a school district may establish a school discipline policy, provided that parents, school personnel and students are involved in its development and a public hearing is held in the school prior to its adoption. If an individual school adopts a discipline policy in addition to the local school board's school district discipline policy, it shall submit its policy to the local school board for approval.

D. All school discipline policies shall define and include a specific prohibition against racialized aggression involving a student or school personnel. Every school district and every charter school shall provide links to the statewide hotline to report racially charged incidents or racialized aggression.

E. No school employee who in good faith reports any known or suspected violation of the school discipline policy or in good faith attempts to enforce the policy shall be held liable for any civil damages as a result of such report or of the employee's efforts to enforce any part of the policy.

F. All public school and school district discipline policies shall allow students to carry and self administer asthma medication and emergency anaphylaxis medication that has been legally prescribed to the student by a licensed health care provider under the following conditions:

(1) the health care provider has instructed the student in the correct and responsible use of the medication;

(2) the student has demonstrated to the health care provider and the school nurse or other school official the skill level necessary to use the medication and any device that is necessary to administer the medication as prescribed;

(3) the health care provider formulates a written treatment plan for managing asthma or anaphylaxis episodes of the student and for medication use by the student during school hours or school-sponsored activities, including transit to or from school or school-sponsored activities; and

(4) the student's parent has completed and submitted to the school any written documentation required by the school or the school district, including the treatment plan required in Paragraph (3) of this subsection and other documents related to liability.

G. The parent of a student who is allowed to carry and self-administer asthma medication and emergency anaphylaxis medication may provide the school with backup medication that shall be kept in a location to which the student has immediate access in the event of an asthma or anaphylaxis emergency.

H. Authorized school personnel who in good faith provide a person with backup medication as provided in this section shall not be held liable for civil damages as a result of providing the medication."

SECTION 9. A new section of the School Personnel Act is enacted to read:

"ANTI-RACISM AND RACIAL SENSITIVITY TRAINING AND PROFESSIONAL DEVELOPMENT.-- Each year, all school personnel shall successfully complete an online or in-person antiracism, racial awareness and sensitivity training or professional development approved by the department that addresses race, racism and racialized aggression and demonstrates how to create and foster an equitable and culturally responsive learning environment for racial minority students."

The following vendors have been approved to provide trainings that satisfy the HB 43 training requirement for SY 2022-2023. More vendors are currently being vetted for approval. If you have a vendor that you would like to be considered for approval (must be approved before taking the training), please contact Kimberly York at kimberly.york@state.nm.us

### **Public Education Department (State Agency)**

#### **Meeting the Moment Anti-Racism Training- Canvas Based, self-paced**

Link to access training: [New Mexico Public Education Department | Canvas](#)

### **Decide2Inspire, LLC**

A Long Talk Anti-Racism Training (Virtual and In-person)

Contact Person: Kamal Carter

Phone: (202) 753-6106

Email: [Kamal@alongtalk.com](mailto:Kamal@alongtalk.com)

Website: [www.alongtalk.com](http://www.alongtalk.com)

### **Global Compliance Network**

Cultural Awareness and Implicit Bias Training

Contact Person: Lisa Tyler Kiebler

Phone: (855) 888-4426 ext 3

### **Poms & Associates Risk Services, LLC**

Cultural Sensitivity Awareness (Anti-Racism and Anti-Discrimination)

90 minute in- person (only) training

Contact Person: Tamie Pargas Email: [tpargas@pomsassoc.com](mailto:tpargas@pomsassoc.com) Phone: (505) 933-6189

### **Vector Solutions**

Offers wide range of online trainings that fulfill HB 43 requirements

Contact Person: Justin Moore, Accreditations Coordinator

Email: [justin.moore@vectorsolutions.com](mailto:justin.moore@vectorsolutions.com) Phone: (813) 418-5755

### **Center for Culturally Responsive Teaching and Learning**

Offers a variety of trainings that fulfill HB requirements

Contact Person: Dr. Sharroky Hollie

Email: [info@culturallyresponsive.org](mailto:info@culturallyresponsive.org)

For questions, contact Kimberly York at [Kimberly.York@state.nm.us](mailto:Kimberly.York@state.nm.us)