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HOUSE BILL 500

53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017

INTRODUCED BY

Gail Chasey

AN ACT

RELATING TO PUBLIC SCHOOLS; PROVIDING ADDITIONAL REQUIREMENTS FOR DEVELOPMENT AND COMPLETION OF TRAINING RELATED TO CHILD ABUSE AND NEGLECT, SEXUAL ABUSE AND ASSAULT AND SUBSTANCE ABUSE; REQUIRING DEVELOPMENT OF RELATED POLICIES; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 22-10A-32 NMSA 1978 (being Laws 1988, Chapter 48, Section 1, as amended) is amended to read:

"22-10A-32. LICENSED SCHOOL EMPLOYEES--REQUIRED TRAINING PROGRAM AND POLICIES.--

A. All licensed school employees shall be required to complete [~~training in~~] a "day-of-safety" professional development course on the detection and reporting of child abuse and neglect, including sexual abuse and assault, and

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1 substance abuse. Except as otherwise provided in this
2 subsection, [~~this~~] the day-of-safety professional development
3 course requirement shall be completed within [~~the~~] a licensed
4 school employee's first year of employment by a school district
5 or charter school. Licensed school employees hired prior to
6 the [~~2014-2015~~] 2017-2018 school year shall complete the sexual
7 abuse and assault component of the required [~~training~~] course
8 during the [~~2014-2015~~] 2017-2018 school year.

9 B. The department shall develop a [~~training~~
10 ~~program~~] day-of-safety professional development course that
11 consists of at least eight hours of instruction, including
12 training materials and necessary training staff, to meet the
13 requirement of Subsection A of this section to make the
14 training available in every school district and charter school.
15 Each school district and charter school shall adopt written
16 policies that are included in the course material, and that:

17 (1) establish a process for internal
18 coordination and tracking of child abuse and neglect reports
19 made by school district or charter school personnel;

20 (2) clarify that school district and charter
21 school personnel may contact law enforcement or other state
22 officials directly to report child abuse or neglect concerns,
23 and that personnel are not required to report those concerns
24 through an internal chain of command; and

25 (3) prohibit a school district or charter

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1 school from adopting a policy that relieves any school district
2 or school personnel of the person's duty to report suspected
3 child abuse or neglect.

4 C. The department shall coordinate the development
5 of the ~~[program]~~ day-of-safety professional development course
6 with appropriate staff in school districts, ~~[and at]~~ the human
7 services department, the department of health, ~~[and]~~ the
8 children, youth and families department and the office of the
9 attorney general. The department shall consult with the
10 federal centers for disease control and prevention when
11 developing the evidence-based training component on child
12 sexual abuse and assault to include methods and materials that
13 have proven to be effective.

14 ~~[G.]~~ D. The ~~[training program]~~ day-of-safety
15 professional development course developed pursuant to this
16 section shall be made available by the department to the deans
17 of every college of education in New Mexico for use in
18 providing such training to students seeking elementary and
19 secondary education licensure.

20 E. For the purpose of this section, "child abuse
21 and neglect" means actions or inactions that constitute
22 "abandonment" as defined in the Abuse and Neglect Act, or that
23 cause a child to be an "abused child" or a "neglected child" as
24 defined in the Abuse and Neglect Act."

25 SECTION 2. APPROPRIATION.--One hundred thousand dollars

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1 (\$100,000) is appropriated from the general fund to the public
2 education department for expenditure in fiscal years 2018 and
3 2019 to develop a day-of-safety professional development course
4 to train school personnel on detecting and reporting child
5 abuse and neglect. Any unexpended or unencumbered balance
6 remaining at the end of fiscal year 2019 shall revert to the
7 general fund.

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