

1 SENATE HEALTH AND PUBLIC AFFAIRS COMMITTEE SUBSTITUTE FOR
2 SENATE BILL 245

3 **55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021**

4
5
6
7
8
9
10 AN ACT

11 RELATING TO HUMAN RIGHTS; CREATING THE GOVERNOR'S LEADERSHIP
12 DIVERSITY NETWORK; PROVIDING DUTIES; PROVIDING FOR CULTURAL
13 AWARENESS CERTIFICATION FOR PRIVATE SECTOR ENTITIES; PROVIDING
14 FOR A CULTURAL COMPETENCY CERTIFICATION PROGRAM FOR NEW MEXICO
15 EMPLOYERS AND THEIR EMPLOYEES; REQUIRING ALL PUBLIC OFFICERS
16 AND EMPLOYEES, INCLUDING ALL BRANCHES OF STATE GOVERNMENT,
17 PUBLIC SCHOOLS, SPECIAL SCHOOLS AND PUBLIC POST-SECONDARY
18 EDUCATIONAL INSTITUTIONS, TO HAVE CULTURAL AWARENESS TRAINING.

19
20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

21 SECTION 1. [NEW MATERIAL] GOVERNOR'S DIVERSITY LEADERSHIP
22 NETWORK--CREATED--MEMBERS--POWERS AND DUTIES.--

23 A. The "governor's diversity leadership network" is
24 created and administratively attached to the governor's office.
25 The governor shall appoint a diverse membership from the

.219989.1

underscoring material = new
[bracketed material] = delete

1 private sector, including leaders from business and industry,
2 farming and ranching, financial institutions, health care
3 facilities and professionals and community-based nonprofit
4 organizations, and representatives of state and local
5 governments and public and higher education. Members shall not
6 receive compensation for their service on the governor's
7 diversity leadership network.

8 B. The purpose of the governor's diversity
9 leadership network is to:

10 (1) spotlight the many racial and ethnic
11 subpopulations that live and work in New Mexico and the need
12 for all New Mexicans to be aware of, appreciate and celebrate
13 the cultural differences alive in the state;

14 (2) engage leaders from diverse backgrounds to
15 actively network with peers around the state and support the
16 next generation of culturally diverse leadership in all spheres
17 of American life;

18 (3) develop a library of cultural awareness,
19 cultural competency and diversity leadership professional
20 development resources, from short trainings to certifiable
21 professional development, available to public and private
22 sector employers; and

23 (4) assist and support state and local public
24 and private efforts to diversify workplaces, eliminate cultural
25 prejudices and discrimination and celebrate cultural

1 differences while strengthening the common threads that bind us
 2 into one state and one nation.

3 C. The governor's diversity leadership network
 4 shall develop and implement a cultural competency certificate
 5 program for New Mexico employers and their employees. The
 6 training shall include:

- 7 (1) improving engagement with employees,
 8 customers or clients from different cultural backgrounds;
- 9 (2) counteracting unconscious bias;
- 10 (3) diversity and inclusion in the workplace;
- 11 and
- 12 (4) fostering a climate of inclusion.

13 SECTION 2. A new section of Chapter 2, Article 3 NMSA
 14 1978 is enacted to read:

15 "[NEW MATERIAL] LEGISLATIVE EMPLOYEES--CULTURAL AWARENESS
 16 TRAINING.--Beginning December 31, 2021, the New Mexico
 17 legislative council shall develop or adopt a training approved
 18 by the governor's diversity leadership network and require all
 19 legislative employees, including session staff, to have
 20 completed a cultural awareness training at least once every two
 21 years. The legislative council service may provide direct
 22 training or may train identified people in each permanent
 23 legislative committee, the house of representatives and the
 24 senate to conduct the training of their employees and session
 25 staff."

.219989.1

underscored material = new
 [bracketed material] = delete

1 SECTION 3. A new section of the Personnel Act is enacted
2 to read:

3 "[NEW MATERIAL] CULTURAL AWARENESS TRAINING--ALL EXECUTIVE
4 BRANCH EMPLOYEES.--On or before December 31, 2021, the state
5 personnel office shall develop or adopt a training approved by
6 the governor's diversity leadership network. All state
7 employees, whether exempt or classified, shall have cultural
8 awareness training at least once every two years. The state
9 personnel office shall train human resources or other leaders
10 in state agencies who are responsible for conducting the
11 training in their state agencies. Each state agency shall
12 verify to the personnel office that it has held the training
13 for its employees and that every employee of the state agency
14 has satisfactorily completed the training by the end of each
15 biennium."

16 SECTION 4. A new section of Chapter 34, Article 9 NMSA
17 1978 is enacted to read:

18 "[NEW MATERIAL] ADMINISTRATIVE OFFICE OF THE COURTS--
19 CULTURAL AWARENESS TRAINING.--On or before December 31, 2021,
20 the administrative office of the courts shall develop or adopt
21 a training approved by the governor's diversity leadership
22 network. All judges and judicial employees shall have cultural
23 awareness training at least once every two years. The
24 administrative office of the courts shall train human resources
25 or other leaders in the courts and judicial agencies who are

.219989.1

1 responsible for conducting the training in their courts or
 2 judicial agencies. Each court and judicial agency shall verify
 3 to the administrative office of the courts that it has held the
 4 training for its employees and that every employee of the court
 5 and judicial agency has satisfactorily completed the training
 6 by the end of each biennium."

7 SECTION 5. A new section of Chapter 21, Article 1 NMSA
 8 1978 is enacted to read:

9 "[NEW MATERIAL] BOARDS OF REGENTS--CULTURAL AWARENESS
 10 TRAINING AT SPECIAL SCHOOLS AND PUBLIC POST-SECONDARY
 11 EDUCATIONAL INSTITUTIONS.--On or before December 31, 2021, the
 12 board of regents or governing board of each of the special
 13 schools and each of the public post-secondary educational
 14 institutions shall develop or adopt a training approved by the
 15 governor's diversity leadership network. The board of regents
 16 or governing board of each special school or public post-
 17 secondary educational institution shall require that every
 18 employee have cultural awareness training at least once every
 19 two years. The board of regents or governing board may
 20 delegate its responsibility for the selection or development of
 21 the cultural awareness curriculum, which may be offered as
 22 virtual or in-person training, for dissemination to all
 23 departments, colleges and schools of the institution to conduct
 24 faculty and staff training."

25 SECTION 6. A new section of the School Personnel Act is
 .219989.1

underscored material = new
 [bracketed material] = delete

1 enacted to read:

2 "[NEW MATERIAL] CULTURAL AWARENESS TRAINING--ALL PUBLIC
3 SCHOOL PERSONNEL.--

4 A. On or before December 31, 2021, the department
5 shall ensure that each school district and charter school
6 develop or adopt a training approved by the governor's
7 diversity leadership network.

8 B. All school districts and charter schools shall
9 require their public school personnel to complete cultural
10 awareness training at least once every two years. The local
11 superintendent or the head administrator of a charter school
12 shall assign a central administrator to train school personnel
13 in each public school who will conduct the training at their
14 public schools."

15 SECTION 7. EFFECTIVE DATE.--The effective date of the
16 provisions of this act is July 1, 2021.