

FIRST SESSION, 2021

March 3, 2021

Mr. President:

Your **EDUCATION COMMITTEE**, to whom has been referred

**SENATE BILL 319**

has had it under consideration and reports same **WITHOUT RECOMMENDATION**, amended as follows:

1. On page 1, line 18, before the period, insert "; BANNING USE OF CLASSROOM DOOR WINDOW COVERINGS; PROVIDING AN EXCEPTION; REQUIRING VIDEO CAMERA INSTALLATION IN CERTAIN CIRCUMSTANCES".

2. On page 11, between lines 20 and 21, insert the following new sections:

"SECTION 2. A new section of the Safe Schools for All Students Act is enacted to read:

"[NEW MATERIAL] BANNING USE OF CLASSROOM DOOR WINDOW COVERINGS--EXCEPTION--INSTALLATION OF VIDEO CAMERAS IN CERTAIN CIRCUMSTANCES.--

A. Beginning in the 2021-2022 school year and subsequent school years, a local school board shall not allow classroom door windows to be covered by any material or substance that obscures full view through the door window into the classroom when students are present.

B. The ban on covering classroom door windows shall not apply during an emergency to the extent that the school safety plan provides for temporary window coverings to be used during a schoolwide emergency. All temporary window coverings used during any schoolwide emergency shall be removed as soon as the schoolwide emergency has ended.

C. A local school board that fails to enforce the required ban in its school district shall install and maintain video cameras

**FIFTY-FIFTH LEGISLATURE  
FIRST SESSION, 2021**

SEC/SB 319

Page 2

that provide live audiovisual feed to parents in every classroom where the school district has failed to enforce the ban on covering classroom door windows."

**SECTION 3.** Section 22-35-2 NMSA 1978 (being Laws 2019, Chapter 181, Section 2) is amended to read:

"22-35-2. DEFINITIONS.--As used in the Safe Schools for All Students Act:

A. "bullying" means any severe, pervasive or persistent act or conduct that targets a student, whether physically, electronically or verbally, and that:

(1) may be based on a student's actual or perceived race, religion, color, national origin, ancestry, sex, sexual orientation, gender identity, spousal affiliation, physical or cognitive disability or any other distinguishing characteristic; or on an association with a person, or group with any person, with one or more of the actual or perceived distinguishing characteristics; and

(2) can be reasonably predicted to:

(a) place a student in reasonable fear of physical harm to the student's person or property;

(b) cause a substantial detrimental effect on a student's physical or mental health;

(c) substantially interfere with a student's academic performance or attendance; or

(d) substantially interfere with a student's ability to participate in or benefit from the services, activities or privileges provided by an agency, educational institution or grantee;

B. "classroom door" means any entry or exit door of a classroom where students receive instruction, therapy, counseling or

**FIFTY-FIFTH LEGISLATURE  
FIRST SESSION, 2021**

SEC/SB 319

Page 3

any other education in a public school building or portable building;

~~[B.]~~ C. "cyberbullying" means any bullying that takes place through electronic communication;

~~[G.]~~ D. "electronic communication" means a communication transmitted by means of an electronic device, including a telephone, cellular phone, computer, electronic tablet, pager or video or audio recording;

~~[D.]~~ E. "gender identity" means a student's self-perception, or perception of that student by another, of the student's identity as a male or female based upon the student's appearance, behavior or physical characteristics that are in accord with or opposed to the student's physical anatomy, chromosomal sex or sex at birth;

~~[E.]~~ F. "local school board" includes the governing body of a charter school;

~~[F.]~~ G. "physical or cognitive disability" means a physical or cognitive impairment that substantially limits one or more of a student's major life activities;

~~[G.]~~ H. "progressive discipline" means disciplinary action other than suspension or expulsion from school that is designed to correct and address the basic causes of a student's specific misbehavior while retaining the student in class or in school, or restorative school practices to repair the harm done to relationships and other students from the student's misbehavior, and may include:

(1) meeting with the student and the student's parents;

(2) reflective activities, such as requiring the student to write an essay about the student's misbehavior;

(3) counseling;

(4) anger management;

FIFTY-FIFTH LEGISLATURE  
FIRST SESSION, 2021

SEC/SB 319

Page 4

(5) health counseling or intervention;

(6) mental health counseling;

(7) participation in skill-building and resolution activities, such as social-emotional cognitive skills building, resolution circles and restorative conferencing;

(8) community service; and

(9) in-school detention or suspension, which may take place during lunchtime, after school or during weekends; and

[H.] I. "sexual orientation" means heterosexuality, homosexuality or bisexuality, whether actual or perceived."",

and thence referred to the **JUDICIARY COMMITTEE.**

Respectfully submitted,

\_\_\_\_\_  
William P. Soules, Chairman

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 5 For 3 Against

Yes: 5

No: Brandt, Kernan, Neville

Excused: None

Absent: None

SB0319ED1.wpd

.219620.1