

1 SENATE BILL 245

2 **55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021**

3 INTRODUCED BY

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10 AN ACT

11 RELATING TO HUMAN RIGHTS; CREATING THE GOVERNOR'S LEADERSHIP
12 DIVERSITY NETWORK; PROVIDING DUTIES; PROVIDING FOR CULTURAL
13 AWARENESS PROFESSIONAL DEVELOPMENT TO BE MADE AVAILABLE TO
14 PRIVATE SECTOR ENTITIES; PROVIDING FOR THE DEVELOPMENT OF
15 DIVERSE LEADERSHIP PROGRAMS; PROVIDING FOR CULTURAL COMPETENCY
16 CERTIFICATION; REQUIRING ALL PUBLIC OFFICERS AND EMPLOYEES,
17 INCLUDING ALL BRANCHES OF STATE GOVERNMENT, PUBLIC SCHOOLS,
18 SPECIAL SCHOOLS AND PUBLIC POST-SECONDARY EDUCATIONAL
19 INSTITUTIONS, TO HAVE CULTURAL AWARENESS TRAINING.

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

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

24 A. The "governor's diversity leadership network" is
25 created and administratively attached to the governor's office.

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

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

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

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

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

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

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1 prejudices and discrimination and celebrate cultural
2 differences while strengthening the common threads that bind us
3 into one state and one nation.

4 C. The governor's diversity leadership network
5 shall develop and implement a business and professional
6 certification program that indicates that the certificate
7 holder, and the certificate holder's employees, if applicable,
8 have successfully completed a cultural competency program that
9 includes training in:

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

16 SECTION 2. A new section of Chapter 2, Article 3 NMSA
17 1978 is enacted to read:

18 "[NEW MATERIAL] LEGISLATIVE EMPLOYEES--CULTURAL AWARENESS
19 TRAINING.--

20 A. For the purposes of this section, "cultural
21 awareness training" includes discussions of strategies for
22 recognizing and counteracting unconscious bias, the value of
23 diversity and inclusion in the workplace and creating a climate
24 of inclusion.

25 B. The New Mexico legislative council shall require
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1 all legislative employees, including session staff, to have
2 cultural awareness training at least once every two years. The
3 legislative council service shall select or develop an
4 appropriate cultural awareness curriculum, which may be offered
5 as virtual or in-person training. The legislative council
6 service may provide direct training or may train identified
7 people in each permanent legislative committee, the house of
8 representatives and the senate to conduct the training of their
9 employees and session staff. The curriculum and training shall
10 include mechanisms to achieve two goals of the cultural
11 awareness training, which are to foster cross-cultural
12 relationships and create an active cultural diversity network
13 throughout the state. The training may be designed to meet
14 state bar or other professional continuing education
15 requirements."

16 SECTION 3. A new section of the Personnel Act is enacted
17 to read:

18 "[NEW MATERIAL] CULTURAL AWARENESS TRAINING--ALL EXECUTIVE
19 BRANCH EMPLOYEES.--

20 A. For the purposes of this section, "cultural
21 awareness training" includes discussions of strategies for
22 recognizing and counteracting unconscious bias, the value of
23 diversity and inclusion in the workplace and creating a climate
24 of inclusion.

25 B. All state employees, whether exempt or

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1 classified, shall have cultural awareness training at least
2 once every two years. The state personnel office shall select
3 or develop an appropriate cultural awareness curriculum, which
4 may be offered as virtual or in-person training, for
5 dissemination to all state agencies in the executive branch.
6 Once the training program is set, the state personnel office
7 shall train human resources or other leaders in state agencies
8 who are responsible for conducting the training in their state
9 agencies. The curriculum and training shall include mechanisms
10 to achieve two goals of the training, which are to foster
11 cross-cultural relationships and create an active cultural
12 diversity network throughout the state. The training may be
13 designed to meet state bar or other professional continuing
14 education requirements. Each state agency shall verify to the
15 personnel office that it has held the training for its
16 employees and that every employee of the state agency has
17 satisfactorily completed the training by the end of the
18 biennium."

19 SECTION 4. A new section of Chapter 34, Article 9 NMSA
20 1978 is enacted to read:

21 "[NEW MATERIAL] ADMINISTRATIVE OFFICE OF THE COURTS--
22 CULTURAL AWARENESS TRAINING.--

23 A. For the purposes of this section, "cultural
24 awareness training" includes discussions of strategies for
25 recognizing and counteracting unconscious bias, the value of

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1 diversity and inclusion in the workplace and creating a climate
2 of inclusion.

3 B. All judges and judicial employees shall have
4 cultural awareness training at least once every two years. The
5 administrative office of the courts shall select or develop an
6 appropriate cultural awareness curriculum, which may be offered
7 as virtual or in-person training, for dissemination to all
8 courts and agencies in the judicial branch. Once the training
9 program is set, the administrative office of the courts shall
10 train human resources or other leaders in the courts and
11 judicial agencies who are responsible for conducting the
12 training in their courts or judicial agencies. The training
13 shall include mechanisms to achieve two goals of the training,
14 which are to foster cross-cultural relationships and create an
15 active cultural diversity network throughout the state. Each
16 court and judicial agency shall verify to the administrative
17 office of the courts that it has held the training for its
18 employees and that every employee of the court and judicial
19 agency has satisfactorily completed the training by the end of
20 the biennium. The training may be designed to meet state bar
21 or other professional continuing education requirements."

22 SECTION 5. A new section of Chapter 21, Article 1 NMSA
23 1978 is enacted to read:

24 "[NEW MATERIAL] BOARDS OF REGENTS--CULTURAL AWARENESS
25 TRAINING AT SPECIAL SCHOOLS AND PUBLIC POST-SECONDARY

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1 EDUCATIONAL INSTITUTIONS.--

2 A. For the purposes of this section, "cultural
3 awareness training" includes discussions of strategies for
4 recognizing and counteracting unconscious bias, the value of
5 diversity and inclusion in the workplace and creating a climate
6 of inclusion.

7 B. The boards of regents of each of the special
8 schools and each of the public post-secondary educational
9 institutions shall require that every employee have cultural
10 awareness training at least once every two years. The board of
11 regents of each special school or public post-secondary
12 educational institution may delegate its responsibility for the
13 selection or development of the cultural awareness curriculum,
14 which may be offered as virtual or in-person training, for
15 dissemination to all departments, colleges and schools of the
16 institution to conduct faculty and staff training. The
17 training shall include mechanisms to achieve two goals of the
18 training, which are to foster cross-cultural relationships and
19 create an active cultural diversity network throughout the
20 state. The training may be designed to meet professional
21 continuing education requirements."

22 SECTION 6. A new section of the School Personnel Act is
23 enacted to read:

24 "[NEW MATERIAL] CULTURAL AWARENESS TRAINING--ALL PUBLIC
25 SCHOOL PERSONNEL.--

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1 A. For the purposes of this section, "cultural
2 awareness training" includes discussions of strategies for
3 recognizing and counteracting unconscious bias, the value of
4 diversity and inclusion in the workplace and creating a climate
5 of inclusion.

6 B. All public school personnel shall have cultural
7 awareness training at least once every two years. The
8 department is responsible for the selection or development of
9 the cultural awareness curriculum, which may be offered as
10 virtual or in-person training, for dissemination to all school
11 districts and charter schools. The school superintendent or
12 the head administrator of a charter school shall assign a
13 central administrator to train school personnel in each public
14 school who will conduct the training at their public schools.
15 The training shall include mechanisms to achieve two goals of
16 the training, which are to foster cross-cultural relationships
17 and create an active cultural diversity network throughout the
18 state. The training may be designed to meet professional
19 continuing education requirements."

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