



## GUIDANCE ON THE STATE OF NEW MEXICO BULLYING PREVENTION POLICY

[Senate Bill 288 \(SB288\)](#), Safe Schools for All Students Act, passed during the 2019 New Mexico Legislative Session and was signed by Governor Michelle Lujan Grisham on April 3, 2019. The Act outlines specific requirements for the adoption of a comprehensive bullying prevention policy. This bill replaces previous anti-bullying law with updated mandates.

All New Mexico Public Education Districts and Charter Schools will need to adopt and enforce a bullying policy by January 1, 2020, that:

- Prevents instances of bullying and cyberbullying on its property, including electronic communication on or with the use of its property, at school- or district-sponsored events, and on school-sponsored transportation.
- Prohibit electronic communication directed at a student that is published with the intent that it be seen by or disclosed to that student and that substantially interferes with the student's ability to participate in or benefit from the services, activities, or privileges provided by the public school.
- Includes definitions as set forth in the Act (including the enumerated clauses, specifically gender identity and sexual orientation).
- Includes a statement prohibiting bullying and a statement prohibiting retaliation against those who report or witness bullying.
- Removes zero tolerance policies in favor of progressive discipline. (See RLAS Guidance Document on Progressive Discipline)
- Includes a list of consequences, exclusive of suspension or expulsion, designed to correct bullying behavior, prevent further occurrences, and protect the target of the bullying.
- Sets forth procedures for reporting bullying and for reporting instances of retaliation for reporting an act of bullying. Reports may be made orally or in writing in the preferred language of the reporter, anonymously, and by parent/guardians.

District and charter school policies should also include procedures for the prompt investigation of reported bullying, cyberbullying, and retaliation that:

- Are the responsibility of a school or district administrator who investigates or supervises investigation of all reports.
- Include procedures for notification to parents/guardians of students alleged to have committed an act of bullying and the students targeted by the alleged act. School employees who witness bullying or who receive reports of bullying are required to notify the designated administrator within two calendar days.
- Include an appeal process for both the student accused of bullying and the student who is the target of bullying should either be unsatisfied with the investigation outcome.
- Develop a student safety support plan for students who are identified as the targets of bullying in order to protect the students from further acts of bullying.

The [New Mexico Public Education Department \(PED\)](#) has created a [Safe Schools for All Students Policy Framework](#) to assist schools in adhering to the [New Mexico Administrative Code 6.12.7](#).

**Here are a few suggestions to help you and your schools and districts adhere to this important prevention policy:**

- 1.** Find out who in your district is working on amending the bullying policy. **Serve on the bullying policy committee** if that is an option.
- 2.** Find out if there is a presentation on policy revisions at a **board meeting**; this meeting may be an opportunity to show up and advocate and/or educate board and audience members.
- 3.** Ask what **bullying prevention efforts** your school or district is currently implementing, or what it will begin implementing. What curriculum? Who will teach the curriculum? What grade levels?
- 4.** Serve on a **curriculum committee**, if possible, or try to meet with the head of the committee or the individual responsible for selecting and implementing bullying prevention curriculum.
- 5.** Inquire into what staff **professional development** your school or district will implement annually. Who will conduct it? Might there be opportunities for an additional training on LGBTQ+ students, students of color, or students with cognitive, developmental, or physical disabilities (who are targeted at disproportionate rates)? *(Note: This may be an opportune time to involve your RLAS connections!)*
- 6.** Confirm that both **curriculum and professional development** is truly inclusive of LGBTQ+ students, students of color, or students with cognitive, developmental, or physical disabilities. If you are not sure, ask your coach for support.
- 7.** What do your school's or district's **policies and code of conduct** say about **progressive discipline**? How do your school's or district's policies and code of conduct incorporate **restorative practices**?
- 8.** Do your district's **bullying reporting and/or investigating forms** use LGBTQ+ inclusive language?
- 9.** Does your school or district already have an **anonymous reporting system** for bullying? If not, try to join the committee charged with developing it. If your school does have such a system in place, find out if it is working, and/or if it needs to be redesigned.
- 10.** Find out how the bullying prevention **policies are communicated to students/caregivers** (e.g., website, student handbooks, etc.). Are students/caregivers given the opportunity to provide input?