



STATE OF NEW MEXICO
PUBLIC EDUCATION DEPARTMENT
300 DON GASPAR
SANTA FE, NEW MEXICO 87501-2786
Telephone (505) 827-5800
www.ped.state.nm.us

RYAN STEWART, Ed.L.D.
SECRETARY OF EDUCATION

MICHELLE LUJAN GRISHAM
GOVERNOR

April 7, 2020

MEMORANDUM

TO: Superintendents, Charter School Directors, Transportation Directors & Business Managers

From: Ryan Stewart, Secretary of Education

RE: Transportation Staff/Contractor Questions

The New Mexico Public Education Department (PED) has received many questions regarding expectations for transportation employees and contractors during the school closure. Governor Lujan Grisham expects all school personnel, including bus contractor employees, to be available to conduct business and to be paid as they usually would be for work while schools are physically closed. Therefore, districts, charter schools and school bus contractors are directed to continue paying transportation staff. Although to-and-from bus services are not being provided at this time, employers are expected to work collaboratively with employees and unions to determine how to most effectively utilize paid staff during the closure to the best of their ability. Through this collaborative planning, schools and districts should still be meeting the expectations for social distancing, complying with the Governor's public health order, and managing employee needs. Generally, all staff should be considered available to participate in activities that contribute to the ongoing improvement of the educational process and/or to assist with ongoing services to be provided by the school district or charter school.

Here are examples of continued services or training for transportation personnel:

- Delivery of meals and meal preparation assistance
- Delivery and pickup of materials and supplies
- Assistance in staffing school or district call centers
- Cleaning and disinfecting vehicles per CDC guidelines
- Maintenance of school buses
- Revising bus policies
- Preparation of school buses for bi-annual inspections

- School Bus Driver Instructor training
- CDL Exams
- Completion of mandatory in-service training, e.g.
 - Bullying prevention
 - Transporting students with special needs
 - Sanitizing and disinfecting a school bus
 - School bus security
 - Emergency Evacuations
- Ongoing professional development, e.g.
 - Supporting cultural and linguistically diverse students
 - De-escalation techniques
 - Building positive relationships with students
 - Family and community engagement
 - Positive behavior intervention and support
 - Defensive driving
 - CPR and first-aid
 - Mental health first-aid
 - Trauma-informed practices
- Other purposes as directed by the school district

Please note that professional development or pre-service trainings do not have to be completed in a classroom or onsite due to social distancing. Webinars and teleconferencing are recommended alternatives. If distance training cannot be provided, it is recommended that social distancing protocols are maintained as defined by the U.S. Centers for Disease Control and Prevention (CDC).

Please note that school bus contractors must also comply with these expectations. Therefore, school districts and charter schools will continue to pay school bus contractors (including rental fees for newly purchased equipment) and school bus contractors must continue to pay their employees. However, if a contractor cannot or will not pay their employees, school districts and charter schools must adjust their payments to the contractors to compensate for the fact that they are not paying their employees. Any school districts or charter schools that know or suspect that a bus contractor is not paying employees in a manner consistent with pre-COVID-19 payments should inform Antonio Ortiz, PED Director of Student Services and Transportation, using the contact information at the end of this memo.

Many drivers have been unable to obtain appointments for physical examinations with medical examiners to comply with the Federal Motor Carrier Safety Regulations. However, the Motor Vehicle Division has notified NMPED that CDL drivers should not be downgraded if their medical certificates expired after 03/01/20 due to the fact that medical providers nationwide have canceled regularly scheduled appointments to dedicate resources to the COVID-19 response or other related reasons. If drivers have additional questions, they can email Yvette Facticeau at Yvette.Facticeau@state.nm.us or the CDL Unit at NMCDL.HelpDesk@state.nm.us. On March 21, 2020 you should also have received an e-mail was updated DOT Guidance on Compliance with

DOT drug and alcohol testing regulations. If you need to have this email re-sent, please ask Mr. Ortiz.

Although this memorandum does not cover every possible question or scenario, the purpose is to cover the most frequently asked questions that we have received. During these challenging times, we appreciate your flexibility to adjusted work environments and solutions-oriented mindsets. If you have any further questions please email Antonio Ortiz at Antonio.ortiz1@state.nm.us or call (505) 827-3863.

Cc: Antonio Ortiz, Director, Student Services and Transportation