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## FISCAL IMPACT REPORT

ORIGINAL DATE 1-29-09

SPONSOR Ortiz y Pino LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_

SHORT TITLE Bernalillo County Anti-Bullying Programs SB 216

ANALYST Aubel

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
	\$100.0	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

Responses Received From  
Public Education Department (PED)

### SUMMARY

#### Synopsis of Bill

Senate Bill 216 appropriates \$100 thousand from the general fund to the Local Government Division (LGD) of the Department of Finance and Administration for the Bernalillo County Sheriff's office for FY10 to contract for anti-bullying and character-development programs for public school teachers.

### FISCAL IMPLICATIONS

The appropriation of \$100 thousand contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY10 shall revert to the general fund.

According to the December 2008 revenue estimate, FY10 recurring revenue will only support a base expenditure level that is \$293 million, or 2.6 percent, less than the FY09 appropriation. All appropriations outside of the general appropriation act will be viewed in this declining revenue context.

## SIGNIFICANT ISSUES

SB 216 would contract to provide anti-bullying and character-development programs for public school teachers using lessons learned from the holocaust and other examples of genocide that inspire positive behavior by addressing and developing self-esteem and leadership skills for students who may be subject to peer group gang influence. The bill requires that the curriculum align with the New Mexico educational standards and benchmarks and mandated goals.

According to PED, bullying is defined as “any repeated and pervasive written, verbal or electronic expression, physical act or gesture, or a pattern thereof, that is intended to cause distress upon one or more students in the school, on school grounds, in school vehicles, at a designated bus stop, or at school activities or sanctioned events. Bullying includes, but is not limited to, hazing, harassment, intimidation or menacing acts of a student which may, but need not be, based on the student’s race, color, sex, ethnicity, national origin, religion, disability, age or sexual orientation (Section 6.12.7 NMAC).”

According to the 2007 New Mexico Youth Risk and Resiliency Survey (NMYRRS, 2007), 9 percent of New Mexico high school students reported skipping school within the past 30 days because they felt unsafe at school or traveling to or from school. In order to better define the problem of bullying, the 2009 YRRS will collect data specific to school bullying.

The American Medical Association research findings indicate that bullying has a negative social and public health impact on children and youth. Regardless of the gender or form, bullying has long-term effects for the one being bullied and the bully. Bullies often demonstrate other antisocial and delinquent behaviors such as vandalism, shoplifting, truancy, and frequent drug use. According to the research, this antisocial behavior pattern will continue into young adulthood and the person is more apt to drink, smoke, and perform poorly in school. In addition, statistics show one in four boys who bully will have a criminal record by age 30. Those who are bullied show short-term problems such as depression and suicide ideation, anxiety, loneliness, and difficulties with school work. Long-term problems can include low self-esteem and depression. (<http://jama.ama-assn.org/cgi/content/abstract/285/16/2094>).

In a US Department of Education study (Office of Safe and Drug Free School, USDE):

- fourteen percent of students reported being the victims of bullying;
- younger students were more likely than older students to report being bullied;
- students in schools where gangs were present were more likely to report being the victims of bullying; and
- of those students who reported lower grades, victims of bullying were more likely to report receiving D's and F's than their non-bullied counterparts.

## ADMINISTRATIVE IMPLICATIONS

PED notes that it is uncertain how the Bernalillo County Sherriff’s Office will select schools, distribute the programs to schools, and train teachers to implement the program.

## **OTHER SUBSTANTIVE ISSUES**

PED Rule 6.12.7 requires each school district and charter school develop and implement a policy that addresses bullying, that includes, but is not be limited to:

- (1) definitions;
- (2) an absolute prohibition against bullying;
- (3) a method to ensure initial and annual dissemination of the anti-bullying policy to all students, parents, teachers, administrators and all other school or district employees;
- (4) procedures for reporting incidents of bullying which ensure confidentiality to those reporting bullying incidents and protection from reprisal, retaliation or false accusation against victims, witnesses or others with information regarding a bullying incident;
- (5) consequences for bullying which include consideration of compliance with state and federal IDEA requirements;
- (6) consequences for knowingly making false reports pursuant to the anti-bullying policy;
- (7) procedures for investigation by administration of incidents reported pursuant to the anti-bullying policy;
- (8) a requirement that teachers and other school staff report any incidents of bullying; and
- (9) a requirement that anti-bullying is included as part of the health education curriculum as set forth in 6.30.2.19 NMAC (“content standards - health education”).

## **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Many New Mexico public schools are seeking ways to prevent bullying and violence. If Senate Bill 216 is not enacted, these efforts will continue without the additional funding provided in the bill.

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