

HOUSE BILL 287

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

INTRODUCED BY

D. Wonda Johnson

This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

AN ACT

RELATING TO PUBLIC EDUCATION; REQUIRING THE PUBLIC EDUCATION DEPARTMENT TO CONVENE A TASK FORCE TO CONDUCT AN ASSET MAPPING AND GAP ANALYSIS OF PUBLIC SCHOOL STUDENTS' ACCESS TO CULTURALLY APPROPRIATE SOCIAL SERVICES THROUGHOUT THE STATE
HAFC →; ~~MAKING AN APPROPRIATION~~ ← HAFC .

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

SECTION 1. TEMPORARY PROVISION--SOCIAL SERVICES IN PUBLIC

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SCHOOLS TASK FORCE--MEMBERS--DUTIES.--

A. As used in this section:

- (1) "school district" includes charter schools; and
- (2) "social services" includes services that address students' needs for social, emotional and physical and behavioral health services.

B. The secretary of public education shall convene and support a "social services in public schools task force", which shall function from the date of appointment until December 31, 2021. Appointments shall be made no later than July 1, 2021. The social services in public schools task force shall have at least the following members:

- (1) two members from the public education department;
- (2) one member from the department of health with expertise in public school health services;
- (3) one member from the human services department with expertise in behavioral health services;
- (4) one member from the children, youth and families department with expertise in social work;
- (5) one member from the early childhood education and care department with expertise in the socioemotional health of children;
- (6) one member with expertise in community

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schools;

(7) one member with expertise in health care services in public schools through school-based health centers;

(8) one member with expertise in social-work-related services for students with individualized educational plans;

(9) one member who is a licensed school employee with expertise in behavioral health services in public schools;

(10) one member with expertise in behavioral health services in public schools but who is not an employee of a school district;

(11) one member with expertise in providing social services in rural school districts;

(12) one member with expertise in providing social services in small school districts;

(13) one member with expertise in providing social services in urban school districts;

(14) one member with expertise in providing social services on tribal lands;

(15) one member representing the New Mexico school superintendents' association;

(16) one member representing families in New Mexico;

(17) one member representing public school

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nurses;

(18) one member each from the two largest education unions in New Mexico; and

(19) one member from a tribal or federally or congressionally chartered college or from a program that specializes in the behavioral health needs of American Indian children.

C. The secretary of public education may appoint additional task force members and may appoint nonvoting advisory members.

D. Public members of the task force are entitled to per diem and mileage as provided for state employees in the Per Diem and Mileage Act and shall receive no other compensation, perquisite or allowance.

E. The task force shall:

(1) develop a working definition of the scope and extent of social services that are required to meet the needs of students throughout the state; and

(2) conduct an asset mapping and gap analysis to determine the need for and the availability and accessibility of social services in school districts and public schools.

F. The asset mapping shall include a detailed study on what social services are available through the public schools and may include what social services are available to

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the general population within the exterior boundaries of each school district. The study shall also determine whether available social services are culturally appropriate for the population being served. As part of the study, the following information shall be collected:

(1) the social services data currently collected by federal, state and local governments, including educational institutions, or other public or private sources; what data tracking systems exist; and what data gaps exist;

(2) the demographic makeup of students living in each school district or attending bureau of Indian education schools, if applicable;

(3) the number of students who have accessed social services by type in each school district over at least the latest three years for which data are available; provided that all data used by the task force shall be disaggregated so that individual students cannot be identified;

(4) the demographic makeup of students who have accessed social services by type within each school district, including students with individualized education programs in compliance with the federal Individuals with Disabilities Education Act;

(5) the manner in which students have accessed social services by type, including the use of school personnel, memoranda of understanding or contracts with outside

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organizations or professionals, access through a community school and access through tribal community-based programs;

(6) whether and how school districts are leveraging social services resources from surrounding communities, including tribal communities, to serve students;

(7) whether and how school districts are leveraging social service resources available from post-secondary educational institutions;

(8) the availability of culturally appropriate social services, including services that employ trauma-informed practices;

(9) the availability of social services related to school disciplinary procedures, including indigenous justice and peacemaking, to prevent school suspensions and expulsions;

(10) the current cost of providing social services to students in each school district; and

(11) other factors and information deemed beneficial by the task force.

G. The task force shall use the asset map to undertake a social services gap analysis. The analysis shall include a detailed study of where social services by type are and are not located within each school district by county, municipality, unincorporated town or village, identifiable community or unidentifiable areas listed as "remainder of

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school district" and whether those services are adequate to the needs of each school district's students, including:

(1) how many students do not have access to social services by type in locales within each school district because the particular social service is not available;

(2) how many students have not accessed social services by type in locales within each school district where social services are available;

(3) what social services need to be developed either in each school district or in locales within each school district to close the social services gap and ensure that students have access to culturally appropriate social services;

(4) how social services available from different sources, such as tribal communities and public post-secondary institutions and programs, may be institutionalized and supported to serve public school students;

(5) identification of barriers to making culturally appropriate social services available in each school district, including:

(a) lack of qualified social service providers, either as school employees or contract providers, within a reasonable distance of the public school or other location;

(b) lack of public or private transportation to out-of-community social services;

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(c) lack of funding; and
(d) lack of cultural expertise; and
(6) other factors and information deemed beneficial by the task force.

H. As part of the gap analysis study, the task force shall review available data on workforce needs in the provision of culturally appropriate social services to public school students, taking into account workforce diversity and the need for more American Indian professionals. At the request of the task force, all applicable licensing boards shall provide the data each board has on number of licensees by type and location.

I. The final report of the task force shall include:

(1) a narrative on the findings of the asset mapping and gap analysis and provide those studies as appendices to the report or as a website link;

(2) an analysis of the barriers preventing school districts from providing access to culturally appropriate social services;

(3) an analysis of how the task force's asset mapping and gap analysis may be used by other state agencies that provide social services and used by state and local policymakers to improve the provision of social services throughout the state;

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(4) short-term policy and funding recommendations on how to increase public school at-risk students' access to culturally appropriate social services;

(5) an analysis of statutory changes needed, including changes to the Public School Finance Act and changes to school and student discipline policies provided for in Chapter 22, Article 5 NMSA 1978; and

(6) long-term policy and funding recommendations on how the state can provide all public school students culturally appropriate and necessary social services within five years.

J. The task force shall report its preliminary findings and recommendations to the secretary of public education prior to reporting to the legislative education study committee by November 1, Sf11→~~SEC→2021←SEC~~ ~~SEC→2022←SEC~~←Sf11 Sf11→2021←Sf11 . Upon the completion of its work, the task force shall present its final report, including final findings and recommendations, to the governor, the legislative education study committee, the legislative finance committee, the legislative council service library and the public by December 31, Sf11→~~SEC→2021←SEC~~ ~~SEC→2022←SEC~~←Sf11 Sf11→2021←Sf11 .

~~HAFC→SECTION 2. APPROPRIATION.--One hundred fifty thousand dollars (\$150,000) is appropriated from the general fund to the public education department for expenditure in fiscal year 2022 to contract for an evaluator and program~~

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~~manager for the social services in public schools task force.~~
~~Any unexpended or unencumbered balance remaining at the end of~~
~~fiscal year 2022 shall revert to the general fund.~~ ←HAFC