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FISCAL IMPACT REPORT

SPONSOR Trujillo, CH **ORIGINAL DATE** 1/25/16
LAST UPDATED _____ **HB** 178

SHORT TITLE Bullying Prevention Program **SB** _____

ANALYST Fernandez

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY16	FY17		
	\$250.0	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Relates to SB 80
 Relates to Appropriation in the General Appropriation Act

SOURCES OF INFORMATION

LFC Files

Responses Received From
 Public Education Department (PED)
 Department of Health (DOH)

SUMMARY

Synopsis of Bill

House Bill 178 appropriates \$250 thousand from the general fund to the Public Education Department for the creation and implementation of a bullying prevention program.

FISCAL IMPLICATIONS

HB 178 appropriates \$250 thousand from the general fund for expenditure in FY17 and subsequent fiscal years. Any unexpended balances do not revert to the general fund.

SIGNIFICANT ISSUES

The bill requires the bullying prevention program to be based on best practices, provide anti-bias education and have a compliance monitoring component.

According to PED, a similar effort already exists within the department. The current program is focused on assisting all districts and charter schools in developing their own community specific anti-bullying programs that comply with the PED's policies.

PED provides the following information:

In November 2006, the PED adopted a Bullying Prevention Rule (NMAC 6.12.7) that required all public school districts and state chartered charter schools to adopt and implement an anti-bullying policy no later than April 1, 2007. A guidance memorandum from the Secretary of Education required all schools to have a bullying prevention program in place no later than August 2012.

Included in a New Mexico school bullying prevention policy is a mandatory response to bullying complaints, pursuant to each district's anti-bullying policy. The PED's guidance for anti-bullying programs contains best practices, including providing for an absolute prohibition on bullying and an outline on the procedures for reporting, responding to and investigating each bullying incident. The policy must require school staff to report every bullying incident and must be sent to parents, teachers, staff and administrators every year.

HB178 adds to this PED guidance on policy a specific element that provides anti-bias education.

New Mexico Administrative Code (NMAC) 6.12.6: School District Wellness Policy requires local school boards, school districts and charter schools to develop and implement a wellness policy, including a requirement for school-level safety plans that focus on supporting safe, secure and healthy environments. The PED recently revised the *Planning for Safe Schools in New Mexico Guidance Document* to assist schools with this requirement. The Guidance Document, which also includes specific bullying and cyber bullying prevention policy guidelines, can be found at: <http://ped.state.nm.us/sfsb/safeschools/>.

The PED began a requirement that every school in New Mexico submit its Safe School Plan (SSP) to the department for approval, once every three years since school year 2013-2014. By June 2016 every school in the state should have a fully approved SSP in place. HB178 requires PED compliance monitoring of bullying prevention programs, which is currently monitored as a requirement of each school's SSP review every three years. Also, the Department of Health, Office of School and Adolescent Health participates in the review of these plans and provide ongoing technical assistance to schools to strengthen Safe School Plans, including the impact of bullying on student health and wellness.

PERFORMANCE IMPLICATIONS

According to DOH, HB 178 supports the FY16 Strategic Plan, Result #1: Improve the Health of New Mexicans.

PED indicates that HB 178 may support PED's strategic lever of a safe and supportive learning environment and ensure that New Mexico students are ready for success.

ADMINISTRATIVE IMPLICATIONS

According to PED, the requirements of HB 178 would duplicate efforts already implemented by the department.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

This bill is similar to SB 80 which pertains to bullying and cyber bullying prevention.

As stated above, the provisions of HB178 duplicate efforts by PED. As such, support and funding is provided in the General Appropriation Act for the Public Education Department and Department of Health for these efforts.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

PED and DOH will continue with existing bullying prevention efforts as part of school district Safe School Plans.

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