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SENATE BILL 31

**54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

INTRODUCED BY

Michael Padilla

AN ACT

RELATING TO PUBLIC SCHOOLS; REQUIRING A SOCIAL WORKER IN EVERY  
HIGH-POVERTY PUBLIC SCHOOL; MAKING AN APPROPRIATION.

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

SECTION 1. A new section of the Public School Code is  
enacted to read:

"[NEW MATERIAL] SOCIAL WORKER IN EVERY HIGH-POVERTY PUBLIC  
SCHOOL--DEFINITION--IMPLEMENTATION--RULES--EXCEPTION.--

A. As used in this section:

(1) "high-poverty public school" means a  
public school in which eighty-five percent or more of the  
students are eligible for free or reduced-fee meals; and

(2) "MEM" means the average full-time school  
district or charter school membership, including early  
childhood education full-time-equivalent membership and special

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1 education membership, as calculated on the second and third  
2 reporting dates of the prior school year pursuant to Section  
3 22-8-13 NMSA 1978.

4 B. Except as provided in Subsection C of this  
5 section and as provided during the phase-in period provided in  
6 this subsection, every high-poverty public school shall employ  
7 a licensed social worker for each school year. The department  
8 shall issue rules to annually verify compliance with the  
9 provisions of this section. The provisions of this subsection  
10 shall be phased in over a three-year period as determined by  
11 department rule as follows:

12 (1) for the 2019-2020 school year, one-third  
13 of New Mexico's high-poverty public schools shall employ a  
14 social worker;

15 (2) for the 2020-2021 school year, two-thirds  
16 of New Mexico's high-poverty public schools shall employ a  
17 social worker; and

18 (3) for the 2021-2022 school year and each  
19 subsequent school year, every New Mexico high-poverty public  
20 school shall employ a social worker.

21 C. The department may develop exceptions to the  
22 requirements of this section for school districts with a MEM of  
23 200 or less that work with an existing regional education  
24 cooperative authorized by the secretary pursuant to the  
25 Regional Cooperative Education Act."

.211157.1

1           SECTION 2. APPROPRIATION.--Three million dollars  
2 (\$3,000,000) is appropriated from the general fund to the  
3 public education department for expenditure in fiscal year 2020  
4 for the purpose of implementing the requirement that every  
5 high-poverty public school shall employ a licensed social  
6 worker. Any unexpended or unencumbered balance remaining at  
7 the end of fiscal year 2020 shall revert to the general fund.

.211157.1