

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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.

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

SECTION 1. TEMPORARY PROVISION--SOCIAL SERVICES IN PUBLIC 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;

1 (3) one member from the human services
2 department with expertise in behavioral health services;

3 (4) one member from the children, youth and
4 families department with expertise in social work;

5 (5) one member from the early childhood
6 education and care department with expertise in the
7 socioemotional health of children;

8 (6) one member with expertise in community
9 schools;

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

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

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

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

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

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

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

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

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

7 (16) one member representing families in New
8 Mexico;

9 (17) one member representing public school
10 nurses;

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

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

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

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

24 E. The task force shall:

25 (1) develop a working definition of the

1 scope and extent of social services that are required to meet
2 the needs of students throughout the state; and

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

7 F. The asset mapping shall include a detailed
8 study on what social services are available through the
9 public schools and may include what social services are
10 available to the general population within the exterior
11 boundaries of each school district. The study shall also
12 determine whether available social services are culturally
13 appropriate for the population being served. As part of the
14 study, the following information shall be collected:

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

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

22 (3) the number of students who have accessed
23 social services by type in each school district over at least
24 the latest three years for which data are available; provided
25 that all data used by the task force shall be disaggregated

1 so that individual students cannot be identified;

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

7 (5) the manner in which students have
8 accessed social services by type, including the use of school
9 personnel, memoranda of understanding or contracts with
10 outside organizations or professionals, access through a
11 community school and access through tribal community-based
12 programs;

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

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

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

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

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

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

5 G. The task force shall use the asset map to
6 undertake a social services gap analysis. The analysis shall
7 include a detailed study of where social services by type are
8 and are not located within each school district by county,
9 municipality, unincorporated town or village, identifiable
10 community or unidentifiable areas listed as "remainder of
11 school district" and whether those services are adequate to
12 the needs of each school district's students, including:

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

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

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

25 (4) how social services available from

1 different sources, such as tribal communities and public
2 post-secondary institutions and programs, may be
3 institutionalized and supported to serve public school
4 students;

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

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

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

14 (c) lack of funding; and

15 (d) lack of cultural expertise; and

16 (6) other factors and information deemed
17 beneficial by the task force.

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

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

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

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

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

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

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

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

25 J. The task force shall report its preliminary

1 findings and recommendations to the secretary of public
2 education prior to reporting to the legislative education
3 study committee by November 1, 2021. Upon the completion of
4 its work, the task force shall present its final report,
5 including final findings and recommendations, to the governor,
6 the legislative education study committee, the legislative
7 finance committee, the legislative council service library and
8 the public by December 31, 2021. _____

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25