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HOUSE BILL 112

56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023

INTRODUCED BY

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AN ACT

RELATING TO PUBLIC SCHOOLS; CREATING A PILOT PROJECT TO DEMONSTRATE THAT THE AVAILABILITY OF WELLNESS ROOMS FOR STUDENTS IN NEED OF A CALMING ENVIRONMENT TO SELF-REGULATE EMOTIONAL, MENTAL AND BEHAVIORAL STRESS WILL HAVE A POSITIVE EFFECT ON STUDENT RESILIENCY, STUDENT OUTCOMES AND STUDENT BEHAVIORAL HEALTH; 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] BUILDING STUDENT RESILIENCY PILOT PROJECT--WELLNESS ROOM IN PUBLIC SCHOOLS--APPLICATIONS--REPORTING AND EVALUATION--CREATING A FUND.--

A. As used in this section:

(1) "school district" includes charter

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1 schools; and

2 (2) "wellness room" means a room or an area
3 that provides some privacy for students who need to release
4 emotional, mental and behavioral stress by resting and
5 relaxing.

6 B. "Building student resiliency" is created as a
7 six-year pilot project in public schools that provides one or
8 more student wellness rooms in elementary, middle and high
9 schools to measure the effects of access to a calming
10 environment to self-regulate emotional, mental and behavioral
11 stress on student resiliency and student outcomes, including
12 academic gains, lower truancy rates, more engagement in class
13 and school, better stress responses and improved coping skills
14 and improvement in overall behavioral health. The pilot shall
15 be grounded in national neuroscience and physiology research,
16 social and emotional learning and the critical need to address
17 the epidemic of children traumatized by adverse childhood
18 experiences. Building student resiliency will also show that
19 when schools provide resources and supports such as wellness
20 rooms, the benefits radiate beyond individual students to
21 classrooms and the school as a whole.

22 C. Building student resiliency recognizes that the
23 needs at individual schools are different and there is no
24 perfect model or one-size approach. The pilot project shall be
25 administered by the department and shall provide the funding

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1 for applicants to design and set up wellness rooms with input
2 from students and school personnel as well as other public
3 schools that currently have wellness rooms. Each application
4 shall be for one wellness room, but a school district may
5 submit more than one application. The department shall select
6 up to forty applications for the pilot project.

7 D. The department shall determine application
8 requirements and procedures and criteria for evaluating
9 applications. Applications shall include:

10 (1) whether the school district currently
11 provides wellness rooms in any of its elementary, middle or
12 high schools and the measure of their success;

13 (2) the proposed conceptual design of the
14 wellness room, including:

15 (a) how the wellness room will be
16 staffed by students, school personnel, other professionals or
17 volunteers;

18 (b) whether school personnel will be
19 given a salary differential for staffing the wellness room;

20 (c) whether the wellness room is
21 targeted to particular grades;

22 (d) whether a student may self-refer or
23 needs a referral from a teacher or other school personnel to
24 enter the wellness room;

25 (e) time and visit limitations and any

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1 services to be provided in the wellness room; and

2 (f) a system of formal or informal post-
3 visit checks on students who spend time in the wellness room;

4 (3) the reasons for applying and the goals of
5 the public school and school district in having wellness rooms;

6 (4) how students are or will be involved in
7 the application and planning;

8 (5) proposed cost and description of
9 furniture, equipment, supplies and staff needed to provide the
10 wellness room for the establishment year and five additional
11 operational years;

12 (6) descriptions of targeted professional
13 development for teachers and other school personnel or training
14 for students and volunteers needed to identify and refer
15 students or monitor and assist students while in the wellness
16 room; and

17 (7) any other information required by the
18 department to evaluate the potential beneficial effects of
19 wellness rooms statewide.

20 E. In evaluating applications and selecting pilot
21 project participants, the department shall:

22 (1) give preference to public schools that
23 have a high percentage of students at risk of failure; and

24 (2) give preference to geographic and
25 demographic representation and proportional representation of

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1 elementary, middle and high schools in applications accepted.

2 F. The department, with the assistance of public
3 schools that already have wellness rooms, shall design the data
4 collection system for use by all building student resiliency
5 schools. Data shall be disaggregated as determined by the
6 department but shall ensure that no student is personally
7 identifiable in violation of the federal Family Educational
8 Rights and Privacy Act of 1974. Data shall include:

9 (1) number of visits in total and per student
10 visits;

11 (2) the number of referrals by teachers,
12 counselors, social workers, coaches, nurses, librarians or
13 other school personnel;

14 (3) reasons for visits by categories
15 determined by the department;

16 (4) services, if any, provided to students
17 visiting the wellness room;

18 (5) findings of post-visit checks by school
19 personnel that indicate number of students for whom visits to
20 the wellness room are sufficient or the number of students for
21 whom additional supports are needed;

22 (6) an evaluation of the effectiveness of the
23 wellness room in that public school, including student-reported
24 benefits and effects on student attendance, school morale and
25 student academic outcomes; and

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1 (7) any other information required of the
2 department to evaluate the potential beneficial effects of
3 providing wellness rooms in most public schools statewide.

4 G. The department and participating school
5 districts shall apply for available federal and private grants
6 to support the pilot project or the school district's
7 participation in the pilot project.

8 H. The "building student resiliency fund" is
9 created in the state treasury. The fund shall be nonreverting
10 until the building student resiliency pilot project has ended,
11 at which time the unencumbered or unexpended balance remaining
12 in the fund shall revert to the general fund. The fund
13 consists of appropriations, gifts, grants and donations. The
14 fund shall be administered by the department, and money in the
15 fund is appropriated to the department to establish the pilot
16 project in up to forty public schools. Expenditures from the
17 fund shall be by warrant of the secretary of finance and
18 administration based on vouchers signed by the local
19 superintendent or the superintendent's authorized
20 representative.

21 I. The department shall provide interim reports to
22 the legislative education study committee and the legislative
23 finance committee and a final report to the governor and the
24 legislature on the efficacy of building student resiliency and
25 whether the provision of student wellness rooms in elementary,

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