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April 23, 2014

**MEMORANDUM**

**TO:** Legislative Education Study Committee

**FR:** Travis Dulany

**RE: STAFF BRIEF: SOCIAL WORKERS IN HIGH-POVERTY SCHOOLS  
(INTRODUCED LEGISLATION)**

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**INTRODUCTION**

During the 2014 legislative session, legislation was introduced to require the employment of social workers in certain public schools;<sup>1</sup> however, the bill did not pass. In order to provide the committee with general information about the 2014 legislation, this staff brief provides a summary of SB 115, *Social Worker in High Poverty Schools* (see **Attachment**).

**BILL SUMMARY**

SB 115 would have made an appropriation and added a new section to the *Public School Code* to require the employment of a licensed social worker in every high-poverty public school by school year 2016-2017.

Among its provisions, the bill:

- defined a "high-poverty public school" as one in which 85 percent or more of the students are eligible for free or reduced-fee meals;

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<sup>1</sup> Identical legislation was also introduced during the 2013 legislative session.

- required, by Public Education Department (PED) rule, the employment of social workers to occur in one-third increments each year beginning in school year 2014-2015; and
- allowed PED to develop exceptions for small rural school districts with a MEM of 200 or less.

Finally, SB 115 would have required PED to verify that every high-poverty public school in New Mexico has employed a licensed social worker.

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SENATE BILL 115

**51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014**

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--EXCEPTION.--

A. As used in this section, "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.

B. Except as provided in Subsection C of this  
section, the department shall verify that every high-poverty  
public school in New Mexico has employed a licensed social

underscored material = new  
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1 worker. Employing social workers in every high-poverty public  
2 school shall be phased in over a three-year period as  
3 determined by department rule as follows:

4 (1) effective with the 2014-2015 school year,  
5 one-third of New Mexico's high-poverty public schools shall  
6 employ a social worker;

7 (2) effective with the 2015-2016 school year,  
8 two-thirds of New Mexico's high-poverty public schools shall  
9 employ a social worker; and

10 (3) effective with the 2016-2017 school year,  
11 every New Mexico high-poverty public school shall employ a  
12 social worker.

13 C. The department may develop exceptions to the  
14 requirements of this section for small rural school districts  
15 with a MEM of 200 or less."

16 **SECTION 2. APPROPRIATION.--**Three million dollars  
17 (\$3,000,000) is appropriated from the general fund to the  
18 public education department for expenditure in fiscal year 2015  
19 for the purpose of implementing the requirement that every  
20 high-poverty public school shall employ a licensed social  
21 worker. Any unexpended or unencumbered balance remaining at  
22 the end of fiscal year 2015 shall revert to the general fund.