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FISCAL IMPACT REPORT

SPONSOR O'Neill **ORIGINAL DATE** 02/10/14 **LAST UPDATED** _____ **HB** _____

SHORT TITLE Education of Children in Juvenile Justice **SM** 69

ANALYST Armstrong

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY14	FY15		
	NFI		

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to Appropriation in the General Appropriation Act

SOURCES OF INFORMATION

LFC Files

Responses Received From
Administrative Office of the Courts (AOC)
Public Education Department (PED)
Children, Youth and Families Department (CYFD)

SUMMARY

Synopsis of Bill

Senate Memorial 69 requests that PED develop a comprehensive strategy and budget for educating children who have been suspended, expelled, or detained in the juvenile or criminal justice systems for misconduct. SM 69 requests the same from a working group including a state senator and representative from each party, school district administrators, parents of schoolchildren, educators, childhood development experts, and interested individuals, families and organizations. The memorial also requests that PED build upon its own previous reports and recommendations and those of the Interagency Behavioral Health Purchasing Collaborative, CYFD, and legal experts in the community.

FISCAL IMPLICATIONS

The joint memorial does not include an appropriation. The requested activities would be carried out with existing resources.

According to PED analysis, Local Education Agencies (school districts) providing services in local juvenile detention facilities received $514,481 and other state agencies (CYFD, Department of Health, DOC, University of New Mexico Mimbres) received $314,464 under the Title I Part D Neglected and Delinquent program in 2013-14. Additional Individuals with Disabilities Education Act (IDEA) funding made available through PED's Special Education Bureau, during FY13, included:

- Juvenile Justice Services (CYFD): $222,849.18;
- NM Department of Corrections: $23,196.08;
- Sequoya Adolescent Treatment Center: $24,725.78; and
- UNM / Mimbres: $27,943.08.

In addition to continued funding in FY14 for the above entities, IDEA funding was provided to Regional Education Cooperative #5 for alternative programming in state supported facilities.

SIGNIFICANT ISSUES

In June 2013, The New Mexico Supreme Court issued an order establishing the Joint Education Task Force – Children's Court Improvement Committee (CCIC). The charges of the Task Force, chaired by Chief Justice Maes and Governor Martinez, include the development and implementation of a sustainable collaborative model for ongoing systemic improvement of educational outcomes for children and youth in the state's custody and other at-risk youth. Representatives from school districts, state agencies (specifically CYFD and PED, which recently entered into an agreement for data sharing), the judicial system and other youth advocates are part of the task force.

SM 69 duplicates existing efforts of the Joint Education Task Force. The existing task force and subcommittees focus on:

- challenges and barriers to educational success;
- specific educational outcomes that, if improved, will ensure individual student success;
- implementation of practices, on a pilot basis, to improve the targeted educational outcomes and ensure accountability by all parties;
- a plan for cross-training and professional development for judiciary, child welfare, and education employees to improve educational outcomes;
- a sustainable collaborative model for ongoing improvement of educational outcomes; and
- developing a shared data system between child welfare, the judiciary, and education in order to make informed decisions concerning policy and individual student success.

RELATIONSHIP

House Memorial 64 requests that CYFD reconvene the steering committee first established pursuant to House Joint Memorial 21 (2012) to develop a plan to implement recommendations for realizing certain aims of the Children's Code and ensuring that access to children's services is uniform across geographic boundaries.

JA/ds