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LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
53rd Legislature, 2nd Session, 2018

Bill Number	<u>HB136/HECS/aHFI#1</u>	Sponsor	<u>HEC</u>
Tracking Number	<u>.210316.1</u>	Committee Referrals	<u>HSIVC/HEC;SEC/SFC</u>
Short Title	<u>Childhood Poverty Awareness Training Act</u>		
Analyst	<u>Force</u>	Original Date	<u>2/13/18</u>
		Last Updated	<u></u>

BILL SUMMARY

Synopsis of House Floor Amendment #1

House Floor Amendment #1 to HB136/HECS narrows the application of the bill to school districts with more concentrated at-risk student populations. Training requirements are now for school districts and charter schools with at least 200 students, where the school district itself, or the one in which an eligible charter school is located, has a three-year average total rate of at-risk components (Title I eligibility, English learners, and student mobility) of 0.7, or higher (see Attachment 1, Local School Districts by Average Three-Year At-Risk Rate). The three-year average total rate is determined by adding the percent of students used to determine Title I allocations, the percent of students identified as English learners, and total student mobility. Based on FY18 at-risk calculations, 31 school districts would be required to offer training.

Synopsis of Original Bill

House Education Committee Substitute for House Bill 136 (CS/HB136/HECS) establishes the Childhood Poverty Awareness Training Act. It explicitly makes state-chartered charter schools eligible to receive at-risk program units when, like local school districts, their educational plans include services to help students reach their full potential and have been approved by the Public Education Department (PED). Charter schools and school districts must develop and submit an action plan to PED with their annual budget that outlines services to improve the academic success of at-risk students. The plan must include a report on the services implemented in the prior year with their impact on at-risk students. Beginning with the 2020-2021 school year, any local school district or charter school receiving at-risk units must ensure that all school employees attend an initial 6.5-hour training and annual 3-hour training on childhood poverty awareness detailing the effects of poverty on children's academic achievement and social development.

The goals of the childhood poverty awareness training program are to: educate school employees on the types of poverty in the state and their effects on social and academic development; better delineate the demographic groups within school districts and schools; provide research-based strategies on engaging students and families in the educational process; and mitigate the effects of childhood poverty on students. The bill allows school districts, charter schools, and regional

educational cooperatives to collaborate on the development and administration of the training programs. PED is to certify trainers and approve training programs that fulfill the purposes of the act and department rule.

FISCAL IMPACT

HB136/HECS/HFI#1 does not contain an appropriation. The fiscal impact report from the Legislative Finance Committee and PED's analysis of the original HB136 both note Albuquerque Public Schools (APS) has provided poverty awareness training to their Title I schools for the past two years. According to PED, over 800 members of APS staff and 46 Title I public schools have received poverty awareness training through a national program associated with a private business, with costs over \$150 thousand. The APS training includes a full day of professional development for school teams of up to 12 members, who must develop action plans for their school communities. Additional support, including whole school training if requested, is available throughout the school year, as well. In order to qualify for this training, schools must have at least 50 percent enrollment eligible for free and reduced price meals (FRPM), which requires a family to be at or below 185 percent of the federal poverty level, or \$44 thousand per year for a family of four.

With no funding attached to the bill, local school districts and charter schools with an average three-year at-risk rate of 0.7 or higher will need to develop, initiate, and maintain these training programs with existing resources. It should be noted, however, House Appropriations and Finance Committee (HAFC) Substitute for House Bills 2 and 3 increases the at-risk index in the state equalization guarantee distribution from 0.106 to 0.13 for purposes of calculating at-risk program units, which will result in an estimated additional \$22.5 million to support at-risk students. Exact costs for each school district and charter school are difficult to determine, but may be significant, given the required initial training course of 6.5 hours and subsequent annual training of 3 hours for all school employees.

PED notes it is required to certify trainers and approve training programs at indeterminate costs using existing resources. It is worth noting that, while the subject matter may be different, in 2017, PED initiated a training program for charter school governing body members that similarly required approval of trainers, and included both initial and continuing training requirements (see 6.80.5 NMAC). While the training required by HB136/HECS/HFI#1 is topically different, the structure of the poverty awareness training program seems similar to that of the charter school governing body training program, perhaps allowing PED to build off of their success in establishing this required training.

SUBSTANTIVE ISSUES

The public school funding formula includes additional program units for school districts and charter schools that provides services to assist students at risk of failure in reaching their full academic potential. Currently, all school districts and charter schools are allocated these additional program units. Each school district or charter school is allocated "at-risk" program units based on their "at-risk index." Three components make up the at-risk index: the percent of students eligible to be included in the U.S. Department of Education's Title I calculations; the percent of students identified as English learners, and the percent of total student mobility. Title I eligibility is based on data from the U.S. Census Bureau and covers a defined geographic area. Because of this, a charter school is given the at-risk index of the school district in which it is geographically located. The factors included in Title I calculations are the number of students from families below the

poverty line, the number of students above the poverty line but from families receiving benefits from the Temporary Assistance for Needy Families program, the number of children in foster homes, and the number of children in homes for neglected children.

According to the U.S. Census Bureau's most recent American Community Survey (2016), the national average for persons under 18 living below the poverty line is 21.2 percent. In New Mexico, however, 29.8 percent of persons under 18 live below the poverty line, making New Mexico the state with the second-highest child poverty rate, after only Mississippi, at 31.5 percent. Further, poverty disproportionately affects minority families, and New Mexico has a minority-majority student population; of 333 thousand students, 61 percent are Hispanic, and 11 percent are Native American, with most qualifying for FRPM.

Poverty is often accompanied by increased levels of chronic stress from multiple sources, such as food insufficiency, housing instability, exposure to violence, and parents potentially less available for nurturing and support. According to the Institute for Learning and Brain Sciences at the University of Washington, children who suffer chronic stress can experience impaired brain development, especially in the areas of the brain related to higher-order thinking skills. Further, studies consistently demonstrate that the consequences of childhood poverty can follow one throughout life, impacting physical and mental health, making it more likely they will experience teen pregnancy, teen parenthood, academic struggles, and limited employment opportunities, leading to significant reductions in lifetime earning capacity.

RELATED BILLS

HB188, Phased-In Teacher Cost Index, which proposes to increase the at-risk multiplier over three years and includes a \$22.5 million appropriation for the state equalization guarantee to cover an estimated 5,560 additional at-risk program units in FY19, identical to SB157.

SB157, Phased-In Teacher Cost Index, identical to HB188.

SOURCES OF INFORMATION

- LESC Files
- Legislative Finance Committee
- Public Education Department

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