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FISCAL IMPACT REPORT

ORIGINAL DATE 2/1/2019
LAST UPDATED 3/7/19

SPONSOR Ruiloba **HB** 238/aHEC

SHORT TITLE Childhood Trauma Awareness Training Act **SB** _____

ANALYST Chilton

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY19	FY20	FY21	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	Indeterminate	Indeterminate	Indeterminate	Indeterminate	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Relates to House Bill 236, 2018 House Bill 136

SOURCES OF INFORMATION

LFC Files

Responses Received From

Regional Education Cooperatives (RECA)

Public Education Department (PED)

Children, Youth and Family Department (CYFD)

SUMMARY

Synopsis of HEC Amendment

The House Education Committee Amendment makes changes in the frequency and duration of required trainings:

- 1) Trainings are to be at least two hours in duration in each semester of the school year for established school personnel, and
- 2) New school employees must attend a six-hour course during their first semester.

In addition, the amendment would require that schools with a greater than five percent suspension rate mandate such training of employees, regardless of whether the school district or charter school receives at-risk units. School districts would be encouraged to prioritize training based on the district's schools' at-risk student population. The bill's original requirement that schools perform the training during the first six weeks of the school year has been replaced by a requirement that school districts prioritize the trainings so that one training is conducted in each school during each semester.

Synopsis of Original Bill

House Bill 238 would amend the state Public School Code (Section 22-8 NMSA 1978) to require that all school districts and charter schools serving at-risk students educate school employees on the short- and long-term effects of childhood trauma. Schools that receive at-risk units (all districts in New Mexico) would be subject to the new requirement.

House Bill 136/HECS would amend Section 22-8-23.3 NMSA 1978 to require that all school districts that receive at-risk units in addition to the standard funding units educate school employees on the effects of childhood poverty especially on children’s academic achievement and social development. As all New Mexico school districts and charter schools receive at-risk units at this point, all would be required to provide such education.

The bill would also amend Section 22-8-23.3 NMSA 1978 to require development and submission of an action plan to “outline the specific services the school district or charter school will implement to improve the academic success of at-risk students.” The bill adds language to the above statute that requires childhood poverty awareness training beginning in the 2020-2021 school year and annually thereafter.

Section 2 of the bill established definitions of “school employee; its definition of childhood trauma is “adverse childhood experiences that impede brain development, learning, and appropriate socialization.”

Section 3 would enact the “Childhood Trauma Awareness Training Act;” section 3 makes it clear that poverty awareness training would be required for all school employees and establishes goals for the training, as follows:

1. Creating an awareness of types of poverty in New Mexico
2. Creating understanding of ill effects of poverty and other adverse childhood experiences on brain development and learning, academic achievement, social development, and well-being.
3. Creating locally-specific understanding of a district’s or a charter school’s population, including those factors which lead to “at-risk unites, including English language-learner status, eligibility for free- and reduced-price lunch (used as a proxy for poverty) and mobility.
4. Providing evidence-based techniques for teaching and engaging children who have suffered poverty and other adverse childhood experiences.
5. Developing strategies to mitigate social and academic effects of poverty and improve the educational experience for children living in poverty.
6. Assisting school districts and charter schools in all of the above, as well as in developing appropriate education for employees on the effects of childhood poverty.

The educational session required of all school district employees would be required to be at least 6.5 hours long the first year and 3 hours long in subsequent years. The initial session would need to be in place by the first six weeks of the 2020-2021 school year, and would be repeated during the school’s second semester for those who missed the first training of the year, although documentation that a new employee had received the training in another location would suffice until the next annual training. School districts and charter schools with similar populations could

combine their trainings.

The Public Education Department would approve childhood poverty awareness training programs as meeting the goals detailed above, and would certify childhood trauma awareness trainers.

FISCAL IMPLICATIONS

The cost of implementing the training specified would likely fall to the school districts and charter schools, inasmuch as no appropriation is provided. Costs might include training materials, speaker fees, and pay for teachers and other school employees on hourly pay, unless the training supplanted other training.

PED would be required to certify the training and the trainers. PED indicates that “The fiscal impacts on the Public Education Department (PED) cannot be determined at this time. HB238 requires the PED to approve training programs for school employees on adverse childhood events (ACEs) and how to ameliorate their effects. As the training programs may be developed by school districts or Regional Education Cooperatives (RECs), there could be more than one hundred training programs to approve. HB238 also requires the PED to certify trainers for the approved training programs. HB238 is silent as to criteria for trainer qualifications and certification.”

SIGNIFICANT ISSUES

The New Mexico Department of Health has made data available on childhood trauma, also known as Adverse Childhood Experiences (ACEs) such as abuse, neglect, domestic violence, substance abuse, and mental illness and how those childhood experiences have affected development and outcomes as adults. <https://nmhealth.org/publication/view/help/1831/>.

Although Adverse Childhood Experiences occur to children of all socioeconomic classes, they are much more prevalent among poor children, presaging many consequences, such as health risks, mental health problems, poor educational outcomes, and substance abuse.

As noted by PED, “For the purpose of HB238, “childhood trauma” means adverse childhood experiences, also known as ACEs. According to Psychology Today, “The principal types of ACEs are abuse, neglect and seriously troubled households. More specifically, ACEs are emotional, physical and sexual abuse; emotional and physical neglect; and homes that have domestic violence, or mental and/or substance (alcohol or drug) disorders, or parental separation or divorce, or a family member who is incarcerated. While ACEs occur before the age of 18 their effects can endure.” (<https://www.psychologytoday.com/us/blog/therapy-it-s-more-just-talk/201311/adverse-childhood-experiences-aces>)

New Mexico Voices for Children reports data from the National Survey of Children’s Health (<http://childhealthdata.org/learn-about-the-nsch/NSCH>) in a February 2018 article “that New Mexico has a worse-than-average rate of children experiencing no ACEs, and when it comes to children who suffer between three and eight ACEs, New Mexico and Arizona are tied for the highest rate—18 percent. The national average was 11 percent.”

A child who has experienced ACEs is more likely to have learning and behavioral issues and is at higher risk for early initiation of sexual activity and adolescent pregnancy. These effects can

be magnified through generations if the traumatic experiences are not addressed. The financial cost to individuals and society is enormous. (American Academy of Pediatrics, https://www.aap.org/en-us/Documents/ttb_aces_consequences.pdf) In addition, children suffering from having experienced adverse childhood experiences are far more likely than their peers with no or fewer ACEs to have difficulty with school work and with socialization in school. The long-term consequences of ACEs have been shown since 1998 to be dire as well on into adulthood, with studies showing accelerating increases in substance abuse, suicide, mental health disorders and even such physical disorders as heart attack and stroke with every additional ACE. The suggested training may enable school employees to understand the effects of this trauma better, and to develop means of supporting children who have undergone ACEs to ameliorate their effects.

ADMINISTRATIVE IMPLICATIONS

PED states that it “would need to work with various stakeholders and health and wellness experts to determine the criteria for an approved plan, for a certified provider, and for an approved training program. Administration of the evaluation and oversight of training programs would be provided by PED staff.”

RELATIONSHIP with House Bill 236, the “Attendance for Success Act,” which would bring services to students with frequent school absences, and to 2018 House Bill 136, which would have required teachers and other school staff to learn of the educational and social effects of poverty. The current bill requires teaching on the educational and social importance of adverse childhood experiences (ACEs). Although the group of children in poverty and the group of children suffering from the effects of adverse childhood experiences are not the same (ACEs occur in all socioeconomic classes, the incidence of ACEs is greater in groups experiencing poverty; indeed, some would include poverty itself as an ACE. 2018 House Bill 136 passed the House and died on the Senate floor.

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