

HOUSE BILL 112

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

INTRODUCED BY

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This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

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:

.223545.1AIC February 28, 2023 (4:52pm)

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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 schools; and
- (2) "wellness room" means a room or an area that provides HEC→some privacy←HEC HEC→space←HEC for students who need to release emotional, mental and behavioral stress by resting and relaxing.

B. "Building student resiliency" is created as a six-year pilot project in public schools that provides one or more student wellness rooms in elementary, middle and high schools to measure the effects of access to a calming environment to self-regulate emotional, mental and behavioral stress on student resiliency and student outcomes, including academic gains, lower truancy rates, more engagement in class and school, better stress responses and improved coping skills and improvement in overall behavioral health. The pilot shall be grounded in national neuroscience and physiology research, social and emotional learning and the critical need to address the epidemic of children traumatized by adverse childhood experiences. Building student resiliency will also show that when schools provide resources and supports such as wellness

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rooms, the benefits radiate beyond individual students to classrooms and the school as a whole.

C. HEC → ~~Building student resiliency recognizes that the needs at individual schools are different and there is no perfect model or one-size approach.~~ ← HEC The pilot project shall be administered by the department and shall provide the funding for applicants to design and set up wellness rooms with input from students and school personnel as well as other public schools that currently have wellness rooms. Each application shall be for one wellness room, but a school district may submit more than one application. HEC → ~~The department shall select up to forty applications for the pilot project.~~ ← HEC

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

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

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

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

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

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

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

(e) time and visit limitations and any services to be provided in the wellness room; and

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

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

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

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

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

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

E. In evaluating applications and selecting pilot

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project participants, the department shall:

(1) give preference to public schools that have a high percentage of students ~~HEC→at risk of failure←HEC~~ ~~HEC→who are from low-income families, are English language learners, are disabled, are high-risk students or have a high percentage of Native American students←HEC~~ ; and

(2) give preference to geographic and demographic representation and proportional representation of elementary, middle and high schools in applications accepted.

F. ~~HEC→The department, with the assistance of public schools that already have wellness rooms, shall design the data collection system for use by all building student resiliency schools.←HEC~~ ~~HEC→Beginning August 30, 2024 and by August 30 of each subsequent year of the pilot project, participating school districts shall report to the department on the success of the wellness rooms, consistent with the manner and form requested by the department.←HEC~~ Data ~~HEC→in the report←HEC~~ shall be disaggregated as determined by the department but shall ensure that no student is personally identifiable ~~HEC→in violation of the federal Family Educational Rights and Privacy Act of 1974←HEC~~ . Data shall include:

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

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- (2) the number of referrals by teachers, counselors, social workers, coaches, nurses, librarians or other school personnel;
- (3) reasons for visits by categories determined by the department;
- (4) services, if any, provided to students visiting the wellness room;
- (5) findings of post-visit checks by school personnel that indicate number of students for whom visits to the wellness room are sufficient or the number of students for whom additional supports are needed;
- (6) an evaluation of the effectiveness of the wellness room in that public school, including student-reported benefits and effects on student attendance, school morale and student academic outcomes; and
- (7) any other information required of the department to evaluate the potential beneficial effects of providing wellness rooms in most public schools statewide.

~~HEC→G. The department and participating school districts shall apply for available federal and private grants to support the pilot project or the school district's participation in the pilot project.~~←HEC

HEC→H.←HEC HEC→G.←HEC The "building student resiliency fund" is created in the state treasury. The fund shall be nonreverting until the building student resiliency pilot project has ended, at which time the unencumbered or

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unexpended balance remaining in the fund shall revert to the general fund. The fund consists of appropriations, gifts, grants and donations. The fund shall be administered by the department, and money in the fund is appropriated to the department to establish the pilot project in up to forty public schools. Expenditures from the fund shall be by warrant of the secretary of finance and administration based on vouchers signed by the local superintendent or the superintendent's authorized representative.

HEC→~~I.~~←HEC HEC→~~H.~~←HEC HEC→~~The~~←HEC

HEC→Beginning in 2024 and for each succeeding year,←HEC department shall provide interim reports to the legislative education study committee and the legislative finance committee HEC→and←HEC HEC→by November 30, and the department shall provide←HEC a final report to the governor and the legislature on the efficacy of building student resiliency and whether the provision of student wellness rooms in elementary, middle and high schools had a determinable positive effect on student resiliency and student outcomes, including academic gains, lower truancy rates, more engagement in class and school, better stress responses and improved coping skills and improvement in overall behavioral health."

HAF→~~SECTION 2. APPROPRIATION. Five million dollars (\$5,000,000) is appropriated from the general fund to the building student resiliency fund for expenditure in fiscal year~~

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~~2024 and subsequent fiscal years to establish wellness rooms in participating building student resiliency schools. Any unexpended or unencumbered balance remaining at the end of a fiscal year shall not revert to the general fund.~~←H AFC