

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: HB 197

51st Legislature, 2nd Session, 2014

Tracking Number: .195091.2

Short Title: Social Workers at Certain Elementary Schools

Sponsor(s): Representative William “Bill” Rehm and Other

Analyst: Travis Dulany

Date: February 6, 2014

Bill Summary:

HB 197 makes an appropriation and adds a new section to the *Public School Code* to create, by the second semester of school year 2014-2015, an eight-year “whole student focus pilot project” that will assign social workers to work with teachers, at-risk students, and families in elementary schools rated “D” or “F.”

Among its provisions, the bill states that:

- the pilot project:
 - purpose is to demonstrate that data-driven, evidence-based interventions with students in grades 1-4 and their families will improve each student’s academic achievement and the social, emotional, and behavioral competence of students and their families;
 - must include at least 10 elementary schools from across the state with “as fair as practicable” representation of small, medium, and large urban and rural schools; and
 - give priority for at least one-half of the pilot project slots to “F” rated schools;
- a school district with an identified elementary school that has received a grade of “D” or “F” for two years or more may to apply for participation in the project; however:
 - the elementary school must agree to pay for one-half of the salary and benefits of participating social workers and provide work accommodations; and
 - the school district must demonstrate that its pilot project will meet all Public Education Department (PED) standards and employ only qualified social workers;
- PED is required to:
 - design the project in a way that participating school social workers:
 - work a varied schedule that aligns with the needs of teachers and the at-risk students and their families; and
 - endeavor to schedule home visits at times convenient to the student’s parent or caregiver;

- administer the pilot project and determine application requirements, procedures, and criteria for evaluating applications;
 - establish reporting and evaluation requirements for participating elementary schools, including student, family, and pilot project assessments;
 - provide interim and final reports annually to the Legislature and the Governor on the efficacy of the pilot project;
 - provide additional professional development for participating school social workers on how young students learn; and
 - actively seek public and private grants and donations and administer the Whole Student Focus Fund (further described below);
- a participating school social worker is required to meet regularly with an at-risk student's teacher to identify the academic or other challenges faced by the student and work with the teacher, the student, and the student's family to assist them in meeting those challenges as well as coordinate with social services or other services needed by the student or family;
 - a participating at-risk student is to be evaluated at the beginning of the pilot project, with the student's progress in academic achievement to be measured through standardized assessments as well as the student's social, emotional, and behavioral competence to be measured by other assessments adopted by PED;
 - families of participating students are to be evaluated at the beginning of the pilot project, with the family's progress in social, emotional, and behavioral competence, if applicable, to be evaluated periodically and at the end of the project;
 - data is to be collected on social and other services provided to the student or the student's family; and
 - the Children, Youth and Families Department (CYFD), the Human Services Department, the Department of Health (DOH), and other state agencies are to assist PED as requested in the pilot project's design and implementation, including data collection and assessment.

Finally, HB 197 creates the Whole Student Focus Fund, which, unless otherwise specified by the terms of a grant or donation, will revert to the General Fund at the end of the pilot project.

Fiscal Impact:

\$500,000 is appropriated from the General Fund to the Whole Student Focus Fund for expenditure in FY 15 and subsequent years. Any unexpended or unencumbered balance remaining at the end of a fiscal year shall not revert except as provided for in HB 197.

Fiscal Issues:

PED reports that:

- using the average social worker salary of \$50,245, plus a benefit load of 30 percent, the total cost for implementation in 10 schools would be approximately \$653,185; and
- “given the project cost indicated for first year implementation, the \$500,000 appropriation contained in the bill for each year is not sufficient to fund the social worker positions and the required administrative costs for school districts and PED.”

It is not immediately clear whether school districts would be able to use money from the Whole Student Focus Fund for their share of costs to provide the social workers.

Substantive Issues:

According to PED, the department currently has an intervention framework in place:

“The Response to Intervention framework, required by state rule, provides a three-tier model of student intervention. This framework provides a framework to schools to provide support to students who are experiencing academic and/or behavioral challenges. Parents and families are required to be part of the process. The model provides a continuum of state-wide support that provides support to overall comprehensive school improvement efforts. School-community partnerships also provide an opportunity for schools to address student behavioral health and provide resources and services to students.”

PED also notes that local autonomy may prevent the department from implementing the requirement to design the pilot project in a way that enables participating school social workers to work a varied schedule, as the social workers are hired by local school districts and are subject to the district’s autonomous scheduling.

CYFD notes that there is no definition of “at-risk student” in the bill. Another provision in statute – the *Literacy for Children At Risk Act* – defines a “child at risk” as “a child who attends public school in New Mexico whose reading, writing, or math literacy level, as determined by [the student’s] school district, falls in the forty-ninth percentile or lower.”

According to statistics cited by DOH:

- children represent 24 percent of the population, but comprise 34 percent of people in poverty;
- the percentage of children living in low-income families has been on the rise – increasing from 40 percent in 2006 to 45 percent 2011;
- adolescents and young adults who are African-American, American Indian, or Hispanic White, experience worse outcomes in a variety of areas;
- approximately 18 percent of children and adolescents have a mental disorder, and approximately 5.0 percent are emotional disturbed;
- it is probable that there is at least one child with a mental health disorder in every classroom;
- there are 54 school-based health centers statewide, providing integrated primary and behavioral healthcare; and
- there are 489 licensed school nurses, assisted by seven licensed professional nurses, and 333 health assistants providing care to school-aged youth on 880 school campuses.

Committee Referrals:

HEC/HAFC

Related Bills:

HB 19a *Update School Finance At-Risk Index*
SB 70 *At Risk Children Case Management Services*
SB 115 *Social Worker in High Poverty Schools*
SB 213 *Doña Ana At-Risk Youth Intervention Program*
SB 215 *Social Worker Loan for Service Act*
SM 5 *J. Paul Taylor Early Childhood Task Force*