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HOUSE BILL 53

54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020

INTRODUCED BY

Patricia Roybal Caballero and Dayan Hochman-Vigil

AN ACT

RELATING TO PUBLIC EDUCATION; SPECIFYING THAT NURSING, SCHOOL COUNSELING AND BEHAVIORAL HEALTH SERVICES ARE PART OF A BASIC SUFFICIENT EDUCATION; REQUIRING SCHOOL DISTRICTS AND CHARTER SCHOOLS TO DEVELOP AND SUBMIT ANNUAL SOCIAL SERVICE PLANS TO THE PUBLIC EDUCATION DEPARTMENT; REQUIRING MONITORING OF PLANS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of the Public School Code is enacted to read:

"[NEW MATERIAL] SOCIAL SERVICES AS PART OF BASIC SUFFICIENT EDUCATION--ANNUAL PLANS.--

A. As used in this section:

(1) "behavioral health services" includes services from a licensed behavioral health professional, including social workers and psychologists;

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1 (2) "social services" includes nursing, school
2 counseling and behavioral health services; and

3 (3) "tribe" means an Indian nation, tribe or
4 pueblo located partly or wholly within New Mexico.

5 B. Nursing, school counseling and behavioral health
6 services are part of a basic sufficient education.

7 C. School districts and charter schools shall
8 develop annual social service plans to offer all students
9 access to nursing, school counseling and behavioral health
10 services that are culturally and linguistically relevant to
11 their student populations.

12 D. The department, in collaboration with school
13 districts, charter schools and tribes, shall:

14 (1) promulgate rules on nursing, school
15 counseling and behavioral health services, including state
16 policies and standards, and shall review the process for school
17 districts' and charter schools' submission of their annual
18 plans; and

19 (2) develop a monitoring process to monitor
20 school district and charter school annual social service plans.

21 E. The department shall:

22 (1) have staff with expertise in the social
23 and emotional health of students and in how to mitigate
24 outside-of-school factors to ensure students have the
25 opportunity to be college and career ready;

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1 (2) provide school districts and charter
2 schools with technical assistance and support to help them in
3 developing their annual plans;

4 (3) use the monitoring process to monitor the
5 implementation of school district and charter school annual
6 plans to ensure that funding is being directed toward nursing,
7 school counseling and behavioral health services; and

8 (4) review school districts' and charter
9 schools' annual plans and incorporate an estimated cost to
10 provide access to nursing, school counseling and behavioral
11 health services to all students in its annual budget request.

12 F. School districts and charter schools shall
13 submit their annual plans to the department by September 30 of
14 each year for the succeeding fiscal year. The department shall
15 notify all school districts and charter schools by August 1
16 that annual plans will be accepted until September 30. The
17 notification shall include the form for annual plan submission
18 and any requirements for supplementary documentation. Annual
19 plans may be submitted electronically or by mail or other
20 delivery.

21 G. Annual plans shall include:

22 (1) a description of the nursing, school
23 counseling and behavioral health services that the student
24 population needs to alleviate health and social challenges
25 students face, and the annual plan shall include the input

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1 received from the community;

2 (2) a description of how the nursing, school
3 counseling and behavioral health services will be culturally
4 and linguistically relevant to the school district's or charter
5 school's student population;

6 (3) an estimated cost to provide nursing,
7 school counseling and behavioral health services to the school
8 district's or charter school's student population;

9 (4) a description of how the school district
10 or charter school is partnering with local community groups to
11 help provide nursing, school counseling and behavioral health
12 services to its student population if these resources are
13 available to a school district or charter school;

14 (5) a description of how the school district
15 or charter school will leverage other local resources in the
16 community to help provide nursing, school counseling and
17 behavioral health services to its student population if these
18 resources are available to a school district or charter school;

19 (6) a description of the challenges the school
20 district or charter school experiences in providing nursing,
21 school counseling and behavioral health services to the school
22 district's or charter school's student population; and

23 (7) other relevant information requested by
24 the department."