

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current and previously issued FIRs are available on the NM Legislative Website (www.nmlegis.gov) and may also be obtained from the LFC in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

SPONSOR Lara ORIGINAL DATE 2/4/2020
LAST UPDATED _____ HB 127/aHEC
SHORT TITLE Task Force on Asset Mapping and Gap Analysis SB _____
ANALYST Liu

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY20	FY21		
	\$500.0	Nonrecurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Relates to HB53, HB59, HB236, HB241, SB10, SB38, SB96, SB132

SOURCES OF INFORMATION

LFC Files

Legislative Education Study Committee (LESC) Files

Responses Received From

Public Education Department (PED)

New Mexico School for the Blind and Visually Impaired (NMSBVI)

SUMMARY

Synopsis of HEC Amendment

The House Education Committee amendment adds an additional member to the “social services in public schools task force” created under the bill. The new paragraph (18) requires “One member from the Indian education advisory council who is knowledgeable about social services and behavioral health needs of Native American Children.”

Synopsis of Original Bill

House Bill 127 appropriates \$500 thousand from the general fund to PED to convene and support a temporary social services in public schools task force (SSTF). The 19-member task force will conduct an asset mapping and gap analysis on the availability, accessibility, and need for social services in public schools and report its initial findings and recommendations to PED by October 1, 2020. SSTF’s final report will then be provided to the governor, LESC, Legislative Council Service (LCS) library, and public by December 1, 2020.

FISCAL IMPLICATIONS

The appropriation of \$500 thousand contained in this bill is a nonrecurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY21 shall revert to the general fund. The bill authorizes the use of the appropriation to pay for staffing costs of SSTF and other expenses. Additionally, task force members are entitled to per diem and mileage.

SIGNIFICANT ISSUES

LESC notes asset mapping is a strengths-based research process of identifying resources, services, and strengths available within a given community. The purpose is to enhance a community's self-sustainability, foster connections between local organizations and community members, and improve community outcomes. Gap analysis involves the comparison of current performance and outcomes with potential or desired performance and outcomes. In the context of communities and schools, gap analysis identifies where a lack of resources and barriers to accessibility are preventing desired or potential student outcomes.

On February 14, 2019, the 1st Judicial District Court issued a final judgment and order on the consolidated *Martinez v. New Mexico* and *Yazzie v. New Mexico* education sufficiency lawsuits, and found that New Mexico's public education system failed to provide a constitutionally sufficient education for at-risk, ELL, Native American, and special education students. The court's findings suggested overall public school funding levels, financing methods, and PED oversight were deficient. As such, the court enjoined the state to provide sufficient resources, including instructional materials, properly trained staff, and curricular offerings (which include social services), necessary for providing the opportunity for a sufficient education for all at-risk students. Additionally, the court noted the state would need a system of accountability to measure whether the programs and services actually provided the opportunity for a sound basic education and to assure that local districts spent funds provided in a way that efficiently and effectively met the needs of at-risk students.

Between FY18 and FY20, formula funding for at-risk students in public schools more than doubled, from \$101.6 million to \$252.9 million. School districts and charter schools received significant flexibility to allocate at-risk funding for research-based or evidence-based social, emotional or academic interventions, such as:

- case management, tutoring, reading interventions and after-school programs that are delivered by social workers, counselors, teachers or other professional staff;
- culturally relevant professional and curriculum development, including those necessary to support language acquisition, bilingual and multicultural education;
- additional compensation strategies for high-need schools;
- whole school interventions, including school-based health centers and community schools;
- educational programming intended to improve career and college readiness of at-risk students, including dual or concurrent enrollment, career and technical education, guidance counseling services and coordination with post-secondary institutions; and
- services to engage and support parents and families in the education of students.

In FY20, PED distributed a budget questionnaire asking school districts and charter schools

about their use of at-risk funds. According to LESC, the categories presented in the accounting portion of the questionnaire included examples – such as student information systems or security personnel – that were not well aligned with the newly enacted statutory requirements, alongside interventions that were clearly aligned with statute – such as tutoring, after school programs, and support services, including guidance or health services. School districts’ and charter schools’ responses varied, with some school districts and charter schools providing little information, while others included detailed accounting, including services provided with federal or other sources of funding. In general, most school districts reported spending less than their proportional funding formula allocation for at-risk students on the aforementioned interventions. PED notes social services are important resources for improving student health and academics in New Mexico. According to the most recent National Youth Risk Behavior Survey (YBRS), in 2017, New Mexico youth enrolled in ninth through 12th grade experienced higher rates of risky behaviors compared with their peers across the country in 10 of 14 indicators. Those indicators include experiencing dating violence, persistent feelings of sadness or hopelessness, making a suicide attempt, smoking cigarettes before the age of 13, current e-cigarette use, first drink of alcohol before age 13, first use of marijuana before age 13, cocaine use, heroin use, and use of methamphetamines. PED notes these indicators are some of the health-related behaviors that contribute to the leading causes of death, disability, and social problems among youth.

PERFORMANCE IMPLICATIONS

PED notes an asset mapping and gap analysis of public school students’ access to social services could improve the allocation of resources to students. This bill supports a strategic objective of the multi-agency Behavioral Health Collaborative relating to the expansion of child-based mental health services and is aligned to PED’s focus on closing opportunity gaps.

PED notes current counseling and nursing service levels in schools may be below national recommended levels. The American School Counselor Association recommends a ratio of one professional school counselor per 250 students. In 2015, the New Mexico average ratio was one counselor per 471 students. Similarly, the American Academy of Pediatrics recommends, at minimum, one full-time professional school nurse in every school. In New Mexico, 18 of 89 school districts report having less than one full-time school nurse for the entire school district. Analyzing access to these services may improve the efficiency of service delivery in areas with high needs.

ADMINISTRATIVE IMPLICATIONS

PED notes existing resources at the agency are available for administration of the task force; however, the October 1, 2020, deadline for SSTF’s initial report would give the agency only 3 months to develop the task force and complete the required report. The bill would require gathering an extensive set of data. While some information, such as school district student demographic data, would be accessible in school district and PED records, others, such as the manner in which students have accessed social services, may not currently exist and may require additional reporting requirements.

To facilitate the work of the task force, including conducting the asset mapping and gap analysis, analyzing collected data, and writing a report, PED may need to secure an intergovernmental agreement with a select contractor. PED notes procurement parameters would make it difficult to select a contractor with enough time to complete the analyses by October 1, 2020, and claims

similar difficulty with providing the final report by December 1, 2020.

The New Mexico Community Data Collaborative is a public mapping platform supported by various state, private, and nonprofit organizations that includes extensive geospatial data (maps) on social, health, and academic services and performance in the state. This information could be useful for the asset mapping and gap analysis, which can be accessed at:

<https://nmcddc.maps.arcgis.com/home/index.html>

RELATIONSHIP

This bill relates to House Bill 53, which requires schools to create annual plans that offer students social services; House Bill 59, which increases formula funding for at-risk students; House Bill 236, which removes funding caps for community schools; House Bill 241, which increases formula funding for at-risk students and teachers with special responsibilities; Senate Bill 10, which includes free and reduced-fee meal applications with student registration; Senate Bill 38, which creates a commission on equity in education; Senate Bill 96, which creates online school budget reporting requirements; and Senate Bill 132, which appropriates funding to employ nurses in public schools.

TECHNICAL ISSUES

PED notes the definition of behavioral health services includes “services from licensed behavioral health professionals, including social workers, and psychologists.” The sponsor of the bill may want to consider including “psychiatrists” to the list of services.

PED notes the bill defines students as including “charter school students.” The sponsor of the bill may want to consider defining it as meaning “prekindergarten through 12th grade public school students in New Mexico,” as this would be inclusive of all school districts and locally-authorized and state-authorized charter schools.

SL/al/sb