

**LEGISLATIVE EDUCATION STUDY COMMITTEE  
BILL ANALYSIS**

**Bill Number:** SB 235

**51st Legislature, 1st Session, 2013**

**Tracking Number:** .191073.1

**Short Title:** Social Workers in High-Poverty Schools

**Sponsor(s):** Senator Michael Padilla and Others

**Analyst:** Travis Dulany

**Date:** February 5, 2013

---

**Bill Summary:**

SB 235 adds a new section to the Public School Code to require the employment of a social worker in every high-poverty public school by school year 2015-2016.

Among its provisions, the bill:

- defines “high-poverty public schools” as those in which 85 percent or more of the students are eligible for free or reduced-fee meals;
- requires, by Public Education Department (PED) rule, the employment of social workers to occur in one-third increments each year beginning in school year 2013-2014; and
- allows PED to develop exceptions for small, rural school districts with a MEM of 200 or less.

Finally, SB 235 requires PED to verify that every high-poverty public school in New Mexico has employed a licensed social worker.

**Fiscal Impact:**

\$3.0 million is appropriated from the General Fund to PED for expenditure in FY 14. Unexpended or unencumbered funds revert at the end of FY 14.

**Fiscal Issues:**

According to the PED bill analysis:

- there are 310 public schools in New Mexico that meet the criteria of high-poverty public schools under the provisions of SB 235; and
- using an average state-funded annual salary of \$50,245 and a benefit rate of 30 percent, the following costs could be assumed:

School Year	# of High-poverty Schools	Average Salary for a Social Worker	Total Cost
2013-2014	103	\$65,318	<b>\$6,727,805</b>
2014-2015	206	\$65,318	<b>\$13,455,508</b>
2015-2016	310	\$65,318	<b>\$20,248,580</b>

According to the Fiscal Impact Report from the Legislative Finance Committee:

- while there are 310 high-poverty public schools, currently 70 of these schools employ social workers, and another 18 would be exempt from the provisions of SB 235<sup>1</sup>; and
- assuming the same salary and benefits used by PED, and taking into account the number of schools that already employ social workers and schools that are exempt from the provisions of SB 235, the following costs could be assumed:

School Year	# of High-poverty Schools	Average Salary for a Social Worker	Total Cost
2013-2014	74	\$65,318	<b>\$4,833,532</b>
2014-2015	148	\$65,318	<b>\$9,667,064</b>
2015-2016	222	\$65,318	<b>\$14,500,596</b>

**Substantive Issues:**

According to PED:

- alternative funding for school behavioral and mental health services provided by social workers and other behavioral health professionals may include the following:
  - Medicaid reimbursement through the Human Services Department and Medicaid School-based Health Services;
  - school-based health centers that receive New Mexico Department of Health and federal funding;
  - Title I funding;
  - *Individuals with Disabilities Education Act* (IDEA) part B funding for students who qualify for special education services;
  - Coordinated Early Intervening Services schools may use 15 percent of their IDEA funds to provide academic and behavioral support, including behavioral health services, to at-risk students who do not receive special education services;
  - Rural Low-income School grants can be used for activities that are authorized under the Title IV Programs; or
  - Indian Education Impact Aid funding;
- there are 662 non-expired social workers listed in the PED licensure database, however the department notes that the location, experience, and qualifications of the social workers are unknown; and

---

<sup>1</sup> Assuming PED develops exceptions to the requirements, as noted in subsection C of the bill.

- some schools:
  - have formal agreements with community health providers for behavioral and mental health services to students;
  - are linked to school-based health centers that provide integrated health and behavioral and mental health services, including:
    - prevention;
    - health education;
    - school tele-health; and
  - offer integrated services through a full service community school approach that includes behavioral health care.

**Committee Referrals:**

SEC/SFC

**Related Bills:**

SB 252 *Children's Code Abuse & Neglect Changes*

SB 411 *Child Abuse & Abandonment Reporting*

HB 86 *Youth Club & Team Child Abuse Reporting*

HB 142 *Children's Code Delinquency Act Changes*