

**LEGISLATIVE EDUCATION STUDY COMMITTEE  
BILL ANALYSIS**

**Bill Number:** HB 178

**52nd Legislature, 2nd Session, 2016**

**Tracking Number:** .202918.2

**Short Title:** Bullying Prevention Program

**Sponsor(s):** Representative Christine Trujillo

**Analyst:** Kevin Force

**Date:** January 28, 2016

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**Bill Summary:**

The bill appropriates \$250,000 to the Public Education Department (PED) for the creation and implementation of a bullying prevention program that includes policies that use best practices, provides anti-bias training, and includes compliance monitoring.

**Fiscal Impact:**

HB 178 appropriates \$250,000 from the General Fund to PED for expenditure in FY17 and subsequent fiscal years. Any unexpended or unencumbered balance remaining at the end of a fiscal year shall not revert to the General Fund.

**Substantive Issues:**

PED notes that a bullying prevention program like the one referenced in HB 178 already exists, insofar as the current state-level program is focused on assisting school districts and charter schools with the development of their anti-bullying programs. Implementation of the requirements of HB 178 would be duplicative of the following current efforts:

- PED's Bullying Prevention Rule (6.12.7 NMAC), requires all school districts and state-chartered charter schools to adopt and implement an anti-bullying policy by 2007, with guidance from the Secretary of Education requiring programs to be in place in all schools by August 2012.
- Included in the bullying prevention policy is a requirement of immediate response to allegations of bullying, as well as an absolute prohibition on all bullying.

PED notes that HB 178 would add a requirement for anti-bias education, an element not currently in PED rule or guidance. Finally, PED recently updated the *Planning for Safe Schools in New Mexico Document*, which includes specific bullying and cyberbullying prevention guidelines.<sup>1</sup>

As is the case throughout the nation, bullying remains a serious problem in New Mexico schools. According to the 2013 New Mexico Youth Risk and Resiliency Survey (YRRS), in the 12 months prior to the survey:

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<sup>1</sup> <http://ped.state.nm.us/sfsb/safeschools/>

- 18.2 percent of high school students reported being bullied;
- 9.7 percent of high school students were in a physical fight on school property;
- 13.1 percent of high school students were electronically bullied; and
- 9.4 percent of high school students reported experiencing some form of physical dating violence, with 10 percent reporting sexual dating violence.

Additionally, the YRRS found:

- 6.3 percent of high school students did not go to school in the 30 days prior to the survey because they felt unsafe at school or on their way to or from school; and
- 7.7 percent of high school students reported ever being physically forced to engage in intercourse with someone against their will.

Finally, according to the YRRS, there has been a consistent downward trend in mental health indicators associated with bullying and suicide since 2003, about the time when the Legislature began to seriously study and attempt to address the issue of school bullying. Between 2003 and 2013, rates for students who:

- seriously considered suicide decreased from 20.7 percent to 15.6 percent;
- made a suicide plan decreased from 15.9 percent to 13.7 percent;
- attempted suicide fell from 14.5 percent to 9.4 percent; and
- were injured in a suicide attempt fell from 7.5 percent to 3.1 percent.

**Related Bills:**

\*SB 80 *School Bullying Prevention Programs*