

HOUSE BILL 136

53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018

INTRODUCED BY

Patricio Ruiloba

AN ACT

RELATING TO PUBLIC SCHOOLS; CREATING THE CHILDHOOD POVERTY
AWARENESS TRAINING ACT; REQUIRING ALL SCHOOL DISTRICTS AND
CHARTER SCHOOLS THAT RECEIVE AT-RISK PROGRAM UNITS TO PROVIDE
SUCH TRAINING TO SCHOOL EMPLOYEES WHO WORK IN A PUBLIC SCHOOL
WITH AT-RISK STUDENTS OR WHO HAVE REGULAR CONTACT WITH AT-RISK
STUDENTS TO CREATE AN AWARENESS OF THE EFFECTS OF CHILDHOOD
POVERTY ON THE ACADEMIC ACHIEVEMENT AND SOCIAL DEVELOPMENT OF
STUDENTS; PROVIDING POWERS AND DUTIES; REQUIRING SCHOOL
DISTRICTS AND CHARTER SCHOOLS THAT RECEIVE AT-RISK PROGRAM
UNITS TO INCLUDE INFORMATION WITH THEIR OPERATING BUDGETS THAT
DETAILS SPECIFIC SERVICES, INCLUDING CHILDHOOD POVERTY
AWARENESS TRAINING, THAT WERE PROVIDED IN THE PRIOR SCHOOL YEAR
AND ARE PROVIDED IN THE CURRENT SCHOOL YEAR TO IMPROVE THE
ACADEMIC SUCCESS OF AT-RISK STUDENTS.

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

2 SECTION 1. Section 22-8-23.3 NMSA 1978 (being Laws 1997,
3 Chapter 40, Section 7, as amended) is amended to read:

4 "22-8-23.3. AT-RISK PROGRAM UNITS.--

5 A. A school district or charter school is eligible
6 for additional program units if it establishes within its
7 department-approved educational plan identified services to
8 assist students to reach their full academic potential. A
9 school district or charter school receiving additional at-risk
10 program units shall develop and submit an action plan to the
11 department with its annual budget submission that outlines the
12 specified services the school district or charter school will
13 implement to improve the academic success of at-risk students
14 and shall also include a report of specified services
15 implemented during the prior school year to improve the
16 academic success of at-risk students and the impact of those
17 specified services. The report shall identify the ways in
18 which the school district and individual schools use funding
19 generated through the at-risk index and the intended outcomes.
20 Beginning with the 2020-2021 school year, a school district or
21 charter school that receives at-risk program units shall ensure
22 that all school employees who have regular contact with
23 students or who work in a school receive initial and annual
24 childhood poverty awareness training that details the effects
25 of poverty on student academic achievement and social

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1 development as provided in the Childhood Poverty Awareness
2 Training Act.

3 B. For purposes of this section, "at-risk student"
4 means a student who meets the criteria to be included in the
5 calculation of the three-year average total rate in Subsection
6 [B] C of this section. The number of additional units to which
7 a school district is entitled under this section is computed in
8 the following manner:

9
$$\text{At-Risk Index} \times \text{MEM} = \text{Units}$$

10 where MEM is equal to the total district membership, including
11 early childhood education, full-time-equivalent membership and
12 special education membership and where the at-risk index is
13 calculated in the following manner:

14
$$\text{Three-Year Average Total Rate} \times 0.106 = \text{At-Risk Index.}$$

15 [~~B.~~] C. To calculate the three-year average total
16 rate, the department shall compute a three-year average of the
17 school district's percentage of membership used to determine
18 its Title I allocation, a three-year average of the percentage
19 of membership classified as English language learners using
20 criteria established by the federal office [~~of~~] for civil
21 rights and a three-year average of the percentage of student
22 mobility. The department shall then add the three-year average
23 rates. The number obtained from this calculation is the three-
24 year average total rate.

25 [~~G.~~] D. The department shall recalculate the at-

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1 risk index for each school district every year."

2 SECTION 2. A new section of the Public School Code is
3 enacted to read:

4 "[NEW MATERIAL] SHORT TITLE.--Sections 2 through 4 of this
5 act may be cited as the "Childhood Poverty Awareness Training
6 Act"."

7 SECTION 3. A new section of the Public School Code is
8 enacted to read:

9 "[NEW MATERIAL] DEFINITION.--As used in the Childhood
10 Poverty Awareness Training Act, "school employee" means an
11 employee of a school district or charter school who works in a
12 public school that generates at-risk units or who has regular
13 contact with at-risk students."

14 SECTION 4. A new section of the Public School Code is
15 enacted to read:

16 "[NEW MATERIAL] TRAINING PROGRAMS--INITIAL AND ANNUAL
17 TRAINING--GOALS.--

18 A. The goals of the childhood poverty awareness
19 training program are to:

20 (1) create an awareness of the types of
21 poverty in New Mexico;

22 (2) create an understanding of the effects of
23 adverse childhood experiences and childhood trauma, including
24 poverty, on brain development and learning;

25 (3) create an understanding of the effects of

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1 childhood poverty on students' academic achievement, social
2 development and well-being;

3 (4) create an understanding of the specific
4 demographics of students in a school district and its
5 individual public schools or students in a charter school,
6 including free or reduced-fee lunch status, English language
7 status, student mobility status, family dynamics and cultural
8 mores and folkways;

9 (5) provide effective research-based
10 strategies to engage students and families in the educational
11 process so that licensed school employees can use the effective
12 research-based strategies to teach and engage students
13 confronted with adverse childhood experiences and childhood
14 trauma, including poverty;

15 (6) develop strategies to mitigate the
16 academic and social effects of childhood poverty on students
17 and improve the educational experience for students living in
18 poverty; and

19 (7) assist school districts and charter
20 schools in developing an annual action plan that addresses the
21 specific needs of students experiencing childhood poverty and
22 implement ongoing professional development for school employees
23 that is intensive, job-embedded, collaborative, data-driven,
24 classroom-focused and sustainable.

25 B. Beginning with the 2020-2021 school year, each

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1 school district and charter school that receives at-risk
2 program units through the state equalization guarantee
3 distribution shall require their school employees to be trained
4 annually on the effects of adverse childhood experiences and
5 childhood trauma, including childhood poverty, on student
6 achievement and social development. Training courses shall be
7 intensive, job-embedded, collaborative, data-driven, classroom-
8 focused and sustainable. The initial course shall be at least
9 six and one-half hours in duration, and subsequent annual
10 courses shall be at least three hours in duration.

11 C. Each school district and charter school shall
12 develop an action plan to train every school employee in
13 childhood poverty awareness in fiscal years 2020 and 2021. The
14 action plan shall prioritize training for licensed school
15 employees in year one and for unlicensed school employees in
16 year two. The initial training course shall be conducted no
17 later than the end of the first six weeks of the start of the
18 school year. The school district or charter school shall
19 provide a second initial training course within the first six
20 weeks of the first day of the spring semester for school
21 employees who missed the first training course or who were
22 hired after the first initial training. After initial
23 training, each school employee shall attend an annual training
24 course.

25 D. School districts and charter schools, alone or

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1 with other school districts or charter schools that are
2 demographically similar, and regional education cooperatives
3 may develop and conduct department-approved childhood poverty
4 awareness training programs using department-certified
5 trainers.

6 E. Newly hired school employees who were employed
7 by another school district prior to employment with the current
8 school district may provide proof from their prior school
9 employer that they have attended the required amount of
10 training in the immediately preceding year. If a school
11 employee has attended the required initial training, the school
12 employee needs only to attend the required annual training.

13 F. The department shall:

14 (1) approve only those childhood poverty
15 awareness training programs that meet the goals provided in
16 Subsection A of this section and programmatic rules of the
17 department; and

18 (2) certify qualified childhood poverty
19 awareness trainers."