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**LEGISLATIVE EDUCATION STUDY COMMITTEE**  
**BILL ANALYSIS**  
**54th Legislature, 1st Session, 2019**

<b>Bill Number</b>	<u>*HB591</u>	<b>Sponsor</b>	<u>Garratt/Sariñana/Maestas/ Figueroa/ Madrid</u>
<b>Tracking Number</b>	<u>.213335.2</u>	<b>Committee Referrals</b>	<u>HEC/ HHHC</u>
<b>Short Title</b>	<u>Mental, Social &amp; Emotional Learning Act</u>		
<b>Analyst</b>	<u>Stiles</u>	<b>Original Date</b>	<u>2/20/19</u>
		<b>Last Updated</b>	<u></u>

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**BILL SUMMARY**

Synopsis of Bill

House Bill 591 (\*HB591) would require the Public Education Department (PED) to require mental, social, and emotional health strategies, skills, and techniques that are culturally and linguistically responsive to be integrated into all general and special education instruction. The bill would require the curriculum and requirements for a school wide focus on mental, social, and emotional health to include daily classroom instruction that is preventative, explicit, and embedded. The bill would additionally require students be assessed for mental, social, and emotional growth on a regular basis and data would be used to plan for and address needs with interventions using the response to intervention framework. \*HB591 would prevent assessments and data from being used for punitive purposes for teachers or students.

\*HB591 would require PED to work with all public post-secondary teacher preparation programs to ensure future teachers are taught evidence-based best practices that support age-appropriate educational, mental, social, and emotional learning that is culturally and linguistically responsive and strengthened through public school programs, including teacher induction, mentorship practices, and ongoing teacher coaching and professional development. Finally, PED would be required to design and require the collection of accountability data on the implementation of the provisions of \*HB591 in public schools and school districts. The data would be required to be reported on school and school district report cards.

\*HB591 contains an emergency clause.

**FISCAL IMPACT**

\*HB591 does not include an appropriation.

The provisions of \*HB591 could cause school districts and charter schools to incur costs for providing professional development to teachers. The bill would further require all students to be assessed for mental, social, and emotional growth on a regular basis; however, the bill does not

appropriate funding for assessment development. The bill also requires PED to develop standards relating to mental, social, and emotional health, but does not appropriate funding for PED to do so.

\*HB591 notes, school districts and charter schools may use their Title 1, Title 2, Title 3, and Title 4 funds for teacher training in techniques and supports for addressing the needs of at-risk youth in such areas of safety, peer interaction, drug and alcohol abuse, and chronic absenteeism through prevention, intervention, and referral for additional mental health services recognized by need. This provision may require schools to discontinue current programs funded by these sources in favor of the trainings required in \*HB591.

## **SUBSTANTIVE ISSUES**

\*HB591 would require PED to require that mental, social, and emotional health strategies, skills, and techniques that are culturally and linguistically responsive to be integrated into all general and special education instruction. The Education Commission of the States notes many states have incorporated social-emotional learning into their education standards, often linking social-emotional learning to health or physical education. Massachusetts required all schools to develop action plans for creating safe and supportive environments using a prescribed assessment tool and framework, while Vermont requires the secretary of education to develop a plan for creating a trauma-informed school system throughout Vermont in consultation with key representatives throughout the state to link school nurses with primary care providers in the community, and to create and disseminate training materials for prekindergarten teachers regarding the identification of students exposed to adverse childhood experiences (ACE)s.

\*HB591 would require PED to work with all public post-secondary teacher preparation programs to ensure future teachers are taught evidence-based practices that support age-appropriate education, mental, social, and emotional learning that is culturally and linguistically responsive and strengthened through public school programs. The bill includes many best practices for teachers, including student-centered discipline, responsibility and choice, and classroom discussions. The bill notes one option for best practices is “free-standing lessons that teach mental, social, and emotional learning explicitly, following a script,” although it is unclear why a scripted method is included in best practices. \*HB591 would also require PED to design and require the collection of accountability data to be reported in school and school district report cards.

## **ADMINISTRATIVE IMPLICATIONS**

PED would be required to develop standards for curriculum around state-wide mental, social, and emotional health. PED would be further required to work with all public post-secondary teacher preparation programs to create curriculum for future teachers which would teach evidence-based best practices that support age-appropriate mental, social, and emotional learning. \*HB591 would also require PED to design and require the collection of accountability data to be reported in school and school district report cards. School districts and charter schools would need to develop professional development for teachers pertaining to mental, social, and emotional health.

## **OTHER SUBSTANTIVE ISSUES**

\*HB591 would put several declarative statements of findings into law. HB591 declares the Legislature finds extensive research has shown that children who are exposed to ACEs such as maltreatment, extreme poverty, neglect, homelessness, illegal drugs, and crime are often

vulnerable to addiction, suicide, mental illness, low educational outcomes, and dropping out of school without a diploma.

According to Child Trends, a national nonprofit research organization, 46 percent of children in the U.S. have experienced at least one ACE. In New Mexico 18 percent of children ages birth to 17 have experienced three or more ACEs, compared with the national average of 11 percent. According to the United Health Foundation, in 2018, 28 percent of children ages birth to 17 in New Mexico had experienced at least two ACEs, compared with the national average of 22 percent. New Mexico ranks 48th in the nation for the lowest percentage of children who have experienced at least two ACEs. A 2016 New Mexico School of Law and Children, Youth, and Families Division (CYFD) study, [\*Adverse Childhood Experiences in the New Mexico Juvenile Justice Population\*](#), found 86 percent of incarcerated New Mexico juveniles had experienced four or more ACEs.

\*HB591 would declare in law that, for New Mexico to address and arrest cycles of ACEs, it must focus on delivering critical interventions throughout the entirety of each child’s educational experiences in an attempt to prevent and treat many of the effects of ACEs before they compound and present extreme academic or behavioral difficulties in school, or result in unhealthy behaviors throughout a child’s life. \*HB591 would further declare in law that, New Mexico is consistently either even with the national trend or higher in some areas of mental illness indicators, especially in suicide. New Mexico’s suicide rate is the fourth highest in the nation and has consistently been higher than the national rate for the past two decades. According to the American Foundation for Suicide Prevention, suicide is the second leading cause of death in New Mexico for people who are between the ages of 15 and 44.

## **TECHNICAL ISSUES**

\*HB591 makes several declarative statements related to current research. The sponsors may consider citing and dating the statements to reflect the timeliness of the issues outlined in Section 2 of \*HB591.

## **RELATED BILLS**

HB238 would establish the Childhood Trauma Awareness Training Act, requiring school districts and charter schools that generate at-risk program units to annually train school employees on the effects of childhood trauma on student achievement and social development.

HB615 would require annual training in various aspects of mental health for all public education personnel.

## **SOURCES OF INFORMATION**

- LESC Files

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