

HOUSE BILL 287

55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021

INTRODUCED BY

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AN ACT

RELATING TO PUBLIC EDUCATION; REQUIRING THE PUBLIC EDUCATION DEPARTMENT TO CONVENE A TASK FORCE TO CONDUCT AN ASSET MAPPING AND GAP ANALYSIS OF PUBLIC SCHOOL STUDENTS' ACCESS TO CULTURALLY APPROPRIATE SOCIAL SERVICES THROUGHOUT THE STATE; MAKING AN APPROPRIATION.

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

SECTION 1. TEMPORARY PROVISION--SOCIAL SERVICES IN PUBLIC SCHOOLS TASK FORCE--MEMBERS--DUTIES.--

A. As used in this section:

(1) "school district" includes charter schools; and

(2) "social services" includes services that address students' needs for social, emotional and physical and behavioral health services.

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1 B. The secretary of public education shall convene
2 and support a "social services in public schools task force",
3 which shall function from the date of appointment until
4 December 31, 2021. Appointments shall be made no later than
5 July 1, 2021. The social services in public schools task force
6 shall have at least the following members:

7 (1) two members from the public education
8 department;

9 (2) one member from the department of health
10 with expertise in public school health services;

11 (3) one member from the human services
12 department with expertise in behavioral health services;

13 (4) one member from the children, youth and
14 families department with expertise in social work;

15 (5) one member from the early childhood
16 education and care department with expertise in the
17 socioemotional health of children;

18 (6) one member with expertise in community
19 schools;

20 (7) one member with expertise in health care
21 services in public schools through school-based health centers;

22 (8) one member with expertise in social-
23 work-related services for students with individualized
24 educational plans;

25 (9) one member who is a licensed school

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1 employee with expertise in behavioral health services in public
2 schools;

3 (10) one member with expertise in behavioral
4 health services in public schools but who is not an employee of
5 a school district;

6 (11) one member with expertise in providing
7 social services in rural school districts;

8 (12) one member with expertise in providing
9 social services in small school districts;

10 (13) one member with expertise in providing
11 social services in urban school districts;

12 (14) one member with expertise in providing
13 social services on tribal lands;

14 (15) one member representing the New Mexico
15 school superintendents' association;

16 (16) one member representing families in New
17 Mexico;

18 (17) one member representing public school
19 nurses;

20 (18) one member each from the two largest
21 education unions in New Mexico; and

22 (19) one member from a tribal or federally or
23 congressionally chartered college or from a program that
24 specializes in the behavioral health needs of American Indian
25 children.

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1 C. The secretary of public education may appoint
2 additional task force members and may appoint nonvoting
3 advisory members.

4 D. Public members of the task force are entitled to
5 per diem and mileage as provided for state employees in the Per
6 Diem and Mileage Act and shall receive no other compensation,
7 perquisite or allowance.

8 E. The task force shall:

9 (1) develop a working definition of the scope
10 and extent of social services that are required to meet the
11 needs of students throughout the state; and

12 (2) conduct an asset mapping and gap analysis
13 to determine the need for and the availability and
14 accessibility of social services in school districts and public
15 schools.

16 F. The asset mapping shall include a detailed study
17 on what social services are available through the public
18 schools and may include what social services are available to
19 the general population within the exterior boundaries of each
20 school district. The study shall also determine whether
21 available social services are culturally appropriate for the
22 population being served. As part of the study, the following
23 information shall be collected:

24 (1) the social services data currently
25 collected by federal, state and local governments, including

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1 educational institutions, or other public or private sources;
2 what data tracking systems exist; and what data gaps exist;

3 (2) the demographic makeup of students living
4 in each school district or attending bureau of Indian education
5 schools, if applicable;

6 (3) the number of students who have accessed
7 social services by type in each school district over at least
8 the latest three years for which data are available; provided
9 that all data used by the task force shall be disaggregated so
10 that individual students cannot be identified;

11 (4) the demographic makeup of students who
12 have accessed social services by type within each school
13 district, including students with individualized education
14 programs in compliance with the federal Individuals with
15 Disabilities Education Act;

16 (5) the manner in which students have accessed
17 social services by type, including the use of school personnel,
18 memoranda of understanding or contracts with outside
19 organizations or professionals, access through a community
20 school and access through tribal community-based programs;

21 (6) whether and how school districts are
22 leveraging social services resources from surrounding
23 communities, including tribal communities, to serve students;

24 (7) whether and how school districts are
25 leveraging social service resources available from post-

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1 secondary educational institutions;

2 (8) the availability of culturally appropriate
3 social services, including services that employ trauma-informed
4 practices;

5 (9) the availability of social services
6 related to school disciplinary procedures, including indigenous
7 justice and peacemaking, to prevent school suspensions and
8 expulsions;

9 (10) the current cost of providing social
10 services to students in each school district; and

11 (11) other factors and information deemed
12 beneficial by the task force.

13 G. The task force shall use the asset map to
14 undertake a social services gap analysis. The analysis shall
15 include a detailed study of where social services by type are
16 and are not located within each school district by county,
17 municipality, unincorporated town or village, identifiable
18 community or unidentifiable areas listed as "remainder of
19 school district" and whether those services are adequate to the
20 needs of each school district's students, including:

21 (1) how many students do not have access to
22 social services by type in locales within each school district
23 because the particular social service is not available;

24 (2) how many students have not accessed social
25 services by type in locales within each school district where

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1 social services are available;

2 (3) what social services need to be developed
3 either in each school district or in locales within each school
4 district to close the social services gap and ensure that
5 students have access to culturally appropriate social services;

6 (4) how social services available from
7 different sources, such as tribal communities and public post-
8 secondary institutions and programs, may be institutionalized
9 and supported to serve public school students;

10 (5) identification of barriers to making
11 culturally appropriate social services available in each school
12 district, including:

13 (a) lack of qualified social service
14 providers, either as school employees or contract providers,
15 within a reasonable distance of the public school or other
16 location;

17 (b) lack of public or private
18 transportation to out-of-community social services;

19 (c) lack of funding; and

20 (d) lack of cultural expertise; and

21 (6) other factors and information deemed
22 beneficial by the task force.

23 H. As part of the gap analysis study, the task
24 force shall review available data on workforce needs in the
25 provision of culturally appropriate social services to public

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1 school students, taking into account workforce diversity and
2 the need for more American Indian professionals. At the
3 request of the task force, all applicable licensing boards
4 shall provide the data each board has on number of licensees by
5 type and location.

6 I. The final report of the task force shall
7 include:

8 (1) a narrative on the findings of the asset
9 mapping and gap analysis and provide those studies as
10 appendices to the report or as a website link;

11 (2) an analysis of the barriers preventing
12 school districts from providing access to culturally
13 appropriate social services;

14 (3) an analysis of how the task force's asset
15 mapping and gap analysis may be used by other state agencies
16 that provide social services and used by state and local
17 policymakers to improve the provision of social services
18 throughout the state;

19 (4) short-term policy and funding
20 recommendations on how to increase public school at-risk
21 students' access to culturally appropriate social services;

22 (5) an analysis of statutory changes needed,
23 including changes to the Public School Finance Act and changes
24 to school and student discipline policies provided for in
25 Chapter 22, Article 5 NMSA 1978; and

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1 (6) long-term policy and funding
2 recommendations on how the state can provide all public school
3 students culturally appropriate and necessary social services
4 within five years.

5 J. The task force shall report its preliminary
6 findings and recommendations to the secretary of public
7 education prior to reporting to the legislative education study
8 committee by November 1, 2021. Upon the completion of its
9 work, the task force shall present its final report, including
10 final findings and recommendations, to the governor, the
11 legislative education study committee, the legislative finance
12 committee, the legislative council service library and the
13 public by December 31, 2021.

14 SECTION 2. APPROPRIATION.--One hundred fifty thousand
15 dollars (\$150,000) is appropriated from the general fund to the
16 public education department for expenditure in fiscal year 2022
17 to contract for an evaluator and program manager for the social
18 services in public schools task force. Any unexpended or
19 unencumbered balance remaining at the end of fiscal year 2022
20 shall revert to the general fund.