

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY19	FY20	FY21	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	NFI	indeterminate	indeterminate	unknown	recurring	unknown

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: Relates to SB1, Public Education Changes
Duplicates/Relates to Appropriation in the General Appropriation Act: None as of 1/18/2019

SECTION III: NARRATIVE

BILL SUMMARY

House Bill 238 (HB238) creates a new section of the Public School Code, the “Childhood Trauma Awareness Act.” HB238 requires school districts and charter schools to set initial and annual training goals with specific topics to be covered related to childhood trauma. Beginning with the 2020-2021 school year, those districts and charter schools receiving at-risk units through the state equalization guarantee (SEG) are required to develop an action plan for intensive, job-embedded training. Training is to occur at the start of the school year and in the spring semester.

FISCAL IMPLICATIONS

The fiscal impacts on the Public Education Department (PED) cannot be determined at this time. HB238 requires the PED to approve training programs for school employees on adverse childhood events (ACEs) and how to ameliorate their effects. As the training programs may be developed by school districts or Regional Education Cooperatives (RECs), there could be more than one hundred training programs to approve. HB238 also requires the PED to certify trainers for the approved training programs. HB238 is silent as to criteria for trainer qualifications and certification.

The school districts’ and charter schools’ cost of implementing the Childhood Trauma Awareness Act is unknown at this time. HB238 requires school districts and charter schools to provide childhood trauma awareness training and specifies frequency and duration of training. All eighty-nine school districts and state-chartered charter schools in New Mexico would be required to provide the training. HB238 requires all school staff, both licensed and unlicensed, to be trained. As this would require additional work for hourly employees, it would create a significant expense for districts and charter schools. The initial course shall be 6.5 hours at the beginning of the school year and subsequent annual courses shall be 3 hours. Those schools receiving at-risk units are required to conduct a spring semester training in addition to the annual training. HB238 allocates no funds, the training expense would fall to school districts and charter schools. Due to the length of the initial course and annual training, the trainings would need to occur prior to the start of the school year, on a school’s designated professional development day, or on a weekend.

HB238 would require amending the New Mexico Administrative Code (NMAC) 6.29.1, the Primary and Secondary Education Standards for Excellence, to reflect the requirement of childhood trauma awareness training. The cost of amending the rule would be minimal.

SIGNIFICANT ISSUES

For the purpose of HB238, “childhood trauma” means adverse childhood experiences, also known as ACEs. According to Psychology Today, “The principal types of ACEs are abuse, neglect and seriously troubled households. More specifically, ACEs are emotional, physical and sexual abuse; emotional and physical neglect; and homes that have domestic violence, or mental and/or substance (alcohol or drug) disorders, or parental separation or divorce, or a family member who is incarcerated. While ACEs occur before the age of 18 their effects can endure.” (<https://www.psychologytoday.com/us/blog/therapy-it-s-more-just-talk/201311/adverse-childhood-experiences-aces>)

New Mexico Voices for Children reports data from the National Survey of Children’s Health (<http://childhealthdata.org/learn-about-the-nsch/NSCH>) in a February 2018 article “that New Mexico has a worse-than-average rate of children experiencing no ACEs, and when it comes to children who suffer between three and eight ACEs, New Mexico and Arizona are tied for the highest rate—18 percent. The national average was 11 percent.”

A child who has experienced ACEs is more likely to have learning and behavioral issues and is at higher risk for early initiation of sexual activity and adolescent pregnancy. These effects can be magnified through generations if the traumatic experiences are not addressed. The financial cost to individuals and society is enormous. (American Academy of Pediatrics, https://www.aap.org/en-us/Documents/ttb_aces_consequences.pdf)

PERFORMANCE IMPLICATIONS

None.

ADMINISTRATIVE IMPLICATIONS

PED would need to work with various stakeholders and health and wellness experts to determine the criteria for an approved plan, for a certified provider, and for an approved training program. Administration of the evaluation and oversight of training programs would be provided by PED staff.

HB238 would require that the PED undertake the process to amend New Mexico Administrative Code (NMAC) 6.29.1, the Primary and Secondary Education Standards for Excellence, to reflect the requirement of childhood trauma awareness training provisions.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

The annual plan required in HB238 is similar to the plan in Senate Bill 1 (SB1). SB1 requires school districts and charter schools to submit annual education plans as part of the budget process. The plan must include a narrative explaining the identified services to improve the academic success of at-risk students.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

None as of 1/18/2019.

ALTERNATIVES

None as of 1/18/2019.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

School districts and charter schools will continue to provide training to employees, on locally determined topics, as required by state and federal law, and based upon the needs of their communities.

AMENDMENTS

None.