

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

Senate Bill 406 (SB406) appropriates \$100.0 from the general fund to the Public Education Department (PED) to train public school administrators on reporting allegations of sexual assault to the Children, Youth, and Families Department.

FISCAL IMPLICATIONS

SB406 appropriates \$100.0 to the PED to train school administrators on reporting allegation of sexual assault to the CYFD. The PED would need to collaborate with the CYFD and the federal Centers for Disease Control and Prevention to develop or determine an evidence-based model on child sexual abuse and assault, and department standards for school trainings created around evidence-based methods and materials. The PED would need to purchase material, contract expert presenters, and ensure conference logistics for securing a venue to provide the training. As the appropriation is of fiscal year 2018 only, it is unclear how school administrators in subsequent years who do not benefit from the training in 2018 would be afforded an opportunity to participate in a similar training and what funds might be used to support an subsequent trainings.

SIGNIFICANT ISSUES

In New Mexico, between July 2015 and June 2016 there were 184 cases of substantiated allegations of sexual abuse. It is unclear how many incidents go unreported each year (https://cyfd.org/docs/360ANNUAL_FY16_FINAL.pdf)

The detection and reporting of child abuse or neglect is required by both the Children's Code (32A-4-3 NMSA 1978) and the Public School Code (22-5-4.2 NMSA 1978).

In the 2014 legislative session, House Bill 92, also known as “Erin’s Law” was passed by the New Mexico legislature and signed into law. The legislation and subsequent law required the PED to work with the Centers for Disease Control and Prevention to develop an evidence-based section on child sexual abuse and assault.

PED rule (6.29.1.9), Standards for Excellence, requires all licensed school personnel, including substitute teachers, educational assistants, school nurses, school counselors, school psychologists and other instructional service providers to complete training in the detection and reporting of child abuse or neglect, within their first year of employment.

The PED, CYFD, DOH, and NMSU collaborated on an e-learning training for school personnel and health providers that addressed the requirement for all school personnel to complete a training in the detection and reporting of child abuse or neglect. This may be accessed at <http://ped.state.nm.us/sfsb/index.html> .

PERFORMANCE IMPLICATIONS

SB406 supports the PED’s strategic lever ensuring that students are ready for success by providing a safe, inviting, and caring learning environment.

ADMINISTRATIVE IMPLICATIONS

The PED would need to collaborate with the CYFD and the CDC, purchase or develop evidence-based strategies and programs, and secure contractual services for expert presenters and conference logistics for an administrator training. The appropriation in SB406 would cover the cost for a one-time training.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

SB 406 relates to SB115 – Safe Schools for Students Act and to SB397 – School Protections for Certain Students.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The PED would continue to offer to e-learning training for school personnel, inclusive of administrators to address the existing requirement for all school personnel to complete training in the detection and reporting of child abuse or neglect and would continue to work with the CDC in the identification of evidence-based programs and strategies regarding sexual abuse assault prevention, detection, and reporting.