

1 HOUSE BILL 199

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024**

3 INTRODUCED BY

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8 FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

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10 AN ACT

11 RELATING TO SCHOOL PERSONNEL; INCREASING THE MINIMUM ANNUAL  
12 SALARY FOR LICENSED EDUCATIONAL ASSISTANTS TO THIRTY THOUSAND  
13 DOLLARS (\$30,000); REQUIRING A MINIMUM WAGE RATE OF FIFTEEN  
14 DOLLARS (\$15.00) PER HOUR FOR ALL PUBLIC SCHOOL EMPLOYEES AND A  
15 MINIMUM ANNUAL SALARY OF THIRTY THOUSAND DOLLARS (\$30,000) FOR  
16 ALL FULL-TIME PUBLIC SCHOOL EMPLOYEES.

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

19 SECTION 1. Section 22-10A-17.1 NMSA 1978 (being Laws  
20 2004, Chapter 30, Section 1, as amended) is amended to read:

21 "22-10A-17.1. EDUCATIONAL ASSISTANTS--LICENSING  
22 FRAMEWORK--QUALIFICATIONS--MINIMUM SALARIES.--

23 A. All persons who perform services as educational  
24 assistants in public schools or in those special state-  
25 supported schools within state agencies shall hold valid

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1 educational assistant licensure issued by the department.  
2 Educational assistants shall be assigned, and serve as  
3 assistants, to school staff licensed by the department. While  
4 there may be brief periods when educational assistants are  
5 alone with and in control of a classroom of students, their  
6 primary use shall be to work alongside or under the direct  
7 supervision of licensed staff.

8 B. The department shall, through appropriate rules,  
9 institute a licensure system for educational assistants. The  
10 highest level of license shall ensure that educational  
11 assistants who hold that level of licensure meet the standard  
12 for paraprofessionals established in federal statute and  
13 regulation for employment in a Title I program.

14 C. A licensed educational assistant who is a  
15 resident of New Mexico, who is authorized to work in the United  
16 States, who has been employed by a public school in a position  
17 that works directly with students for at least two years and is  
18 in good standing with the school district and who is enrolled  
19 in or accepted by an undergraduate teacher preparation program  
20 at a regionally accredited public post-secondary educational  
21 institution in New Mexico shall be granted professional leave  
22 by that public school to attend a teacher preparation program  
23 in New Mexico; provided that the public school may require that  
24 the professional leave minimizes disruption to the school day  
25 and may require an educational assistant to make up hours in

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1 exchange for hours missed from the school day.

2 D. The minimum annual salary for licensed  
3 educational assistants in public schools shall be [~~twenty-five~~  
4 ~~thousand dollars (\$25,000)~~] thirty thousand dollars (\$30,000)  
5 effective in the [~~2023-2024~~] 2024-2025 school year.

6 E. The minimum [~~salaries~~] salary specified in  
7 Subsection D of this section may be adjusted in accordance with  
8 appropriations for that purpose in each school year as  
9 established by the secretary.

10 F. School districts shall initiate the  
11 implementation of a career salary framework that supports the  
12 licensure system in department rules in fiscal year 2005.

13 G. As used in this section, "teacher preparation  
14 program" means a program that has been formally approved as  
15 meeting the requirements of the department and that leads to  
16 level one teacher licensure, including a program in a two-year  
17 post-secondary educational institution that meets the  
18 requirements for a teacher education transfer module  
19 established pursuant to Subsection C of Section 21-1B-4 NMSA  
20 1978."

21 SECTION 2. Section 22-10A-39 NMSA 1978 (being Laws 1994,  
22 Chapter 95, Section 1) is amended to read:

23 "22-10A-39. [~~NONCERTIFIED~~] SCHOOL [~~PERSONNEL~~] EMPLOYEES--  
24 SALARIES.--Notwithstanding the provisions of Section 50-4-22  
25 NMSA 1978, a [~~local~~] school district or charter school shall

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1 pay a minimum wage rate of [~~six dollars (\$6.00)~~] fifteen  
2 dollars (\$15.00) per hour to all public school employees and a  
3 minimum annual salary of thirty thousand dollars (\$30,000) to  
4 all [~~noncertified~~] full-time public school [~~personnel~~]  
5 employees."

6 SECTION 3. EFFECTIVE DATE.--The effective date of the  
7 provisions of this act is July 1, 2024.

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