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## FISCAL IMPACT REPORT

**SPONSOR** Stewart/Correa **ORIGINAL DATE** 1/29/22  
Hemphill **LAST UPDATED** \_\_\_\_\_ **HB** \_\_\_\_\_  
**SHORT TITLE** Educational Assistant Minimum Salary **SB** 132

**ANALYST** Liu

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY22	FY23	FY24	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>		\$14,570.4	\$14,570.4	\$29,140.8	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to SB1, SB125

### SOURCES OF INFORMATION

LFC Files

Legislative Education Study Committee (LESC) Files

#### Responses Received From

Public Education Department (PED)

### SUMMARY

#### Synopsis of Bill

Senate Bill 132 increases the minimum annual salary for licensed educational assistants (EA) from \$12 thousand to \$20 thousand, effective in the 2022-2023 school year.

### FISCAL IMPLICATIONS

The bill does not contain an appropriation; however, increasing the minimum salary for licensed EAs will cost about \$14.6 million, absent any appropriations increasing the salaries of EAs. Data provided by PED shows New Mexico employs 5,900 EA FTE making an average annualized salary of \$19.2 thousand. Over 30 percent, or 1,784 EAs, make more than \$20 thousand.

The LFC and executive FY23 budget recommendations include a 7 percent salary increase for all school personnel. PED notes the estimated costs of this bill would decrease to \$8.8 million if a 7 percent salary increase is applied uniformly to all EAs. The LFC FY23 budget recommendation also includes sufficient funding for schools to increase the minimum wage to \$13.50 per hour, which (absent the 7 percent increase) would decrease the estimated costs of this bill to \$7.3 million. According to PED, the executive FY23 budget recommendation includes sufficient funding for schools to increase the minimum wage to \$15.00 per hour, which (absent the 7

percent increase), would decrease the estimated costs of this bill to \$2.6 million.

## **SIGNIFICANT ISSUES**

PED notes EAs are among the lowest paid public school employees in the state; however, EAs also tend to work on abbreviated schedules and are not bound to a typical 40-hour work week. Increasing pay for EAs could help the state address New Mexico’s educator workforce needs. New Mexico State University’s Southwest Outreach Academic Research (SOAR) Evaluation and Policy Center in the fall of 2021 reported more than 456 educational and instructional assistant vacancies statewide. EA vacancies are highest at the elementary level, and special education EAs make up a majority of these vacancies.

## **PERFORMANCE IMPLICATIONS**

EAs can help schools reduce class sizes (or “class load”) to meet statutory requirements for each teacher’s classroom workload. Class size reduction can have a modest positive effect on student outcomes in early grades; however, smaller class sizes are less cost-beneficial for older grade levels.

## **ADMINISTRATIVE IMPLICATIONS**

PED would need to ensure school operating budgets provide minimum annual salaries for EAs at \$20 thousand or more. The department already reviews each school’s budget data to ensure mandated salary increases are implemented correctly. As such, provisions of this bill will likely have minimal administrative implications.

## **RELATIONSHIP**

This bill relates to Senate Bill 1, which increases teacher and principal minimum salary levels, and Senate Bill 125, which increases the minimum wage for all state employees.

## **OTHER SUBSTANTIVE ISSUES**

Section 22-10A-20 NMSA 1978 establishes New Mexico class load requirements. The average class load for teachers at an individual school cannot exceed 20 students for kindergarten teachers (teachers are entitled to an EA for classes of 15-20 students), 22 students for grades 1-3 teachers, and 24 students for grades 4-6 teachers. According to LESC, all persons who perform services as EAs must be licensed by PED, be at least 18 years of age, and have a high school diploma or equivalent.

PED provides three levels of licensure for EAs. Level 3 EAs serve as assistants to school staff duly licensed by the PED. To obtain level 3 licensure, EAs must also pass local district testing requirements. While there may be brief periods when EAs are alone with and in control of a classroom of students, their primary use shall be to work alongside or under the direct supervision of duly licensed staff.