

AN ACT

RELATING TO SCHOOL PERSONNEL; PROVIDING A CAREER LICENSING  
FRAMEWORK FOR EDUCATIONAL ASSISTANTS; PROVIDING FOR MINIMUM  
SALARIES OF EDUCATIONAL ASSISTANTS.

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

Section 1. A new section of the School Personnel Act is enacted to read:

"EDUCATIONAL ASSISTANTS--LICENSING FRAMEWORK--  
QUALIFICATIONS--MINIMUM SALARIES.--

- A. All persons who perform services as educational assistants in public schools or in those special state-supported schools within state agencies must hold valid, educational assistants licensure issued by the public education department. Educational assistants shall be assigned, and serve as assistants, to school staff duly licensed by the public education department. While there may be brief periods when educational assistants 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.

- B. The public education department will, through appropriate rules,

institute a licensure system for educational assistants. The highest level of license must ensure that educational assistants who hold that level of licensure meet the standard for paraprofessionals established in federal statute and regulation for employment in a Title 1 program. Educational assistants hired on or after January 8, 2002, who provide instructional support in a Title 1 program, must meet the qualifications for the highest level of licensure on the effective date of this statute. Paraprofessionals hired prior to January 8, 2002, must meet the qualifications for the highest level of licensure by January 8, 2006.

C. The minimum annual salary for licensed educational assistants shall be twelve thousand dollars (\$12,000) effective in the 2004-2005 school year.

D. The minimum salaries specified in Subsection C of this section may be adjusted in accordance with appropriations for that purpose in each school year as established by the secretary of public education.

E. School districts shall initiate the implementation of a career salary framework that supports the licensure system in public education department rules in fiscal year 2005."

Section 2. EFFECTIVE DATE.--The effective date of the provisions of this act is ~~JULY 1, 2004~~ ~~JULY 1, 2004~~