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**LEGISLATIVE EDUCATION STUDY COMMITTEE**  
**BILL ANALYSIS**  
**55th Legislature, 2nd Session, 2022**

<b>Bill Number</b>	<u>SB132</u>	<b>Sponsor</b>	<u>Stewart/Hemphill</u>
<b>Tracking Number</b>	<u>.221993.1</u>	<b>Committee Referrals</b>	<u>SEC/SFC</u>
<b>Short Title</b>	<u>Educational Assistant Minimum Salary</u>		
<b>Analyst</b>	<u>Williams</u>	<b>Original Date</b>	<u>1/28/2022</u>
		<b>Last Updated</b>	<u>2/16/2022</u>

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**BILL SUMMARY**

Synopsis of Bill

Senate Bill 132 (SB132) amends the Public School Code to increase the minimum annual salary for licensed educational assistants (EAs) to \$20 thousand, effective for school year 2022-2023.

**FISCAL IMPACT**

SB132 does not contain an appropriation.

Currently, the minimum annual salary for licensed EAs is \$12 thousand per the Public School Code. While EA salaries vary widely across the state, budget data from the Public Education Department (PED) shows the average annual salary for EAs is \$19,168; however, about 25 percent of EAs earn less than \$16,793. There are about 5,900 full time EAs in the state, and about one third earn an annual salary over \$20 thousand. This bill would impact around two-thirds of EAs who currently earn less than \$20 thousand annually.

The Conference Committee Report for House Bills 2 and 3 (HB2 and 3/CCR) includes a 7 percent increase in educator pay, which would help to increase the average EA salary to over \$20 thousand. (HB2 and 3/CCR) includes \$10 million to be used by school districts and charter schools for targeted salary increases for hard-to-staff positions that provide instructional support to students, which would be used for educational assistants. Additionally, (HB2 and 3/CCR) includes sufficient funding to pay all school employees at least \$15 per hour.

According to LESC analysis of PED data excluding benefits, it would cost approximately \$11.6 million in additional funds to supplement EA salaries currently below \$20 thousand. Total cost including benefits is approximately \$14.4 million. With the 7 percent salary increase for all school personnel, PED estimates the cost with benefits would decrease to \$8.8 million. According to Legislative Finance Committee analysis, absent of a 7 percent increase, but with the \$15 minimum wage, the additional estimated cost of this bill would be \$2.6 million.

## SUBSTANTIVE ISSUES

**Licensed Educational Assistants.** All persons who perform services as EAs must be licensed by PED (three levels of licensure exist). In addition, they must be at least 18 years of age and have a high school diploma or equivalent. EAs work alongside duly licensed staff within schools. PED does not collect data on EA contract hours per day or contract days per year; however, salary guides are publically available for some school districts. For example, Española Public Schools' EA salary schedules are based on a work schedule of 184 days a year and seven-hour days, whereas Albuquerque Public Schools' are based on a work schedule of 183 days and 6.5 hours per day.

**EA Shortages.** According to the [2021 New Mexico Educator Vacancy Report](#), there were 456 educational/instructional assistant vacancies as of September 2021, representing 26.4 percent of all educator vacancies at that time. This is a 163.6 percent increase in EA vacancies compared with fall 2020, when there were 173 EA vacancies.

PED is currently waiving initial and renewal licensure application processing fees between January 19 and March 31, 2022, and is guaranteeing a processing time of two business days or less for educational assistant applications.

## ADMINISTRATIVE IMPLICATIONS

School districts and charter schools would need to pay their EAs a minimum annual salary of \$20 thousand, and while the average annual salary for EAs is \$19,168, the most commonly paid annual salary is \$15,342.

## RELATED BILLS

Senate Bill 1 (SB1) increases the statutory minimum teacher salaries to \$50 thousand for level 1 teachers, \$60 thousand for level 2 teachers, and \$70 thousand for level 3 teachers. It would also increase minimum salaries for principals and assistant principals.

Senate Bill 125 (SB125/aSFC) increases the minimum wage for all state employees, including public educational employees, to \$15 per hour.

## SOURCES OF INFORMATION

- LESC Files
- LFC

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