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SENATE BILL 132

55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2022

INTRODUCED BY

Mimi Stewart and Siah Correa Hemphill

AN ACT

RELATING TO SCHOOL PERSONNEL; INCREASING THE MINIMUM SALARY FOR
EDUCATIONAL ASSISTANTS.

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

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

"22-10A-17.1. 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 shall hold valid,
educational assistant licensure issued by the department.
Educational assistants shall be assigned, and serve as
assistants, to school staff licensed by the department. While
there may be brief periods when educational assistants are

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1 alone with and in control of a classroom of students, their
2 primary use shall be to work alongside or under the direct
3 supervision of licensed staff.

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

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

23 D. The minimum annual salary for licensed
24 educational assistants shall be [~~twelve thousand dollars~~
25 ~~(\$12,000)] twenty thousand dollars (\$20,000) effective in the~~

.221993.1

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1 ~~[2004-2005]~~ 2022-2023 school year.

2 E. The minimum salaries specified in Subsection D
3 of this section may be adjusted in accordance with
4 appropriations for that purpose in each school year as
5 established by the secretary.

6 F. School districts shall initiate the
7 implementation of a career salary framework that supports the
8 licensure system in department rules in fiscal year 2005.

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