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FISCAL IMPACT REPORT

SPONSOR HEC DATE TYPED 02/17/04 HB CS/304/aHAFC/aSEC
 SHORT TITLE Educational Assistant Licensing & Salaries SB _____
 ANALYST Baca

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY04	FY05	FY04	FY05		
	See Language of the Amendment			Recurring	General Fund

(Parenthesis () Indicate Revenue Decreases)

Relates to Appropriation in the General Appropriation Act

SOURCES OF INFORMATION

LFC Files

Response Received From

New Mexico Department of Public Education (PED)

SUMMARY

Synopsis of SEC Amendments

The Senate Education Committee amendments change the requirements for three of the four tiers of the proposed educational assistant licensure categories but keep July 1, 2004 as the beginning implementation date for meeting the requirements. Requirements for each of the tiers are now as follows;

An applicant for a level 2 educational assistant license shall:

- (1) be at least 18 years of age;
- (2) have a high school diploma or equivalent;
- (3) show satisfactory evidence of having completed a school-district-orientation; and
- (4) have completed at least forty-eight semester hours of post-secondary non-remedial credit awarded by an accredited college or university that includes be at least fifteen semester hours in non-remedial coursework in basic skills and assisting in the class room.

An applicant for a level 3-A educational assistant license shall:

- (1) be at least 18 years of age;
- (2) have a high school diploma or its equivalent;
- (3) show satisfactory evidence of having completed a school-district-level orienta-

- tion; and
- (4) have an associate degree from an accredited college or university that includes at least fifteen hours in basic skills and assisting in the classroom.

An applicant for a level 3-B educational assistant license shall:

- (1) be at least 18 years of age;
- (2) have a high school diploma or equivalent;
- (3) show satisfactory evidence of having completed a school-district I-level orientation, and
- (4) hold a bachelor's degree or higher from an accredited college or university.

Synopsis of HAFC Amendments

The House Appropriations and Finance Committee amendments strike the appropriation and inserts language that the minimum salaries specified in the bill (Subsection I) may be adjusted in accordance with appropriations for that purpose each school year.

Synopsis of Original Bill

House Bill 304/HECS amends the School Personnel Act by providing for a three-tiered licensing framework for educational assistants, providing for minimum salary levels of educational assistants and appropriates \$8,210 million from the general fund to the state equalization guarantee distribution to fund the first year of the educational assistant licensure framework and to bring all educational assistants to a minimum salary level of \$12 thousand. Provisions of the bill are effective July 1, 2004.

Significant Issues

The PED reports that educational assistants currently have a three-tiered licensure framework with people already holding levels I, II and III licensure. The bill provides a process to transition current license holders into the new system. (Requirements are detailed in OTHER SUBSTANTIVE ISSUES.)

FISCAL IMPLICATIONS

The appropriation of \$8,210 million contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY05 shall revert to the general fund.

ADMINISTRATIVE IMPLICATIONS

The PED reports the impact on the PED's Professional Licensure Office will be significant because of the need to develop increased competencies for each of the levels of educational assistant licensure, training school personnel on the new requirements and issuing new licenses appropriate to the new system. Further, the PED reports, this bill will take New Mexico beyond the requirements of the no Child Left Behind Act of 2001, and having high quality educational assistants should help enhance student achievement.

OTHER SUBSTANTIVE ISSUES

The bill establishes a three-tiered licensure framework for educational assistants with the licensure levels tied to base salary guarantees. Increased requirements are provided over the current licensure requirements at the three levels. The bill stipulates that beginning July 1, 2004, all applicant for educational assistant licensure must meet the requirements of the level of licensure for which they are applying and all persons holding a valid license shall be allowed a grace period for meeting the requirements of the law

On June 30, 2004, educational assistants holding a valid level three license shall be reissued new level one, two or three A or three B licenses depending upon the license for which they qualify.

By July 1, 2005, all educational assistants except those holding new licenses pursuant to the provisions of the law must meet the requirements for the licensure for which they apply.

Beginning July 1, 2004, the licensing criteria and minimum salaries for each of the three licensure levels are as follows:

- A level one license is a nine year renewable license requiring that all educational assistants be at least 18 years of age, hold a high school diploma or equivalent, have orientation training to their work, have passed a Public Education Department (PED)-approved test for paraprofessionals have passed an intensive annual evaluation by a teacher or administrator and professional development for the first three years. License holders must annually demonstrate competency to perform their duties and meet professional development requirements of the PED. (\$12,000 effective in the 2004-2005 school years).
- A level two license is a nine year renewable license and an educational assistant must meet the requirements for a level one license, have been licensed and employed as a level one educational assistant for at least three years, show evidence of having completed a school district-level orientation and have completed at least forty-eight semester hours of post-secondary non-remedial credit awarded by and accredited college or university that includes at least 15 semester hours of basic skills and assisting in the classroom, annually demonstrate essential competencies to perform their duties and meet professional development requirements determined by the PED, and must be employed at least three years as a level two educational assistant before applying for a higher level license (\$15,000 effective in the 2005-2006 school year).
- A level three-A license is a nine year renewable license for educational assistants who annually demonstrate essential competency to perform their duties and who meet professional requirements of the PED, shall meet all the requirements for a level two license and employed as a level two assistant for at least three full school years, hold a bachelor's degree or higher from an accredited college or university, show satisfactory evidence of having completed a school district-level orientation, (\$20,000 effective in the 2006-2007 school year).
- Level 3-B educational assistant's license is a nine year renewable license for educational assistants who annually demonstrate essential competency to perform their duties and who meet professional development requirements of the PED.