

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill No: SB 312

49th Legislature, 1st Session, 2009

Short Title: School District Clerk Minimum Salaries

Sponsor(s): Senator Tim Eichenberg

Analyst: Eilani Gerstner

Date: February 4, 2009

Bill Summary:

SB 312 enacts a new section of the *School Personnel Act* to require school districts to implement a career salary framework for clerks, secretaries, secretary-bookkeepers, and bookkeepers.

SB 312 defines three skills levels for these employees as follows:

- entry level – up to five years’ experience;
- intermediate level – five to 10 years’ experience; and
- advanced level – 10 to 25 years’ experience.

The minimum salaries established in SB 312 for each profession and level are:

- Clerks:
 - entry level – \$9.00 per hour or the state minimum wage, whichever is higher;
 - intermediate level – \$10.50 per hour;
 - advanced level – \$12.00 per hour.
- Secretaries or secretary-bookkeepers:
 - entry level – \$12.00 per hour;
 - intermediate level – \$14.00 per hour;
 - advanced level – \$16.00 per hour.
- Bookkeepers:
 - entry level – \$14.00 per hour;
 - intermediate level – \$16.00 per hour;
 - advanced level – \$18.00 per hour.

Fiscal Impact:

\$4.0 million is appropriated from the General Fund to the Public Education Department (PED) for FY 10 to raise clerks, secretaries, secretary-bookkeepers, and bookkeepers in school districts to minimum salary levels, effective the first full pay period after July 1, 2009. Unexpended or unencumbered funds revert to the General Fund.

The FY 10 public school support recommendations of the Legislative Education Study Committee (LESC), Legislative Finance Committee, and the Executive do not include an appropriation for salary increases for public school personnel.

Fiscal Issues:

- SB 312 appropriates the funds to PED to raise the minimum salaries; however, funds for salaries of public school personnel, except for school transportation employees, are distributed to school districts through the State Equalization Guarantee (SEG) distribution (Public School Funding Formula). School transportation employee salaries are funded through the transportation distribution.
- The sponsor may wish to amend the bill to appropriate the funds to the SEG distribution and to the transportation fund, if applicable. Funding the salary increases through the funding formula would ensure that the increases are incorporated into the SEG base and booked as recurring costs.
- It is possible that the appropriation of \$4.0 million contained in SB 312 may be insufficient to raise the minimum salaries of these individuals to the levels proposed:
 - a nearly identical bill introduced but not passed during the 2007 legislative session contained the same appropriation amount as SB 312 (\$4.0 million); and
 - the minimum salaries proposed in the 2007 legislation were considerably lower than those proposed in SB 312, ranging from \$7.50 per hour for entry level clerks to \$16.00 per hour for advanced level bookkeepers (compared to \$9.00 per hour and \$18.00 per hour in SB 312, respectively).

Issues:

In 2005, the Legislature passed House Memorial 36, *School Secretary and Clerk Salary Study*, which requested the Office of Education Accountability (OEA) in the Department of Finance and Administration to:

- assess the appropriate salaries for the skill levels required for school district secretaries, clerks, and bookkeepers;
- study and make recommendations for a salary schedule process for these employees; and
- report the results of the study and recommendations to the LESC.

In testimony to the LESC during the 2005 interim, OEA described the membership and work of the task force, including a survey of school districts and charter schools to compare data on these employees, including skill level (entry, intermediate, advanced) and salary. Recommendations from the task force included:

- providing secretaries, clerks, and bookkeepers an average 8.0 percent salary increase in FY 07 and a minimum wage of at least \$7.50 per hour;
- requiring school districts and charter schools to create salary schedules that encourage career development across the entry, intermediate, and advanced skill levels of secretaries, clerks, and bookkeepers; and
- requiring PED to collect data for secretaries, bookkeepers, and clerks including such factors as the number of years of experience, length of contract, and grade or skill level.

Legislation was introduced in 2007 to implement a career salary framework for clerks, secretaries, secretary-bookkeepers, and bookkeepers; however, it did not pass. During the 2008 interim, the LESC heard a presentation from the Albuquerque Secretarial/Clerical Association,

which testified in favor of re-introducing legislation during the 2009 session to raise the minimum salaries for clerks, secretaries, secretary-bookkeepers, and bookkeepers.

As noted below, an identical bill, HB 18, *School District Clerk Minimum Salaries*, has been introduced in the House.

Related Bills:

HB 18 *School District Clerk Minimum Salaries* (identical)

HB 136 *Educational Assistant Licensing & Salaries*

HB 137 *Educational Assistant Minimum Salary*

HB 152 *School Employee Salary Increases*