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

B. The department shall, through appropriate
rules, institute a licensure system for educational
assistants. The highest level of license shall 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.

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

15 D. The minimum annual salary for licensed
16 educational assistants shall be twenty-five thousand dollars
17 (\$25,000) effective in the 2023-2024 school year.

18 E. The minimum salaries specified in Subsection D
19 of this section may be adjusted in accordance with
20 appropriations for that purpose in each school year as
21 established by the secretary.

22 F. School districts shall initiate the
23 implementation of a career salary framework that supports the
24 licensure system in department rules in fiscal year 2005.

25 G. As used in this section, "teacher preparation

1 program" means a program that has been formally approved as
2 meeting the requirements of the department and that leads to
3 level one teacher licensure, including a program in a two-year
4 post-secondary educational institution that meets the
5 requirements for a teacher education transfer module
6 established pursuant to Subsection C of Section 21-1B-4 NMSA
7 1978."

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