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LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
56th Legislature, 2nd Session, 2024

Bill Number	<u>HB199</u>	Sponsor	<u>Herrera/Romero/Lara/Baca/Gurrola</u>
Tracking Number	<u>.227026.4</u>	Committee Referrals	<u>HEC/H AFC</u>
Short Title	<u>Educational Assistant Salary</u>		
Analyst	<u>Armatage</u>	Original Date	<u>1/24/2024</u>
		Last Updated	<u>1/30/2024</u>

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

BILL SUMMARY

Synopsis of Bill

House Bill 199 (HB199) would increase the minimum annual salary for all full-time public school employees to \$30 thousand. The bill would also amend statute to specifically update the minimum salaries of educational assistants to \$30 thousand. Finally, the bill would amend statute to update the minimum hourly rate for all public school employees from \$6 to \$15 to match the minimum wage of \$15 per hour required through language in House Bill 2 (HB2) since FY23.

FISCAL IMPACT

The bill does not contain an appropriation.

For FY25, the House Appropriations and Finance Committee Substitute for House Bills 2 and 3 (HB2/HAFCS) includes \$62.8 million to provide a two percent salary increase to all public school personnel and \$62.8 million to provide an average two percent salary increase to public school personnel.

Given these proposed salary raises, LESC staff estimate the cost of requiring a \$30 thousand minimum salary for all full-time public school personnel would be an estimated \$41.7 million, including the estimated cost of benefits.

SUBSTANTIVE ISSUES

Annual Salary Minimum Increases for Certain Full-Time Public School Employees. HB199 would increase the minimum annual salary for all full-time public school employees to \$30 thousand. Presently, statute defines minimum salary requirements for school leaders, teachers, and educational assistants (see Section 22-10A NMSA 1978). Of these staffing categories, only the minimum salaries of educational assistants would be impacted. The minimum annual salary requirement for educational assistants would increase from \$25 thousand to \$30 thousand.

Updating Statute to Match the Current Minimum Wage Rate. Current statute sets the minimum wage rate for noncertified school personnel at six dollars per hour (see Section 22-10A-39 NMSA 1978). This statute, enacted in 2003, has not been updated to reflect the current minimum. While New Mexico’s state minimum wage rate is \$12 per hour in 2024 (see Section 50-4-22 NMSA 1978), the state has required school personnel to be paid at a minimum rate of \$15 per hour through language in HB2 since FY23. HB199 would update statute to reflect this rate.

Educational Assistant Vacancies. HB199 would impact low-wage, full-time, public school employees who work a full academic year, including personnel such as educational assistants, school secretaries, school bus drivers and attendants, and food service personnel. According to Southwest Outreach Academic Research Evaluation & Policy Center’s 2023 New Mexico Educator Vacancy [Report](#), New Mexico is short an estimated 482 education assistants in the 2023-2024 school year (SY24), 67 percent of which are for special education assistants. Education assistants are critical to enable differentiated instruction that meets the needs of all students, provide support for students with special needs, and ensure schools are able to meet state class size requirements.

Other School Personnel Vacancies. While New Mexico school personnel vacancy data is limited, many schools report difficulties staffing secretarial, transportation, and food service positions. A 2023 [study](#) by LESC staff found nearly every school district in the state is experiencing bus driver shortages. Student transportation barriers contribute to chronic absenteeism, which has been found to negatively impact student outcomes. As the Public Education Department [reported](#) an alarming 40 percent chronic absenteeism rate for SY22, addressing school transportation personnel shortages is critical.

Cost of Living. An [analysis](#) of U.S. Census Bureau data found the national average earnings of full-time educational support providers (defined as paraeducators, clerical, and custodial staff) in 2022 was \$33,177. New Mexico’s current minimum salary of \$25 thousand for educational assistants falls well below this average. According to the [Massachusetts Institute of Technology](#), a minimum living wage rate for one adult in New Mexico is, on average, \$16.07 per hour. For a family of four with two working adults, the minimum living wage is an estimated \$24.03 per hour. In New Mexico counties with a higher cost of living, minimum living wages are even higher. HB199 would bring the earnings of education support providers in New Mexico closer to national averages and a living wage.

SOURCES OF INFORMATION

- LESC Files

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