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## FISCAL IMPACT REPORT

SPONSOR: Komadina, S.      DATE TYPED: 3/13/03      HB \_\_\_\_\_

SHORT TITLE: Eliminating School Employee Tenure      SB 86

ANALYST: Segura

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
	NFI				

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

State Department of Education (SDE)

### SUMMARY

#### Synopsis of Bill

Senate Bill 86 would eliminate tenure for all school employees whether licensed or unlicensed.

#### Significant Issues

According to SDE, by eliminating tenure, the bill departs from the established structure that licensed school employees who faithfully stay at their jobs and perform competently have a reasonable expectation of continued employment, have a property interest in that employment and may only be prevented from renewed employment if there is just cause.

The SDE cites Section 22-10-9 NMSA 1978, that deems licensees to be members of a profession with attendant rights, responsibilities and privileges usually accorded to such professionals.

### FISCAL IMPLICATIONS

Senate Bill 86 does not contain an appropriation.

**ADMINISTRATIVE IMPLICATIONS**

If Senate Bill 86 is enacted SDE and local school districts would administer the intent of the legislation.

**CONFLICT**

Senate Bill 86 conflicts with Section 22-10-9 NMSA 1978 of the Public School Code.

**RS/yr**