

NOTE: As provided in LFC policy, this report is intended only for use by the standing finance committees of the legislature. The Legislative Finance Committee does not assume responsibility for the accuracy of the information in this report when used for other purposes.

The most recent FIR version (in HTML & Adobe PDF formats) is available on the Legislative Website. The Adobe PDF version includes all attachments, whereas the HTML version does not. Previously issued FIRs and attachments may be obtained from the LFC in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

SPONSOR: Rawson DATE TYPED: 3/12/03 HB _____

SHORT TITLE: Substitute Teacher's Salaries SB 777/aSEC

ANALYST: Segura

APPROPRIATION

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

** Please Refer to Fiscal Impact Summary

SOURCES OF INFORMATION

State Department of Education (SDE)

SUMMARY

Synopsis of SEC Amendment

The Senate Education Committee amended Senate Bill 777 on page 1, line 20, strike “seventy five” and insert in lieu thereof “fifty”. The amendment would then read, “provide a minimum salary consisting of 50% of the average beginning teacher’s salary”.

Synopsis of Original Bill

Senate Bill 777 adds a new section to the Public School Code to require the State Board of Education (SBE) to adopt rules to ensure that a substitute teacher is provided a minimum salary consisting of 75 % of the average beginning teacher’s salary.

Significant Issues

Senate Bill 777 does not contain an appropriation. The SDE indicates that the bill is an unfounded mandate and could have a significant fiscal impact on school districts.

FISCAL IMPLICATIONS

According to SDE, the fiscal impact would be significant. At large school districts, the pay for

substitute teachers are based on three levels: \$66.30 per day for having an associate degree on the low end, \$76.50 per day for any four degree in the mid range and \$81.60 per day in the high end. At smaller school districts, substitute teachers pay is based on a two-level scale of \$41.00 for a non-certified substitute teacher, and \$46.00 for a certified teacher.

In addition, the 75 percent requirement of an average beginning teacher's salary, which amounts to 75 percent of \$27,807. This would require to pay approximately \$116.00 per day for substitute teachers.

According to Albuquerque Public School district, it budgets \$65.00 per day for substitute teachers without benefits, allowing an additional \$10.00 for benefits. The district bases its budget on historical data. For school year 2002-2003, APS budgeted \$3,989.0 for an equivalent of 61,365 teaching days. If Senate Bill 777 were enacted, APS would need an additional \$3,130.0 for salary and \$614.0 for benefits.

ADMINISTRATIVE IMPLICATIONS

Senate Bill 777 would require the SBE to promulgate new rules to met the mandates of the legislation.

OTHER SUBSTANTIVE ISSUES

According to SDE, the bill is in conflict with four areas of the Public School Code:

1. Section 22-10-3 NMSA 1978, a substitute teaching license is not standard teaching license and by rules of the SBE, the requirement to obtain such a license are minimal;
2. Section 22-5-4F NMSA 1978, it is the local school board that is empowered to "fix the salaries of all employees and certified school personnel of the school district.;
3. Section 22-10-9 NMSA 1978, a teacher holding a standard license is a professional whose primary responsibility is to educate the children of this stat; and
4. Sections 22-8-6 NMSA 1978 and Section 22-8-24 NMSA 1978, The SDE approves an annual budget submitted by the school district which must involve, among other things, the calculation of "instructional staff training and experience index". This index is based on part upon the degree held by licensed teachers and specifically excludes substitutes.

RMS/sb:yr:njw