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FISCAL IMPACT REPORT

SPONSOR Chavez, Eleanor **ORIGINAL DATE** 02/02/11
LAST UPDATED 02/10/11 **HB** 104/aHLC
SHORT TITLE Reduce Nonlicensed School Employee Probation **SB** _____
ANALYST Haug

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY11	FY12		
NFI	NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Public Education Department (PED)

SUMMARY

Synopsis of HLC Amendment

The House Labor and Human Resources Committee Amendment limits the option of terminated employees to request the opportunity to make a statement to the employing authority or to request in writing the reasons for termination. Licensed employees must have been employed for three consecutive years while non-licensed employees must have been employed for more than one year to exercise their option to make these requests.

Synopsis of Original Bill

House Bill 104 amends Section 22-10A-24 NMSA 1978 to reduce the probationary period for non-licensed school employees three years to one year and allows for termination of a non-licensed school employee with less than one year of employment for any reason deemed sufficient by the local school board or governing authority of a state agency.

FISCAL IMPLICATIONS

House Bill 104 has no fiscal impact.

SIGNIFICANT ISSUES

The PED states:

HB 104 codifies in statute a distinction between licensed and non-licensed school personnel. The legislation reinforces that distinction by setting different time frames and termination procedures for licensed and non-licensed school personnel.

HB 104 creates the opportunity for employers and non-licensed employees to have a more transparent hiring and probationary process. Through this process, measurable performance objectives and/or goals to improve efficiency and increase effectiveness in the workplace are clearly outlined as requirements for maintaining employment beyond the one (1) year probationary period.

This would expand a school district's ability to set high standards for job performance, reward employee success and establish clear criteria for timely termination based upon failure to achieve the stated performance objectives for that position.

GH/svb:bym