

LESC bill analyses are available on the New Mexico Legislature website (www.nmlegis.gov). Bill analyses are prepared by LESC staff for standing education committees of the New Mexico Legislature. LESC does not assume any responsibility for the accuracy of these reports if they are used for other purposes.

LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
54th Legislature, 1st Session, 2019

Bill Number	<u>HB171/aHEC</u>	Sponsor	<u>Stapleton</u>
Tracking Number	<u>.212195.1</u>	Committee Referrals	<u>HEC/HAFC</u>
Short Title	<u>Raising Minimum Teacher Salaries</u>		
Analyst	<u>Simon/Sena</u>	Original Date	<u>1/26/2019</u>
		Last Updated	<u>2/6/2019</u>

BILL SUMMARY

Synopsis of House Education Committee Amendment

The House Education Committee Amendment to House Bill 171 (HB171/aHEC) would strike the requirement that all level 1 teachers obtain certification in teaching English to speakers of other languages, reduces the appropriation from \$400 million to \$214 million, and fixes a technical error regarding amount non-instructional time to be used for parent-teacher conferences or home visits.

Synopsis of Original Bill

House Bill 171 (HB171) would amend the Public School Code to prevent school districts and charter schools from counting parent-teacher conferences, home visiting, recess, or other periods where no instruction is offered as instructional hours, provide for at least 10 non-instructional days, increase minimum teacher salaries to \$45 thousand for level 1 teachers, \$55 thousand for level 2 teachers, and \$65 thousand for level 3-A teachers and counselors, and require all level 1 teachers to obtain certification in teaching English to speakers of other languages.

FISCAL IMPACT

HB171/aHEC would increase minimum salaries from \$36 thousand to \$45 thousand for level 1 teachers, from \$44 thousand to \$55 thousand for level 2 teachers, and from \$54 thousand to \$65 thousand for level 3-A teachers and counselors. Based on the consensus methodology reached by the Public Education Department (PED), the Department of Finance and Administration, the Legislative Finance Committee (LFC), and LESC, staff estimate the cost of increasing minimum salaries for teachers and level 3-A counselors at \$213.4 million. This estimate was based on teacher salary data provided by PED from October 2018 and includes \$173.5 million to increase salaries and \$39.9 million to cover the cost of additional employee benefits, which PED estimates at 23 percent.

The LFC and executive recommendations for FY20 public school support included \$103.6 million and \$125.8 million funding respectively to increase teacher compensation, making the additional cost for HB171/aHEC between \$87.6 million and \$109.8 million.

The bill appropriates \$214 million from the general fund to the state equalization guarantee distribution to increase minimum teacher salaries and to increase the number of teacher contract days.

SUBSTANTIVE ISSUES

Instructional Time. HB171/aHEC could result in more direct instructional time in some schools. The bill would prevent school districts and charter schools from including recess, weather-related school delays, or teacher planning, preparation, and professional development time in the total number of instructional hours. Currently, weather delays exceeding two hours and in-service training are not counted as instructional time due to provisions of the New Mexico Administrative Code but recess and weather delays of less than two hours may be counted.

In addition, HB171/aHEC would not allow school districts to count parent-teacher conferences or home visiting as instructional hours. Under current law, school districts may use up to 33 hours in full-day kindergarten, 22 hours in first through sixth grade, and 12 hours in seventh through 12th grade for home visiting and parent-teacher conferences. This could add up to six days of instructional time in kindergarten, four days of instructional time in first through sixth grade, and two days of instructional time for seventh through 12th grade. HB171/aHEC would require school districts and charter schools to allow classroom teachers three days for home visits and parent teacher conferences, but these days would be counted as non-instructional days.

Contract Time for Professional Development. HB171/aHEC would require school districts and charter schools to provide at least 10 non-instructional days for teacher planning, preparation and professional development, as well as parent teacher conferences and home visiting. Current law does not require school districts or charter schools to offer additional non-instructional time, and the number of non-instructional days varies widely by school district and charter school. In FY19, school districts reported an average of seven non-instructional days, but some school districts reported as few as two non-instructional days. Charter schools reported more non-instructional days, with an average of 15 non-instructional days.

According to the National Conference of State Legislatures' (NCSL) *No Time to Lose: How to Build a World-Class Education System State by State*, most high-performing countries allocate a greater share of teacher's time to working with other teachers to develop their own teaching skills and developing the skills of new and struggling teachers. HB171/aHEC would allow mentoring and collaboration time to be included in the calculation of non-instructional days, which could allow additional time for high-performing, experienced teachers to build the skills of their colleagues, potentially leading to less turnover among new teachers who are given insufficient support to develop stronger teaching skills.

HB171/aHEC would also require PED to include a provision in its systemic framework for professional development that allows teachers to work in professional learning communities and provides up to three days for home visits and parent teacher conferences.

Minimum Teacher Salaries. Since FY04, state law has required public schools to pay teachers a minimum salary based on their licensure level and level 3-A counselors were included in the minimum salary requirements in FY16. Initially, minimum salaries were set at \$30 thousand for level 1 teachers, \$40 thousand for level 2 teachers, and \$50 thousand for level 3-A teachers.

Subsequent legislation increased minimum salaries by \$6,000 for level 1 teachers and \$4,000 for level 2 and level 3-A teachers.

In the NCSL’s *No Time to Lose* report, maintaining a competitive compensation system for educators is key to building a world class education system. In the United States, teachers typically earn less than similarly educated professions, while in some high-performing countries, teacher pay is between 90 and 105 percent of the average for other college-educated workers.

5-Year Change in the Average Teacher Salary, New Mexico and Surrounding States

State	2012	2017	5 Year Change	
Arizona	\$48,691	\$47,403	\$2,139	4.4%
Colorado	\$49,049	\$51,808	\$1,924	3.9%
Nevada	\$54,559	\$57,376	\$1,419	2.6%
New Mexico	\$45,622	\$47,122	\$1,669	3.7%
Oklahoma	\$44,391	\$45,292	\$919	2.1%
Texas	\$48,373	\$52,575	\$3,756	7.8%
Utah	\$48,159	\$47,244	\$1,701	3.5%
U.S. Average	\$55,389	\$59,660	\$3,595	6.5%

Source: NEA Rankings and Estimates

According to the National Education Association, during the 2016-2017 school year, the average starting salary for New Mexico teachers was \$34,544, about \$4,000 less than the national average and the average salaries for New Mexico teachers was less than many of its neighboring states. The average teacher salary in Texas in FY17, for example, was \$52,575 compared with \$47,122 in New Mexico. New Mexico has also lagged the nation and many of its neighbors in the growth of average teacher salaries. From FY12 to FY17, average teacher salaries in New Mexico grew by 3.7 percent, while the average teacher salary nationally grew by 6.5 percent.

New Mexico school districts continue to struggle to recruit and retain qualified teachers. New Mexico State University’s “2018 Educator Vacancy Report” found there were 740 teacher vacancies in New Mexico school districts in October 2018. According to PED data, more than half of all new teachers are no longer employed by a New Mexico school district or charter school five years after they begin teaching. In addition, the educator vacancy report noted there was a 23 percent decrease in college students completing educator preparation programs between FY15 and FY18 and a 33 percent decrease between FY10 and FY18. While programs that encourage college students to enter the profession and incentivize young teachers to remain in the profession could help reverse these trends, competitive teacher salaries are a key tool for recruiting and retaining high-quality teachers.

ADMINISTRATIVE ISSUES

HB171/aHEC includes increases to minimum teacher salaries, but does not increase the minimum salary for principals and assistant principals. As a result, the statutory minimum salaries for elementary school assistant principals would be the same as the minimum salary for a level 2 teacher and the minimum salary for assistant principals at any level and elementary school principals would be lower than the minimum salary for a level 3-A teacher. School districts and charter schools may need to raise starting salaries for school administrators above the statutory minimums to attract qualified people to school leadership positions.

Minimum Salary Levels in HB171

Job	Current	FY20
Level 1 teacher	\$36,000	\$45,000
Level 2 teacher	\$44,000	\$55,000
Level 3 teacher	\$54,000	\$65,000
Elementary assistant principal	\$55,000	\$55,000
Elementary principal	\$60,000	\$60,000
Middle school assistant principal	\$57,500	\$57,500
Middle school principal	\$70,000	\$70,000
High school assistant principal	\$62,500	\$62,500
High school principal	\$80,000	\$80,000

Source: LESC Analysis

TECHNICAL ISSUES

HB171/aHEC would require the school year be extended by at least 10 days beyond required instructional days. On page 3, lines 9 through 12, school districts are required to provide “10 days of professional development aligned with their duties” and on page 3, line 14, the bill states classroom teachers are “allowed three days for home visits and parent teacher conferences.” It appears from page 3, lines 3 and 4, the three days for parent-teacher conference are meant to be included in the 10 non-instructional days but the sponsor may wish to clarify if the three parent-teacher conference days are in addition to the 10 professional development days.

RELATED BILLS

Senate Bill 1 and House Bill 5 would increase minimum teacher salaries to \$40 thousand for level 1 teachers, \$50 thousand for level 2 teachers, and \$60 thousand for level 3-A teachers.

Senate Bill 47, as amended, would increase minimum teacher salaries for FY20 to \$40 thousand for level 1 teachers, \$50 thousand for level 2 teachers, and \$60 thousand for level 3-A teachers. For FY21 minimum salaries would increase by \$2,500 at each level and for FY22 minimum salaries would increase by an additional \$2,500, when they would be at the same level as provided in HB171/aHEC.

SOURCES OF INFORMATION

- LESC Files

JWS/