

**FIFTY-FIFTH LEGISLATURE  
FIRST SESSION, 2021**

February 3, 2021

Mr. Speaker:

Your **EDUCATION COMMITTEE**, to whom has been referred  
**HOUSE BILL 22**

has had it under consideration and reports same with  
recommendation that it **DO PASS**, amended as follows:

1. On page 6, between lines 24 and 25, insert the following  
new section:

"**SECTION 8.** Section 22-10A-17.1 NMSA 1978 (being Laws 2004,  
Chapter 30, Section 1) is amended to read:

"22-10A-17.1. EDUCATIONAL ASSISTANTS--LICENSING FRAMEWORK--  
QUALIFICATIONS--MINIMUM SALARIES.--

A. All persons who perform services as educational  
assistants in public schools or in those special state-supported  
schools within state agencies [~~must~~] shall hold valid, educational  
[~~assistants~~] assistant licensure issued by the [~~public education~~]  
department. Educational assistants shall be assigned, and serve as  
assistants, to school staff [~~duly~~] licensed by the [~~public  
education~~] department. While there may be brief periods when  
educational assistants are alone with and in control of a classroom  
of students, their primary use shall be to work alongside or under  
the direct supervision of [~~duly~~] licensed staff.

B. The [~~public education~~] department [~~will~~] shall,  
through appropriate rules, institute a licensure system for  
educational assistants. The highest level of license [~~must~~] shall  
ensure that educational assistants who hold that level of licensure  
meet the standard for paraprofessionals established in federal  
statute and regulation for employment in a Title 1 program.  
[~~Educational assistants hired on or after January 8, 2002, who  
provide instructional support in a Title 1 program, must meet the  
qualifications for the highest level of licensure on the effective  
date of this statute. Paraprofessionals hired prior to January 8,  
2002 must meet the qualifications for the highest level of licensure  
by January 8, 2006.~~]

C. A licensed educational assistant who is a resident of  
New Mexico, who is authorized to work in the United States, who has  
been employed by a public school in a position that works directly  
with students for at least two years and is in good standing with

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the school district and who is enrolled in or accepted by an undergraduate teacher preparation program at a regionally accredited public post-secondary educational institution in New Mexico shall be granted professional leave by that public school to attend a teacher preparation program in New Mexico; provided that the public school may require that the professional leave minimizes disruption to the school day and may require an educational assistant to make up hours in exchange for hours missed from the school day.

~~[C.]~~ D. The minimum annual salary for licensed educational assistants shall be twelve thousand dollars (\$12,000) effective in the 2004-2005 school year.

~~[D.]~~ E. The minimum salaries specified in Subsection [C] D of this section may be adjusted in accordance with appropriations for that purpose in each school year as established by the secretary ~~[of public education]~~.

~~[E.]~~ F. School districts shall initiate the implementation of a career salary framework that supports the licensure system in ~~[public education]~~ department rules in fiscal year 2005.

G. As used in this section, "teacher preparation program" means a program that has been formally approved as meeting the requirements of the department and that leads to level one teacher licensure, including a program in a two-year post-secondary educational institution that meets the requirements for a teacher education transfer module established pursuant to Subsection C of Section 21-1B-4 NMSA 1978."

2. Renumber the succeeding section accordingly.,

and thence referred to the **STATE GOVERNMENT, ELECTIONS AND INDIAN AFFAIRS COMMITTEE.**

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Respectfully submitted,

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G. ANDRES ROMERO, CHAIR

Adopted \_\_\_\_\_  
(Chief Clerk)

Not Adopted \_\_\_\_\_  
(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 13 For 0 Against  
Yes: 13  
No: 0  
Excused: Dow, Stapleton  
Absent: None

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