

*Wednesday, February 19, 2014*

## **Budget Passes Senate /Ask House Members to Support**

A Senate Finance Committee substitute bill for Senate Bill 313, the Senate version of the General Appropriations Act, passed the Senate early yesterday evening. For the most part the bill kept the best parts of stalled House Bill 2. It increases beginning salaries for each teacher licensure tier by \$2,000. It includes a requirement for an "average" 3% salary increase for all school employees and a 6% increase for educational assistants. That language is here:

"The general fund appropriation to the state equalization guarantee distribution includes sufficient funds to provide a three percent average salary increase for all teachers, other instructional staff and other licensed and unlicensed staff effective the first full pay period after July 1, 2014. This amount does not include and is in addition to salary increases due to licensure advancement pursuant to the School Personnel Act. Prior to the approval of each school district's or charter school's budget, the secretary of public education shall verify that the school district or charter school is providing a three percent average salary increase for all teachers and other licensed school employees and a three percent average salary increase for all unlicensed school employees."

The measure increases funding "above the line" by a small amount, starts the process of returning to statutory class sizes limits within three years, helps small school districts no longer be dependent on emergency funding, pays the district share of insurance, makes the last installment of the state's commitment to employer share of retirement.

Our only major concern is an item of \$7.25 million to the Public Education Department entitled "Teacher and school leader programs and supports for training, preparation, recruitment and retention." Many construe this as an opportunity for the Secretary-designate to create a pilot merit plan; however, a floor amendment limited the PED's spending power to no more than 75% on any one program. Thus, the most that could be expended on such a pilot program would be \$5.43 million. So, we need to be vigilant and make sure any such proposals are completely subject to collective bargaining. The "average salary" language also means that collective bargaining is more important than ever, since that "average" could be applied to salary schedules in many different ways.

However, on the whole, we support this budget and urge House members to also support.

This measure should be on the House Floor today. Please ask your House member to support the budget.

## **Constitutional Amendment to Raise Minimum Wage Tied to Inflation Gets Do-pass Recommendation From Voters and Elections Committee and Heads to House Floor**

Senate Joint Resolution 13 to raise the minimum wage based on inflation starting in 2015 received a do-pass recommendation on a straight party-line vote, all Democrats supporting and all Republicans opposing. The measure now moves to the House Calendar. Ask all House members to support this important fairness issue.

## **Bill to Raise Minimum Salaries Killed on House Floor**

H 67a PHASED MINIMUM TEACHER SALARY INCREASES, introduced by Rep. Stewart would have amended the School Personnel Act to phase in, over a five-year period, increases in the statutory minimum salaries of teachers by \$2000 per year. Representative Nate Gentry led a Republican floor fight to amend the bill to remove salary increases for level two and level three teachers. Unfortunately, he succeeded when all Republicans and Democrats Sandra Jeff and Carl Trujillo joined him in supporting the amendment! Representative Stewart asked that the bill be removed from the day's agenda, which it was. Let the Democrats who supported know how important this legislation is. Tell Republicans and Democrats Sandra Jeff and Carl Trujillo that all teachers need and increase in starting salaries. The funding to pay for the increases is in the stalled budget bill.

HB 391 was crafted from a generic bill in the House Education Committee Saturday Morning. The measure, also sponsored by committee chair Representative Mimi Stewart received a do-pass recommendation from Democratic members of the committee, a quorum, when all Republican members boycotted the committee meeting. Unfortunately, HB 391 was killed in a House floor vote when the full House refused to adopt the favorable committee report!

However, funding for the first step of \$2 thousand increase in beginning salaries for each tier is in the Senate Budget Bill referenced above.

## **Resolution to Have Elected State School Board Appoint a State Superintendent of Public Instruction Heads to Senate Floor**

Senate Joint Resolution 2-BOARD & SUPERINTENDENT OF EDUCATION, CA, Sen. Padilla, which proposes an amendment to the Constitution of New Mexico to create an elected State Board of Education to make education policy and to appoint a qualified Superintendent of Public Instruction to direct the operation of the Public Education Department. This measure received a do-pass recommendation in the Senate Education Committee Wednesday Morning.

The measure received do-pass recommendation from the Judiciary Committee, and is on the Senate calendar.

Urge all Senators to support this constitutional amendment to return control of public education to the voters.

## Some Other Legislation We Are Supporting

**SJR 13 ANNUALLY INCREASING MINIMUM WAGE, CA, Sen. Martinez** — proposes an amendment to the Constitution of New Mexico to establish a state minimum wage that increases annually at the rate of inflation. [Identical to HJR 9] This measure has passed the Senate Rules Committee and is headed to Senate Judiciary. Ask committee members to support this important fairness legislation to let voters decide to increase the minimum wage.

**SJR 8 PUBLIC EDUCATION COMMISSION, CA, Sen. Keller/Rep. MH Garcia** — proposes an amendment to the Constitution of New Mexico to establish duties and functions of the Public Education Commission by granting the commission: the sole authority to render a final decision approving or denying an application for the establishment or renewal of a charter for or revoking a charter of a state-chartered charter school; and the sole authority to affirm or revoke the charter of a locally chartered charter school or applicant upon review of a local school board's decision to grant a new charter or renew an existing charter. This measure is awaiting a hearing in the Senate Education Committee.

**S 34 NO STANDARDS-BASED TESTS FACTORED INTO GPA, Sen. Keller/Rep. Stewart** — adds new material to the Public School Code to provide for a waiver of any standards-based assessment that is not factored into the student's grade point average.

**S 54 PUBLIC SCHOOL FUNDING ADEQUACY, Sen. Soules** — appropriates \$362 million from the General Fund to the Public Education Department for distribution through the State Equalization Guarantee for expenditure in FY 15 to provide adequate funding for public education in New Mexico based upon the funding increase recommended in the 2008 independent comprehensive study of the New Mexico public school funding formula as adjusted for inflation. This legislation is a symbolic gesture to remind the legislature of the findings of the Funding Formula Task Force Report created in June 2009. The task force stated that public education was under funded by \$362 million. This measure awaits hearing in the Senate Education Committee.

**S 197 SCHOOL TEACHER EVALUATION MORATORIUM, Sen. Sapien** — provides a one-year moratorium on the teacher and school leader evaluation system created by the Public Education Department. This measure has not yet been found to be germane to this legislative session and remains in the Senate Committees' Committee

**H 67a PHASED MINIMUM TEACHER SALARY INCREASES, Rep. Stewart** — amends the School Personnel Act to phase in, over a five-year period, increases in the statutory minimum salaries of teachers and principals. [Related to H 148, H 276, H 289, S 104, and S 105]

**H 280 RETURN TO STATUTORY SCHOOL CLASS LOADS, Rep. Stewart** — creates a new section of the School Personnel Act to return to statutory individual class and teaching loads over a three-year period; and appropriates \$6.0 million from the General Fund to the State Equalization Guarantee distribution for expenditure in FY 15 to support the first year of the three-year phase-in. This bill has passed the House Education Committee and awaits a hearing in the House Appropriations and Finance Committee. It is funded in the current version of House Bill 2 stalled in the House because of the tie vote.

**HJR 3, CA, Representative Jim Trujillo** This amendment will keep distribution to public schools from the permanent fund at the current level of 5.5%. The funding level dropped to 5.5% last year from 5.8% and, unless the amendment passes, will drop to 5.0% in 2016. For details about the measure follow this link. This measure is currently tabled in House Voters and Elections Committee. Ask members to send this important legislation on to its next committee.

**HJR 4 CREATE ELECTED BOARD OF EDUCATION, CA, Rep. Miera/Sen. Keller** — proposes an amendment to the Constitution of New Mexico to create a nonpartisan, elected State Board of Education to make education policy and to appoint a qualified Superintendent of Public Instruction to direct the operation of the Public Education Department. [Identical to SJR 2] This measure is awaiting its first hearing in the House Voters and Elections Committee

**HJR 6 LIMIT CLASS SIZES, CA, Rep. Garcia Richard/Sen. Keller** — proposes an amendment to the Constitution of New Mexico to provide for the sufficient education of public school students by enacting a graduated plan to ensure that, by school year 2020-2021, class sizes not exceed certain prescribed limits by grade level, classes in music, band, elective, and extracurricular courses excepted.

**HJR 9 ANNUALLY INCREASING MINIMUM WAGE, CA, Rep. MP Garcia** — proposes an amendment to the Constitution of New Mexico to establish a state minimum wage that will increase annually at the rate of inflation. [Identical to SJR 13] This measure is awaiting its first hearing in the House Voters and Elections Committee. Ask committee members to support this important fairness legislation to let voters decide to increase the minimum wage.

## Education Employees and Supporters March on the Capitol to Take Back Public Education.

NEA Executive Committee Member and former NEA president for Tennessee Earl Wiman told thousands of Educators and supporters in the Capitol Rotunda on Saturday, "We are in a war for the very soul of the students we teach. It must be a fight true to our moral values." NEA-New President Betty Patterson and other NEA and AFT leaders also addressed the crowd along with supportive legislators.

