

By: Ellis

H.B. No. 60

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the minimum salary for certain professional school
3 district personnel.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 21.402, Education Code, is amended by
6 amending Subsection (a) and adding Subsections (i) and (j) to read
7 as follows:

8 (a) Except as provided by Subsection (d), (e), or (f), a
9 school district must pay each classroom teacher or^[7] full-time
10 member of the district's professional support staff [~~librarian,~~
11 ~~full-time counselor certified under Subchapter B, or full-time~~
12 ~~school nurse~~] not less than the minimum monthly salary, based on the
13 employee's level of experience, determined by the following
14 formula:

15
$$MS = SF \times FS$$

16 where:

17 "MS" is the minimum monthly salary;

18 "SF" is the applicable salary factor specified by Subsection
19 (c); and

20 "FS" is the amount, as determined by the commissioner under
21 Subsection (b), of state and local funds per weighted student
22 available to a district eligible to receive state assistance under
23 Section 42.302 with an enrichment tax rate, as defined by Section
24 42.302, equal to the maximum rate authorized under Section 42.303,

1 except that the amount of state and local funds per weighted student
2 does not include the amount attributable to the increase in the
3 guaranteed level made by Chapter 1187 [H.B. No. 3343], Acts of the
4 77th Legislature, Regular Session, 2001.

5 (i) From funds appropriated for the purpose, the
6 commissioner shall distribute to each school district for each
7 school year sufficient funds to pay each classroom teacher \$150 for
8 each month of the teacher's contract and to pay each member of the
9 district's professional support staff \$50 for each month of the
10 employee's contract. Funds a teacher or member of a district's
11 professional support staff receives under this subsection are not
12 considered in determining whether the district is paying the
13 minimum monthly salary under this section. Notwithstanding any
14 other provision of this section, as long as a classroom teacher or
15 member of the district's professional support staff is employed by
16 the same district, the employee is entitled to a monthly salary in
17 an amount at least equal to the per month distributions under this
18 subsection, the gross monthly salary the employee received for the
19 2003-2004 school year, and any increases in that salary the
20 district is to pay under the district's salary schedule. Funds
21 distributed to a school district under this subsection are in
22 addition to any funding the district receives under Chapter 42 or
23 from any other source. A district to which Chapter 41 applies is
24 entitled to funds under this subsection. If state funds are
25 appropriated but are insufficient to fully fund this subsection,
26 the commissioner shall reduce the amount distributed to each
27 district under this subsection and the district shall reduce the

1 amount the district pays to each teacher and member of the
2 district's professional support staff from funds distributed under
3 this subsection proportionately so that each teacher receives the
4 same amount from funds distributed under this subsection and each
5 member of a district's professional support staff receives the same
6 amount from funds distributed under this subsection. A decision of
7 the commissioner concerning the amount of money to which a school
8 district is entitled under this subsection is final and may not be
9 appealed.

10 (j) In this section, "professional support staff" includes
11 a supervisor who is not a campus administrator, as determined by
12 commissioner rule, a librarian, a counselor certified under
13 Subchapter B, a school nurse, an educational diagnostician, a
14 therapist, a psychologist, an associate psychologist, and any other
15 person who holds a position designated as a professional support
16 staff position by commissioner rule.

17 SECTION 2. Sections 21.403(a) and (c), Education Code, are
18 amended to read as follows:

19 (a) A teacher or member of a school district's professional
20 support staff~~[, librarian, counselor, or nurse]~~ shall advance one
21 step on the minimum salary schedule under Section 21.402 for each
22 year of experience as a teacher or member of a district's
23 professional support staff~~[, librarian, counselor, or nurse]~~ until
24 step 20 is reached.

25 (c) The commissioner shall adopt rules for determining the
26 experience for which a teacher or member of a school district's
27 professional support staff~~[, librarian, counselor, or nurse]~~ is to

1 be given credit in placing the employee [~~teacher, librarian,~~
2 ~~counselor, or nurse~~] on the minimum salary schedule. A district
3 shall credit the teacher or member of the district's professional
4 support staff [~~, librarian, counselor, or nurse~~] for each year of
5 experience without regard to whether the years are consecutive.

6 SECTION 3. Section 30.102(b), Education Code, is amended to
7 read as follows:

8 (b) A classroom teacher or [~~]~~ full-time member of the
9 professional support staff, as defined by Section 21.402,
10 [~~librarian, full-time counselor certified under Subchapter B,~~
11 ~~Chapter 21, or full-time school nurse~~] employed by the commission
12 is entitled to receive as a minimum salary the monthly salary
13 specified by Section 21.402. A classroom teacher or [~~]~~ full-time
14 member of the professional support staff [~~librarian, full-time~~
15 ~~counselor, or full-time school nurse~~] may be paid, from funds
16 appropriated to the commission, a salary in excess of the minimum
17 specified by that section, but the salary may not exceed the rate of
18 pay for a similar position in the public schools of an adjacent
19 school district.

20 SECTION 4. Section 42.2512(a), Education Code, is amended
21 to read as follows:

22 (a) A school district, including a [~~school~~] district that is
23 otherwise ineligible for state aid under this chapter, is entitled
24 to state aid in an amount, as determined by the commissioner, equal
25 to the difference, if any, between:

26 (1) an amount equal to the product of \$3,000
27 multiplied by the number of classroom teachers and [~~]~~ full-time

1 members of the professional support staff, as defined by Section
2 21.402, [librarians, full-time counselors certified under
3 Subchapter B, Chapter 21, and full-time school nurses] employed by
4 the district and entitled to a minimum salary under Section 21.402;
5 and

6 (2) an amount equal to 80 percent of the amount of
7 additional funds to which the district is entitled due to the
8 increases made by Chapter 396 [S.B. No. 4], Acts of the 76th
9 Legislature, Regular Session, 1999, to:

10 (A) the equalized wealth level under Section
11 41.002;

12 (B) the basic allotment under Section 42.101; and

13 (C) the guaranteed level of state and local funds
14 per weighted student per cent of tax effort under Section 42.302.

15 SECTION 5. This Act takes effect September 1, 2004.