

By: Shapleigh

S.B. No. 209

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the minimum salary schedule for certain public school
3 employees.

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

5 SECTION 1. Sections 12.133(b), (c), (d), and (e), Education
6 Code, are amended to read as follows:

7 (b) Each school year, using state funds received by the
8 charter holder for that purpose under Subsection (d), a charter
9 holder that participated in the program under Chapter 1579,
10 Insurance Code, for the 2005-2006 school year shall provide
11 employees of the charter holder, other than administrators,
12 compensation in the form of annual salaries, incentives, or other
13 compensation determined appropriate by the charter holder that
14 results in an average compensation increase for classroom teachers,
15 full-time librarians, full-time counselors, full-time speech
16 language pathologists, full-time audiologists, and full-time
17 school nurses who are employed by the charter holder and who would
18 be entitled to a minimum salary under Section 21.402 if employed by
19 a school district, in an amount at least equal to \$2,500.

20 (c) Each school year, using state funds received by the
21 charter holder for that purpose under Subsection (e), a charter
22 holder that did not participate in the program under Chapter 1579,
23 Insurance Code, for the 2005-2006 school year shall provide
24 employees of the charter holder, other than administrators,

1 compensation in the form of annual salaries, incentives, or other
2 compensation determined appropriate by the charter holder that
3 results in an average compensation increase for classroom teachers,
4 full-time librarians, full-time counselors, full-time speech
5 language pathologists, full-time audiologists, and full-time
6 school nurses who are employed by the charter holder and who would
7 be entitled to a minimum salary under Section 21.402 if employed by
8 a school district, in an amount at least equal to \$2,000.

9 (d) Each school year, in addition to any amounts to which a
10 charter holder is entitled under this chapter, a charter holder
11 that participated in the program under Chapter 1579, Insurance
12 Code, for the 2005-2006 school year is entitled to state aid in an
13 amount, as determined by the commissioner, equal to the product of
14 \$2,500 multiplied by the number of classroom teachers, full-time
15 librarians, full-time counselors, full-time speech language
16 pathologists, full-time audiologists, and full-time school nurses
17 employed by the charter holder at an open-enrollment charter
18 school.

19 (e) Each school year, in addition to any amounts to which a
20 charter holder is entitled under this chapter, a charter holder
21 that did not participate in the program under Chapter 1579,
22 Insurance Code, for the 2005-2006 school year is entitled to state
23 aid in an amount, as determined by the commissioner, equal to the
24 product of \$2,000 multiplied by the number of classroom teachers,
25 full-time librarians, full-time counselors, full-time speech
26 language pathologists, full-time audiologists, and full-time
27 school nurses employed by the charter holder at an open-enrollment

1 charter school.

2 SECTION 2. Section 19.007(f), Education Code, is amended to
3 read as follows:

4 (f) In addition to other amounts received by the district
5 under this section, the district is entitled to state aid in an
6 amount equal to the product of \$2,000 multiplied by the number of
7 classroom teachers, full-time librarians, full-time counselors
8 certified under Subchapter B, Chapter 21, full-time speech language
9 pathologists, full-time audiologists, and full-time school nurses
10 who are employed by the district and who would be entitled to a
11 minimum salary under Section 21.402 if employed by a school
12 district operating under Chapter 11.

13 SECTION 3. Section 19.009(d-1), Education Code, is amended
14 to read as follows:

15 (d-1) Each school year, the district shall pay an amount at
16 least equal to \$2,000 to each classroom teacher, full-time
17 librarian, full-time counselor certified under Subchapter B,
18 Chapter 21, full-time speech language pathologist, full-time
19 audiologist, and full-time school nurse who is employed by the
20 district and who would be entitled to a minimum salary under Section
21 21.402 if employed by a school district operating under Chapter 11.
22 A payment under this section is in addition to wages the district
23 would otherwise pay the employee during the school year.

24 SECTION 4. Sections 21.402(a) and (g), Education Code, are
25 amended to read as follows:

26 (a) Except as provided by Subsection (d), (e), or (f), a
27 school district must pay each classroom teacher, full-time

1 librarian, full-time counselor certified under Subchapter B,
2 full-time speech language pathologist, full-time audiologist, or
3 full-time school nurse not less than the minimum monthly salary,
4 based on the employee's level of experience in addition to other
5 factors, as determined by commissioner rule, determined by the
6 following formula:

7
$$MS = SF \times FS$$

8 where:

9 "MS" is the minimum monthly salary;

10 "SF" is the applicable salary factor specified by Subsection
11 (c); and

12 "FS" is the amount, as determined by the commissioner under
13 Subsection (b), of state and local funds per weighted student,
14 including funds provided under Section 42.2516(b)(1)(B), but not
15 funds provided under Section 42.2516(b)(1)(A), (b)(1)(C), (b)(2),
16 or (b)(3), available to a district eligible to receive state
17 assistance under Section 42.302 with a maintenance and operations
18 tax rate per \$100 of taxable value equal to the product of the state
19 compression percentage, as determined under Section 42.2516,
20 multiplied by \$1.50, except that the amount of state and local funds
21 per weighted student does not include the amount attributable to
22 the increase in the guaranteed level made by Chapter 1187 (H.B.
23 3343), Acts of the 77th Legislature, Regular Session, 2001.

24 (g) The commissioner may adopt rules to govern the
25 application of this section, including rules that:

26 (1) require the payment of a minimum salary under this
27 section to a person employed in more than one capacity for which a

1 minimum salary is provided and whose combined employment in those
2 capacities constitutes full-time employment; and

3 (2) specify the credentials a person must hold to be
4 considered a school nurse, speech language pathologist, or
5 audiologist under this section.

6 SECTION 5. Sections 21.403(a) and (c), Education Code, are
7 amended to read as follows:

8 (a) A teacher, librarian, counselor, speech language
9 pathologist, audiologist, or nurse shall advance one step on the
10 minimum salary schedule under Section 21.402 for each year of
11 experience as a teacher, librarian, counselor, speech language
12 pathologist, audiologist, or nurse until step 20 is reached.

13 (c) The commissioner shall adopt rules for determining the
14 experience for which a teacher, librarian, counselor, speech
15 language pathologist, audiologist, or nurse is to be given credit
16 in placing the teacher, librarian, counselor, speech language
17 pathologist, audiologist, or nurse on the minimum salary schedule.
18 A district shall credit the teacher, librarian, counselor, speech
19 language pathologist, audiologist, or nurse for each year of
20 experience without regard to whether the years are consecutive.

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

23 (b) A classroom teacher, full-time librarian, full-time
24 counselor certified under Subchapter B, Chapter 21, full-time
25 speech language pathologist, full-time audiologist, or full-time
26 school nurse employed by the commission is entitled to receive as a
27 minimum salary the monthly salary specified by Section 21.402. A

1 classroom teacher, full-time librarian, full-time counselor,
2 full-time speech language pathologist, full-time audiologist, or
3 full-time school nurse may be paid, from funds appropriated to the
4 commission, a salary in excess of the minimum specified by that
5 section, but the salary may not exceed the rate of pay for a similar
6 position in the public schools of an adjacent school district.

7 SECTION 7. Section 42.2512(a), Education Code, is amended
8 to read as follows:

9 (a) A school district, including a school district that is
10 otherwise ineligible for state aid under this chapter, is entitled
11 to state aid in an amount, as determined by the commissioner, equal
12 to the difference, if any, between:

13 (1) an amount equal to the product of \$3,000
14 multiplied by the number of classroom teachers, full-time
15 librarians, full-time counselors certified under Subchapter B,
16 Chapter 21, full-time speech language pathologists, full-time
17 audiologists, and full-time school nurses employed by the district
18 and entitled to a minimum salary under Section 21.402; and

19 (2) an amount equal to 80 percent of the amount of
20 additional funds to which the district is entitled due to the
21 increases made by Chapter 396 (S.B. 4) [S.B. No. 4], Acts of the
22 76th Legislature, Regular Session, 1999, to:

23 (A) the equalized wealth level under Section
24 41.002;

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

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

1 SECTION 8. Section 42.2516(b), Education Code, is amended
2 to read as follows:

3 (b) Subject to Subsections (b-1), (b-2), (f-1), (g), and
4 (h), but notwithstanding any other provision of this title, a
5 school district is entitled to state revenue necessary to provide
6 the district with the sum of:

7 (1) the amount of state revenue necessary to maintain
8 state and local revenue per student in weighted average daily
9 attendance in the amount equal to the greater of:

10 (A) the amount of state and local revenue per
11 student in weighted average daily attendance for the maintenance
12 and operations of the district available to the district for the
13 2005-2006 school year;

14 (B) the amount of state and local revenue per
15 student in weighted average daily attendance for the maintenance
16 and operations of the district to which the district would have been
17 entitled for the 2006-2007 school year under this chapter, as it
18 existed on January 1, 2006, or, if the district would have been
19 subject to Chapter 41, as that chapter existed on January 1, 2006,
20 the amount to which the district would have been entitled under that
21 chapter, based on the funding elements in effect for the 2005-2006
22 school year, if the district imposed a maintenance and operations
23 tax at the rate adopted by the district for the 2005 tax year; or

24 (C) the amount of state and local revenue per
25 student in weighted average daily attendance for the maintenance
26 and operations of the district to which the district would have been
27 entitled for the 2006-2007 school year under this chapter, as it

1 existed on January 1, 2006, or, if the district would have been
2 subject to Chapter 41, as that chapter existed on January 1, 2006,
3 the amount to which the district would have been entitled under that
4 chapter, based on the funding elements in effect for the 2005-2006
5 school year, if the district imposed a maintenance and operations
6 tax at the rate equal to the rate described by Section 26.08(i) or
7 (k)(1), Tax Code, as applicable, for the 2006 tax year;

8 (2) an amount equal to the product of \$2,500
9 multiplied by the number of classroom teachers, full-time
10 librarians, full-time counselors certified under Subchapter B,
11 Chapter 21, full-time speech language pathologists, full-time
12 audiologists, and full-time school nurses employed by the district
13 and entitled to a minimum salary under Section 21.402; and

14 (3) an amount equal to the product of \$275 multiplied
15 by the number of students in average daily attendance in grades nine
16 through 12 in the district.

17 SECTION 9. This Act applies beginning with the 2009-2010
18 school year.

19 SECTION 10. This Act takes effect September 1, 2009.