

BILL ANALYSIS

H.B. 17
By: Callegari
Government Efficiency & Reform
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Many parents and school administrators claim that school districts need flexibility to effectively manage their human resources in response to financial exigencies. State law restricts districts' ability to compensate teachers for a locally-determined amount of time. As introduced, the bill repeals the requirement that a ten-month educators' contract provide for 187 days of service. This change maintains the 180 instructional day requirement, while permitting districts to set the number of professional development days for their teachers. The bill also repeals the teacher minimum salary schedule, eliminating state-mandated annual step increases regardless of performance. Lastly, the bill establishes a single state minimum salary of \$27,320 per year.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the commissioner of education in SECTION 6 of this bill.

ANALYSIS

The bill amends the Education Code to repeal provisions of law relating to the minimum length of a contract between a school district and an educator, the minimum salary schedule for certain district professional staff, and the placement of district professional staff on the minimum salary schedule. The bill makes conforming changes to reflect the repeal of these provisions.

The bill requires the commissioner of education to adopt rules for determining the experience as a classroom teacher, librarian, counselor, or nurse for a school district for which an individual is to be given credit for years of service for purposes of a professional staff service record and requires each district to maintain service records in accordance with those rules.

The bill requires a school district to pay each district classroom teacher, full-time librarian, full-time certified counselor, or full-time school nurse not less than an annual salary of \$27,320. The bill requires a school district, for any school year in which a school district has reduced the amount of the annual salaries paid to district classroom teachers from the amount paid for the preceding school year based primarily on district financial conditions rather than on teacher performance, to reduce the amount of the annual salary paid to each district counselor, librarian, school nurse, and school-level or district-level administrator by a percent or fraction of a percent that is equal to the average percent or fraction of a percent by which teacher salaries have been reduced.

The bill repeals provisions of law establishing that stipends to a teacher in the master reading teacher grant program, the master mathematics teacher grant program, the master technology teacher grant program, or the master science teacher grant program are not considered in determining whether the district employing the teacher is paying the teacher the minimum monthly salary. The bill removes a similar provision of law establishing that a stipend to a

teacher attending a reading academy is not considered in determining whether a district is paying the teacher the minimum monthly salary.

The bill amends the Government Code to make provisions requiring an employing school district to pay the state's contribution on the portion of the salary of a member of the Teacher Retirement System of Texas (TRS) that exceeds the statutory minimum salary applicable to members in a personnel position that would have been entitled to the minimum salary for certain school personnel, as that minimum salary provision existed on January 1, 2011, to accommodate that provision's repeal by the bill. The bill sets out the statutory minimum salary schedule for purposes of such provisions based on the member's years of experience and makes a related conforming change. The bill requires the Legislative Budget Board, at least once every four years, to review and make recommendations regarding revision of the portion of the state's contribution for which school districts are responsible.

The bill repeals provisions of law authorizing an eligible member of TRS who is a certified career or technology education teacher to establish equivalent membership service credit in TRS for one or two years of work experience, that is required for certification in a career or technological field.

The bill repeals Section 823.404, Government Code, and the following provisions of the Education Code:

- Section 21.401
- Section 21.402
- Section 21.403
- Section 21.410(1)
- Section 21.411(1)
- Section 21.412(1)
- Section 21.413(1)
- Section 29.0821(c)
- Section 30.102(b)

The bill makes its provisions applicable beginning with the 2011-2012 school year.

EFFECTIVE DATE

Upon passage with two-thirds vote in each chamber, or the 91st day after the last day of the legislative session.