

By: Martinez

H.B. No. 61

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the salary paid to certain professional employees of
3 public schools.

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

5 SECTION 1. Sections 21.402(a), (b), and (d), Education
6 Code, are amended to read as follows:

7 (a) Except as provided by Subsection (d), (e), or (f), a
8 school district must pay each classroom teacher, full-time
9 librarian, full-time counselor certified under Subchapter B, or
10 full-time school nurse not less than the minimum monthly salary~~[~~
11 ~~based on the employee's level of experience in addition to other~~
12 ~~factors, as determined by commissioner rule,~~] determined as
13 provided by Subsection (b). ~~[the following formula:~~

14 ~~[MS - SF x FS~~

15 ~~[where:~~

16 ~~["MS" is the minimum monthly salary,~~

17 ~~["SF" is the applicable salary factor specified by Subsection~~
18 ~~(c), and~~

19 ~~["FS" is the amount, as determined by the commissioner under~~
20 ~~Subsection (b), of state and local funds per weighted student,~~
21 ~~including funds provided under Section 42.2516, available to a~~
22 ~~district eligible to receive state assistance under Section 42.302~~
23 ~~with a maintenance and operations tax rate per \$100 of taxable value~~
24 ~~equal to the product of the state compression percentage, as~~

1 ~~determined under Section 42.2516, multiplied by \$1.50, except that~~
2 ~~the amount of state and local funds per weighted student does not~~
3 ~~include the amount attributable to the increase in the guaranteed~~
4 ~~level made by Chapter 1187, Acts of the 77th Legislature, Regular~~
5 ~~Session, 2001.]~~

6 (b) The commissioner shall adopt rules to establish a method
7 for annually setting a salary schedule for classroom teachers,
8 full-time librarians, full-time counselors certified under
9 Subchapter B, and full-time school nurses based on the employee's
10 level of experience. The commissioner's method must provide a
11 salary level for each year of experience from 0 years through 20
12 years. The commissioner shall ensure that the salary schedule is
13 consistent with the national average salary, based on experience,
14 for those employees as determined by statistics gathered by the
15 National Center for Education Statistics or a similar independent
16 education-oriented institution. Not later than June 1 of each year,
17 the commissioner shall determine, based on the salary schedule, the
18 minimum monthly salary for each classroom teacher, full-time
19 librarian, full-time counselor certified under Subchapter B, and
20 full-time nurse [~~the amount of state and local funds per weighted~~
21 ~~student available, for purposes of Subsection (a), to a district~~
22 ~~described by that subsection)] for the following school year.~~

23 (d) A classroom teacher, full-time speech pathologist,
24 full-time librarian, full-time counselor certified under
25 Subchapter B, or full-time school nurse employed by a school
26 district in the 2011-2012 [~~2010-2011~~] school year is, as long as the
27 employee is employed by the same district, entitled to a salary that

1 is at least equal to the salary the employee received for the
2 2011-2012 [~~2010-2011~~] school year.

3 SECTION 2. Section 21.403(a), Education Code, is amended to
4 read as follows:

5 (a) A teacher, librarian, counselor, or nurse shall advance
6 one level [~~step~~] on the minimum salary schedule established by
7 commissioner rule under Section 21.402 for each year of experience
8 as a teacher, librarian, counselor, or nurse until level [~~step~~] 20
9 is reached.

10 SECTION 3. Section 42.2516, Education Code, is amended by
11 adding Subsection (e-1) to read as follows:

12 (e-1) The amount of state aid or credit to which a school
13 district is entitled under Section 42.2518 is in addition to the
14 amount of revenue to which the district is entitled under
15 Subsection (b).

16 SECTION 4. Subchapter E, Chapter 42, Education Code, is
17 amended by adding Section 42.2518 to read as follows:

18 Sec. 42.2518. ADDITIONAL STATE AID OR CREDIT AGAINST COST
19 OF ATTENDANCE CREDITS FOR PROFESSIONAL STAFF SALARIES. (a) For
20 each school year, a school district, including a school district
21 that is otherwise ineligible for state aid under this chapter, is
22 entitled to state aid in an amount, as determined by the
23 commissioner, equal to the difference between the district's salary
24 cost under Section 21.402, as amended by __.B. __, Acts of the 82nd
25 Legislature, Regular Session, 2011, for all classroom teachers,
26 full-time librarians, full-time counselors certified under
27 Subchapter B, Chapter 21, and full-time school nurses employed by

1 the district and an amount equal to what the district's salary costs
2 would have been for that school year under Section 21.402, as it
3 existed before amendment by __.B. __, Acts of the 82nd
4 Legislature, Regular Session, 2011.

5 (b) A school district that is required to take action under
6 Chapter 41 to reduce its wealth per student to the equalized wealth
7 level is entitled to a credit, in the amount of state aid to which
8 the district is entitled under this section, against the total
9 amount required under Section 41.093 for the district to purchase
10 attendance credits.

11 (c) A determination by the commissioner under this section
12 is final and may not be appealed.

13 (d) The commissioner may adopt rules to implement this
14 section.

15 SECTION 5. Section 21.402(c), Education Code, is repealed.

16 SECTION 6. Not later than January 1, 2012, the commissioner
17 of education shall adopt rules to establish a method for annually
18 setting a salary schedule as provided by Section 21.402(b),
19 Education Code, as amended by this Act.

20 SECTION 7. This Act applies beginning with the 2012-2013
21 school year.

22 SECTION 8. This Act takes effect September 1, 2011.