

By: Nelson, et al.

S.B. No. 3

A BILL TO BE ENTITLED

AN ACT

relating to additional funding to school districts for classroom teacher and librarian salaries.

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

SECTION 1. Subchapter I, Chapter 21, Education Code, is amended by adding Section 21.4023 to read as follows:

Sec. 21.4023. CLASSROOM TEACHER AND LIBRARIAN SALARY ALLOTMENT. (a) Every full-time classroom teacher and full-time librarian is entitled to an annual salary allotment in the amount of \$5,000.

(b) A salary allotment a teacher or librarian receives under this section:

(1) is not considered in determining whether the district is paying the teacher or librarian the minimum monthly salary under Section 21.402; and

(2) is in addition to the regular salary to which a teacher or librarian is otherwise entitled under the district's salary schedule.

(b-1) Notwithstanding Section 21.402, for the 2019-2020 school year, every full-time classroom teacher and full-time librarian is entitled to a monthly salary that is at least equal to the sum of:

(1) the monthly salary the teacher or librarian would have received for the 2019-2020 school year under the district's

1 salary schedule for the 2018-2019 school year, if that schedule had  
2 been in effect for the 2019-2020 school year, including any local  
3 supplement and any money representing any other supplement the  
4 teacher or librarian would have received in the 2019-2020 school  
5 year; and

6 (2) \$500.

7 (b-2) Subsection (b-1) and this subsection expire September  
8 1, 2020.

9 (b-3) A full-time classroom teacher or full-time librarian  
10 employed by a school district in the 2019-2020 school year is, as  
11 long as the teacher or librarian is employed by the same district,  
12 entitled to a salary that is at least equal to the salary the  
13 teacher or librarian received for the 2019-2020 school year.

14 (c) A school district may provide a merit salary increase to  
15 a full-time classroom teacher or full-time librarian in addition to  
16 the salary allotment to which the teacher or librarian is entitled  
17 under this section.

18 (d) A school district shall provide written notice to each  
19 full-time classroom teacher and full-time librarian that the salary  
20 allotment to which the teacher or librarian is entitled under this  
21 section is provided by the state.

22 (e) The commissioner may adopt rules as necessary to  
23 implement this section.

24 (f) This section applies to a person employed as a classroom  
25 teacher or librarian of an open enrollment charter school.

26 SECTION 2. Subchapter E, Chapter 42, Education Code, is  
27 amended by adding Section 42.25131 to read as follows:

1       Sec. 42.25131. ADDITIONAL STATE AID OR CREDIT AGAINST COST  
2 OF ATTENDANCE CREDITS FOR CLASSROOM TEACHER AND LIBRARIAN SALARY  
3 ALLOTMENT. (a) For each school year, a school district, including  
4 a school district that is otherwise ineligible for state aid under  
5 this chapter, is entitled to state aid in an amount equal to the  
6 product of \$5,000 multiplied by the number of full-time classroom  
7 teachers and full-time librarians employed by the district.

8       (b) A school district shall use the amount received under  
9 this section to provide the salary allotments for full-time  
10 classroom teachers and full-time librarians required under Section  
11 21.4023.

12       (c) A school district that is required to take action under  
13 Chapter 41 to reduce its wealth per student to the equalized wealth  
14 level is entitled to a credit, in the amount of state aid to which  
15 the district is entitled under this section, against the total  
16 amount required under Section 41.093 for the district to purchase  
17 attendance credits.

18       (d) The commissioner may adopt rules to implement this  
19 section.

20       SECTION 3. Section 822.201(b), Government Code, is amended  
21 to read as follows:

22       (b) "Salary and wages" as used in Subsection (a) means:

23               (1) normal periodic payments of money for service the  
24 right to which accrues on a regular basis in proportion to the  
25 service performed;

26               (2) amounts by which the member's salary is reduced  
27 under a salary reduction agreement authorized by Chapter 610;

1           (3) amounts that would otherwise qualify as salary and  
2 wages under Subdivision (1) but are not received directly by the  
3 member pursuant to a good faith, voluntary written salary reduction  
4 agreement in order to finance payments to a deferred compensation  
5 or tax sheltered annuity program specifically authorized by state  
6 law or to finance benefit options under a cafeteria plan qualifying  
7 under Section 125 of the Internal Revenue Code of 1986, if:

8                   (A) the program or benefit options are made  
9 available to all employees of the employer; and

10                   (B) the benefit options in the cafeteria plan are  
11 limited to one or more options that provide deferred compensation,  
12 group health and disability insurance, group term life insurance,  
13 dependent care assistance programs, or group legal services plans;

14           (4) performance pay awarded to an employee by a school  
15 district as part of a total compensation plan approved by the board  
16 of trustees of the district and meeting the requirements of  
17 Subsection (e);

18           (5) the benefit replacement pay a person earns under  
19 Subchapter H, Chapter 659, except as provided by Subsection (c);

20           (6) stipends paid to teachers in accordance with  
21 Section 21.410, 21.411, 21.412, or 21.413, Education Code;

22           (7) amounts by which the member's salary is reduced or  
23 that are deducted from the member's salary as authorized by  
24 Subchapter J, Chapter 659;

25           (8) a merit salary increase made under Section 51.962,  
26 Education Code;

27           (9) amounts received under the relevant parts of the

1 educator excellence awards program under Subchapter O, Chapter 21,  
2 Education Code, or a mentoring program under Section 21.458,  
3 Education Code, that authorize compensation for service;

4 (10) salary amounts designated as health care  
5 supplementation by an employee under Subchapter D, Chapter 22,  
6 Education Code; ~~and~~

7 (11) to the extent required by Sections 3401(h) and  
8 414(u)(12), Internal Revenue Code of 1986, differential wage  
9 payments received by an individual from an employer on or after  
10 January 1, 2009, while the individual is performing qualified  
11 military service as defined by Section 414(u), Internal Revenue  
12 Code of 1986; and

13 (12) a salary allotment paid to teachers and  
14 librarians under Section 21.4023, Education Code.

15 SECTION 4. Section 825.405(b), Government Code, is amended  
16 to read as follows:

17 (b) For purposes of this section, +

18 ~~(1)~~ the statutory minimum salary:

19 (1) for certain school personnel under Section 21.402,  
20 Education Code, is the salary provided by that section multiplied  
21 by the cost of education adjustment applicable under Section  
22 42.102, Education Code, to the district in which the member is  
23 employed; ~~and~~

24 (2) ~~[the statutory minimum salary]~~ for members who  
25 would have been entitled to the minimum salary for certain school  
26 personnel under former Section 16.056, Education Code, as that  
27 section existed on January 1, 1995, is a minimum salary computed in

1 the same manner as the minimum salary for certain school personnel  
2 under Section 21.402, Education Code, multiplied by the cost of  
3 education adjustment applicable under Section 42.102, Education  
4 Code, to the district in which the member is employed; and

5 (3) includes any classroom teacher or librarian salary  
6 allotment provided under Section 21.4023, Education Code.

7 SECTION 5. This Act applies beginning with the 2019-2020  
8 school year.

9 SECTION 6. This Act takes effect September 1, 2019.