

BILL ANALYSIS

Senate Research Center
80R12808 ESH-D

C.S.S.B. 652
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Education
3/28/2007
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Education Agency has interpreted school district hiring schedules as salary schedules and interpreted current law to mean that school districts with hiring schedules must pay a step increase to teachers. This interpretation may cost school districts a greater amount than they have budgeted for salaries.

C.S.S.B. 652 clarifies that a hiring schedule does not require a step increase to be paid to teachers. In addition, this bill provides that a district that pays more than the minimum state salary schedule and that has not adopted a salary schedule should base its pay on the prior year's pay in the event of a state funded teacher pay raise thereby leaving local pay raises up to the discretion of the school district as they are in every school year that a state-provided teacher pay raise is not issued.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to any state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter I, Chapter 21, Education Code, by adding Section 21.4021, as follows:

Sec. 21.4021. SALARIES IN DISTRICTS ESTABLISHING LOCAL MINIMUM HIRING SCHEDULE. (a) Provides that this section applies only to a school district that establishes a local minimum hiring schedule that prescribes the minimum salary, based on the employee's level of experience, that the district will pay a new employee, without prescribing a minimum salary applicable to subsequent years of that employee's employment with the district.

(b) Provides that a school district (district) to which this section applies that pays each classroom teacher, full-time librarian, full-time counselor certified under Subchapter B, or full-time nurse a greater amount than the minimum monthly salary to which the employee is entitled under Section 21.402 (Minimum Salary Schedule for Certain Professional Staff) is not required by this code to provide annual pay increases based on the employee's level of experience.

(c) Provides that if the minimum salaries prescribed by Section 21.402 are increased and the state provides additional funding for the amount of that increase, a district to which this section applies is not required to pay an employee more than the sum of the additional funding per employee provided by the state and the employee's salary for the school year immediately preceding the school year for which the additional state funding is provided.

(d) Provides that to the extent of any conflict between Section 21.402 and this section, Section 21.402 prevails.

SECTION 2. Makes application of this Act prospective to the 2007-2008 school year.

SECTION 3. Effective date: upon passage or September 1, 2007.