

Regular Session, 2013

HOUSE BILL NO. 644

BY REPRESENTATIVE WHITNEY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

TEACHERS/SALARY SCHEDULE: Provides relative to salaries for teachers and other school and school system employees

1 AN ACT

2 To amend and reenact R.S. 17:418 and to repeal R.S. 17:44, 154.2, 235.1(E), 346.1, 419,

3 419.1, 420, 421, 421.1, 421.2, 421.3, 421.5, 422, 422.1, 422.2, 422.3, 422.4, 422.5,

4 431, and 1207, relative to salaries for teachers and other school and school system

5 employees; to require the establishment of salary schedules for teachers and school

6 and school system employees; to provide for criteria; to provide relative to salary

7 increases and reductions; to provide for proportional salaries for certain teachers; to

8 provide for applicability and effectiveness; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 17:418 is hereby amended and reenacted to read as follows:

11 §418. Salaries; teachers and other school and school system employees

12 A.(1) The governing authority of each local public elementary and secondary

13 school, the state special schools, and the schools and programs administered through

14 the special school district shall establish salary schedules ~~by~~ which the local

15 superintendent shall use to determine the salaries to be paid to teachers and all other

16 school and school system employees. The salaries as provided therein shall be

17 considered as full compensation for all work required and performed within each

18 employee's prescribed scope of duties and responsibilities.

1 (2) ~~(a)~~ Such salary schedules shall be established and published not later than
2 ~~January~~ July 1, 2013, and shall become effective for all employees not later than the
3 beginning of the ~~2013-2014~~ 2014-2015 school year.

4 (b) Any salary schedule for teachers, school administrators, or other certified
5 school personnel established and published between July 1, 2012, and July 1, 2013,
6 and that conforms to the criteria provided in Subparagraphs (B)(1)(a) through (c) of
7 this Section shall become effective not later than the beginning of the 2013-2014
8 school year and shall remain in effect until a new schedule is established.

9 B.(1) Salary schedules established for teachers, administrators, and other
10 certified school personnel shall be based solely upon the following criteria, with no
11 one criterion accounting for more than fifty percent of the formula used to compute
12 such employees' salaries:

13 (a) Effectiveness, as determined by the performance evaluation program as
14 provided in R.S. 17:3881 through 3905.

15 (b) Demand, inclusive of area of certification, particular school need,
16 geographic area, and subject area, which may include advanced degree levels.

17 (c) Experience.

18 (2) No teacher or administrator who is rated "ineffective" pursuant to the
19 performance evaluation program as provided in R.S. 17:3881 through 3905 shall
20 receive a higher salary in the year following the evaluation than he received in the
21 year of the evaluation.

22 C.(1) The amount of the annual salary paid to a teacher or other school
23 employee in any school year shall not be reduced below the amount of such salary
24 paid during the previous school year, nor shall the amount of the annual salary paid
25 to such school personnel be reduced at any time during an academic year.

26 (2) Each vocational agricultural teacher employed by a city, parish, or other
27 local public school board shall teach a twelve-month program for a twelve-month
28 budget period and shall be paid a proportional salary for a twelve-month budget
29 period according to the salary schedule established by his employing school board.

1 (3) The limitations on the reduction in the amount of the annual salary paid
2 to teachers and other school employees provided in Paragraph (1) of this Subsection
3 shall not be applicable to:

4 (a) The correction of any accounting errors or to a reduction necessitated by
5 the elimination of a state program or state funding.

6 (b) The reduction of any local salary supplement funded, in whole or in part,
7 from a revenue source requiring voter approval when such voter approval has not
8 been obtained.

9 (c) ~~▲ If a~~ teacher or other school or school system employee who has been
10 promoted to a position of higher salary is demoted in accordance with applicable law
11 and local board or special school district policy to a lower position. ~~In such case,~~ the
12 teacher or other school or school system employee shall return to the salary
13 previously received in the lower position from which he was promoted.

14 D. The provisions of this Section shall not apply to any employee who is in
15 the classified service of the state.

16 Section 2. R.S. 17:44, 154.2, 235.1(E), 346.1, 419, 419.1, 420, 421, 421.1, 421.2,
17 421.3, 421.5, 422, 422.1, 422.2, 422.3, 422.4, 422.5, 431, and 1207 are hereby repealed in
18 their entirety.

19 Section 3. This Act shall become effective upon signature by the governor or, if not
20 signed by the governor, upon expiration of the time for bills to become law without signature
21 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
22 vetoed by the governor and subsequently approved by the legislature, this Act shall become
23 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Whitney

HB No. 644

Abstract: Provides relative to salary schedules for teachers and other school and school system employees.

Present law requires the governing authority of each local public elementary and secondary school, the state special schools, and the schools and programs administered through the special school district to establish salary schedules to determine salaries for teachers and all other school employees.

Proposed law specifies that it is the local superintendent who shall use the schedules to determine salaries and applies present law to school system employees in addition to teachers and all other school employees.

Present law requires salary schedules for certified personnel to be based on the following criteria, with no one criterion accounting for more than 50% of the formula used to compute the salaries:

- (1) Effectiveness.
- (2) Demand, inclusive of area of certification, particular school need, geographic area, and subject area, which may include advanced degree levels.
- (3) Experience.

Proposed law requires that salary schedules for such employees be based solely on these criteria.

Proposed law provides the following relative to deadlines and time frames:

- (1) Requires that salary schedules be established and published by July 1, 2013, and provides that they shall become effective for all employees not later than the beginning of the 2014-15 school year.
- (2) Provides that any salary schedule for teachers, school administrators, or other certified school personnel established and published between July 1, 2012, and July 1, 2013, and that conforms to all present law criteria shall become effective not later than the beginning of the 2013-14 school year and shall remain in effect until a new schedule is adopted.

Present law:

- (1) Provides that salaries shall be considered as full compensation for all work required within each employee's prescribed scope of duties and responsibilities.
- (2) Prohibits any teacher or administrator rated as "ineffective" pursuant to the present law performance evaluation program from receiving a higher salary in the year following the evaluation than he received in the year of the evaluation.
- (3) Prohibits salary reductions but provides that this prohibition is not applicable to:
 - (a) The correction of accounting errors or to a reduction necessitated by the elimination of a state program or state funding.
 - (b) The reduction of any local salary supplement funded from a revenue source requiring voter approval when such voter approval has not been obtained.
 - (c) A teacher or other school employee who has been promoted to a position of higher salary is demoted to a lower position; in such case, the teacher or other school employee shall return to the salary previously received in the lower position from which he was promoted.

- (4) Provides that a vocational agricultural teacher shall teach a 12-month program for a 12-month budget period and be paid a proportional salary for a 12-month budget period according to the salary schedule established by his employing school board.

Proposed law retains present law but broadens the applicability of present law relative to permissible salary reductions in the case of demotions to school system employees.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 17:418; Repeals R.S. 17:44, 154.2, 235.1(E), 346.1, 419, 419.1, 420, 421, 421.1, 421.2, 421.3, 421.5, 422, 422.1, 422.2, 422.3, 422.4, 422.5, 431, and 1207)