HLS 16RS-1632 ORIGINAL

2016 Regular Session

1

HOUSE BILL NO. 1045

BY REPRESENTATIVE DUSTIN MILLER

TEACHERS/SALARY: Provides relative to teacher pay for hours worked beyond the regular school day

AN ACT

2 To amend and reenact R.S. 17:154.3 and 418(A)(1) and to enact R.S. 17:154.2, relative to 3 teacher compensation; to provide relative to compensation for teachers for hours 4 worked beyond the regular school day; to provide relative to requirements for teacher 5 work days; and to provide for related matters. 6 Be it enacted by the Legislature of Louisiana: 7 Section 1. R.S. 17:154.3 and 418(A)(1) are hereby amended and reenacted and R.S. 8 17:154.2 is hereby enacted to read as follows: 9 §154.2. School schedules; teacher work days; requirements 10 A. A public school teacher shall work not less than one hundred eighty-two 11 days per school year, and no fewer than one hundred seventy-seven of such days 12 shall be used to provide instruction to students. 13 B. A public school teacher shall not be required to work for more than one 14 hundred eighty-five days during any school year without receiving the additional 15 compensation provided pursuant to R.S. 17:154.3. No more than one hundred eighty 16 days may be used to provide instruction to students, and no more than five days may 17 be used for noninstructional purposes. 18 C. A public school teacher shall not be required to work more than four 19 hundred eighty minutes per day without receiving the additional compensation 20 provided pursuant to R.S. 17:154.3. No more than three hundred sixty minutes may

Page 1 of 5

CODING: Words in struck through type are deletions from existing law; words underscored are additions.

1	be used to provide instruction to students, and no more than one hundred twenty
2	minutes may be used for noninstructional purposes.
3	D. For purposes of this Section, "provide instruction to students" means
4	teaching courses outlined in the program of study during scheduled times within the
5	regular school day.
6	E. For purposes of this Section, "noninstructional purposes" include but are
7	not limited to the following duties that a teacher is required to perform:
8	(1) All duties performed before or after school.
9	(2) Recesses.
10	(3) Planning periods.
1	(4) Lunch, if not duty free.
12	(5) Change of class times.
13	(6) Faculty meetings.
14	(7) Training, workshops, and professional development.
15	(8) Parent orientations.
16	(9) Parent-teacher conferences.
17	F. Nothing in this Section shall be construed to prohibit a public school
18	teacher from volunteering his time for the betterment of his students, school, or
19	employer.
20	G. A public school teacher and his employer may enter into contracts that
21	deviate from the requirements of this Section if all of the following conditions are
22	met:
23	(1) The contract is in writing.
24	(2) The contract specifically references this Section.
25	(3) The teacher is compensated by the employing school board in accordance
26	with R.S. 17:154.3(B).
27	(4) The additional work is voluntary on behalf of the teacher.

1	H. A public school teacher shall not be disciplined for refusing to work
2	beyond the maximum number of days per school year or hours per day set forth in
3	this Section.
4	§ 154.3. School schedules; minimum work days; instructional days Additional
5	compensation for teachers
6	A. Except as otherwise provided in Subsection B of this Section, all teachers
7	shall work not less than one hundred eighty-two days per school year and except as
8	provided in R.S. 17:154.1(A), no fewer than one hundred seventy-seven of such days
9	shall be used to provide instruction to students. A public school teacher shall receive
10	additional compensation if required to work beyond the maximum teaching
11	requirements set forth in R.S. 17:154.2.
12	B. Effective for the 2005-2006 school year, the provisions of Subsection A
13	of this Section relative to the requirement that teachers work not less then one
14	hundred eighty-two days per school year shall not be applicable. However, the State
15	Board of Elementary and Secondary Education may adopt rules effective for the
16	2005-2006 school year relative to the minimum number of teacher work days. Such
17	additional compensation shall be calculated as follows:
18	(1) The teacher's salary for the current school year shall be divided by one
19	hundred eighty-five days to determine his daily wage.
20	(2) The daily wage shall be divided by eight.
21	(3) The resulting hourly wage shall be multiplied by the number of hours the
22	teacher is required to work beyond the maximum teaching requirements set forth in
23	R.S. 17:154.2.
24	(4) For purposes of this Section, any portion of an hour in excess of thirty
25	minutes shall be counted as a whole hour.
26	B. A public school teacher required to work beyond the maximum teaching
27	requirements set forth in R.S. 17:154.2 shall be compensated by his employer for that
28	work no later than the month after that in which the work was performed.

1 C. The provisions of this Section shall not preclude any contract between a 2 city, parish, or other local public school board and a teacher or any collective 3 bargaining agreement that provides for additional compensation, other than as 4 provided in this Section, for duties of a teacher related to extracurricular activities 5 beyond the maximum teaching requirements set forth in R.S. 17:154.2. 6 7 §418. Salaries; teachers and other school employees 8 A.(1) The governing authority of each local public elementary and secondary 9 school, the state special schools, and the schools and programs administered through 10 the special school district shall establish salary schedules by which to determine the 11 salaries to be paid to teachers and all other school employees. The salaries as 12 provided therein shall be considered as full compensation for all work required and 13 performed within each employee's prescribed scope of duties and responsibilities. 14

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)]

HB 1045 Original

2016 Regular Session

Dustin Miller

Abstract: Requires that teachers be paid for hours worked beyond the regular school day and provides maximum work day requirements for teachers.

<u>Present law</u> provides that teachers shall work not less than 182 days per school year and that no fewer than 177 of such days shall be used to provide instruction to students. <u>Proposed law</u> retains these minimum requirements and adds maximum requirements as follows:

- (1) A public school teacher shall not be required to work for more than 185 days during any school year, without receiving the additional compensation provided pursuant to proposed law. No more than 180 days may be used to provide instruction to students and no more than five days may be used for noninstructional purposes.
- (2) A public school teacher shall not be required to work more than 480 minutes per day, without receiving the additional compensation provided pursuant to <u>proposed law</u>. No more than 360 minutes may be used to provide instruction to students and no more than 120 minutes may be used for noninstructional purposes.

<u>Proposed law</u> requires additional compensation for teachers required to work beyond 185 days or 480 minutes per day. Provides that such additional compensation shall be calculated as follows:

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

- (1) The teacher's salary for the current school year is divided by 185 days to determine the daily wage.
- (2) The daily wage is divided by eight.
- (3) The resulting hourly wage is multiplied by the number of hours the teacher is required to work beyond the maximum teaching requirements.
- (4) Any portion of an hour over 30 minutes is counted as a whole hour.

<u>Proposed law</u> provides that such additional compensation shall be provided no later than the month after that in which the work was performed. Provides that <u>proposed law</u> shall not preclude any contract between a local public school board and a teacher or any collective bargaining agreement which provides for additional compensation for duties of a teacher related to extracurricular activities beyond the maximum teaching requirements set forth in proposed law.

<u>Proposed law</u> defines "provide instruction to students" as teaching courses outlined in the program of study during scheduled times within the regular school day. Provides that "noninstructional purposes" includes duties that a teacher is required to perform such as recesses, planning periods, parent-teacher conferences, and other duties specified in proposed law.

<u>Proposed law</u> authorizes a public school teacher and his employer to negotiate contracts that deviate from the <u>proposed law</u> requirements relative to teacher work days if specified conditions are met. Specifies that nothing in <u>proposed law</u> shall prohibit a public school teacher from volunteering his time. Prohibits a public school teacher from being disciplined for refusing to work beyond the maximum number of days per school year or hours per day set forth in proposed law.

<u>Present law</u> requires public school governing authorities to establish salary schedules for teachers and all other school employees. Specifies that the salaries provided are considered as full compensation for all work required and performed within each employee's prescribed scope of duties and responsibilities. <u>Proposed law</u> deletes the requirement that the salaries are considered as full compensation for all work required and performed within each employee's prescribed scope of duties and responsibilities.

(Amends R.S. 17:154.3 and 418(A)(1); Adds R.S. 17:154.2)