

## BILL ANALYSIS

Senate Research Center  
79R4523 KKA-D

S.B. 798  
By: Lucio  
Education  
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As Filed

### AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Texas' teacher salaries are lower than those in most other states. Texas ranked 33rd in the nation in average teacher salary for the 2003-2004 school year in a May 2004 study by the National Education Research Association. The purpose of this legislation is to annually adjust school employees' salaries to compensate for inflation that diminishes teachers' purchasing power. The competition among states for highly qualified teachers is increasing, and teachers have shown their willingness to relocate if pay or working conditions in another school, city, or state are better. By automatically increasing the compensation for teachers to account for inflation, this legislation will help expand the pool of applicants to fill vacancies, reduce teacher turnover rates, increase the supply of high-quality teachers, and improve student performance.

As proposed, S.B. 798 entitles a school employee to at least the same gross monthly salary the employee received the previous school year, plus an increase based on the Texas Consumer Price Index as determined by the Texas comptroller of public accounts. The Texas Consumer Price Index will be calculated in a manner that restores the loss of school employee's purchasing power due to inflation over the most recent 12-month period for which data is available prior to the beginning of each school year. Each school district will receive state aid in the amount necessary to cover the increased school district costs of providing each educator a cost-of-living-adjustment.

### RULEMAKING AUTHORITY

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

### SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 21.402, Education Code, by amending Subsections (a), (c), and (d) and adding Subsections (c-1)-(c-3) and (i), as follows:

(a) Requires a school district, except as provided by Subsection (d) or (f), to pay each classroom teacher, full-time librarian, full-time counselor certified under Subchapter B, or full-time school nurse not less than the minimum monthly salary, based on the employee's level of experience, prescribed by Subsection (c) and adjusted in accordance with Subsection (c-1). Deletes existing text relating to the formula for calculating salary.

(c) Sets forth the minimum monthly salary under this section based on years of experience.

(c-1) Provides that the amounts prescribed by Subsection (c) are adjusted annually in accordance with this subsection as necessary to reflect inflation. Requires the commissioner of education (commissioner) to determine the amount of the adjustment from each school year based on the difference, if any, between the Texas Consumer Price index (index) most recently published by the comptroller as of May 1 of the calendar year in which the school year begins and the index most recently published as of May 1, 2004.

(c-2) Provides that, notwithstanding Subsections (a) and (c-1), for the 2005-2006 school year, a classroom teacher, full-time librarian, full-time counselor certified under Subchapter B, or full-time school nurse is entitled to a monthly salary that is at least equal to the sum of certain amounts.

(c-3) Provides that Subsection (c-2) and this subsection expire September 1, 2006.

(d) Provides that a classroom teacher, full-time librarian, full-time counselor certified under Subchapter B, or full-time school nurse employed by a school district in the 2005-2006 school year, rather than the 2000-2001 school year, is as long as the employee is employed by the same district, entitled to a salary that is at least equal to the greater of certain amounts.

(i) Provides that the commissioner's determination under this section of an amount necessary to reflect inflation is final and is prohibited from being appealed.

SECTION 2. Amends Section 42.2512, Education Code, by adding Subsection (a-1), as follows:

(a-1) Provides that a school district, in addition to the amount specified by Subsection (a), including a school district that is otherwise ineligible for state aid under this chapter, is entitled to state aid in an amount equal to the total amount of additional salary the district is required to pay under Section 21.402 solely to reflect inflation. Requires the Legislative Budget Board, if necessary to provide sufficient funds for purposes of this subsection, to propose that the appropriate amount of money be transferred to the agency in accordance with procedures specified by Chapter 317 (State Budget Execution), Government Code.

SECTION 3. Repealer: Sections 21.402(b) and (e) (Minimum Salary for Certain Professional Staff), Education Code.

SECTION 4. Makes application of this Act prospective to the 2005-2006 school year.

SECTION 5. Effective date: upon passage or September 1, 2005.