

Regular Session, 2014

HOUSE BILL NO. 652

BY REPRESENTATIVE NANCY LANDRY

SCHOOLS/EMPLOYEES: Provides relative to teachers and other public school employees, including compensation and work requirements

1 AN ACT

2 To enact R.S. 17:418 and to repeal Subpart B of Part I-A of Chapter 1 of the Louisiana
3 Revised Statutes of 1950, comprised of R.S. 17:44, 154.2, 235.1(E), 346.1, 419,
4 419.1, 420, 421, 421.1, 421.2, 421.3, 421.5, 422, 422.1, 422.2, 422.3, 422.4, 422.5,
5 431, and 1207, relative to teachers and other school and school system personnel and
6 employees; to provide with respect to the salaries and compensation of teachers and
7 other school and school system personnel and employees; to provide for teaching
8 requirements; to provide for 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 enacted to read as follows:

11 §418. Salaries; teachers and other school 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 to determine the
15 salaries to be paid to teachers and all other school employees. The salaries as
16 provided therein shall be considered as full compensation for all work required and
17 performed within each employee's prescribed scope of duties and responsibilities.

18 (2) Such salary schedules shall be established and published not later than
19 January 1, 2015, and shall become effective for all employees not later than the
20 beginning of the 2015-2016 school year.

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

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

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

9 (c) Experience.

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

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

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

22 (3) The limitations on the reduction in the amount of the annual salary paid
23 to teachers and other school employees shall not be applicable to:

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

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

1 (c) A teacher or other school employee who has been promoted to a position
 2 of higher salary is demoted in accordance with applicable law and local board or
 3 special school district policy to a lower position. In such case, the teacher or other
 4 school employee shall return to the salary previously received in the lower position
 5 from which he was promoted.

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

8 Section 2. Subpart B of Part I-A of Chapter 1 of the Louisiana Revised Statutes of
 9 1950, comprised of R.S. 17:44, 154.2, 235.1(E), 346.1, 419, 419.1, 420, 421, 421.1, 421.2,
 10 421.3, 421.5, 422, 422.1, 422.2, 422.3, 422.4, 422.5, 431, and 1207, are hereby repealed in
 11 their entirety.

12 Section 3. This Act shall become effective on July 1, 2014; if vetoed by the governor
 13 and subsequently approved by the legislature, this Act shall become effective on July 1,
 14 2014, or on the day following such approval by the legislature, whichever is later.

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)]

Nancy Landry

HB No. 652

Abstract: Reenacts those provisions of Acts 2012, No. 1 relative to teachers and other school and school system personnel and employees, including their compensation and certain work requirements.

Proposed law reenacts those provisions of Acts 2012, No. 1 relative to teachers and other school and school system personnel and employees and their compensation and work requirements, except changes effective date from July 1, 2012, to July 1, 2014. (Note: Acts 2012, No. 1 has been declared unconstitutional by the 19th JDC as violative of the single object requirements of the constitution. The decision may be appealed to the supreme court. In general, changes made by an unconstitutional act of the legislature are ineffective and, therefore, the law prior to the unconstitutional act remains effective. Coding in bill shows changes in the law as it existed prior to Acts 2012, No. 1. This digest treats the law prior to Acts 2012, No. 1 as present law and the reenacted changes of this Act as proposed law.)

Present law provides minimum salary schedule requirements and extra compensation requirements for teachers, administrators, school support personnel, and other school employees. Provides relative to reductions in salaries for teachers. Provides for certain limitations on teaching requirements.

Proposed law repeals present law and provides instead as follows:

- (1) Requires all public school governing authorities (public schools, state special schools, and schools and programs of the special school district) to establish salary schedules. Schedules for certified personnel shall be based on effectiveness, demand, inclusive of area of certification, particular school need, geographic area, and subject area, which may include advanced degree levels and experience.
- (2) Provides that such salaries shall be considered as full compensation for all work required within each employee's prescribed scope of duties and responsibilities.
- (3) Prohibits any teacher or administrator rated as "ineffective" pursuant to 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.
- (4) Prohibits salary reductions, with certain exceptions.
- (5) 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.

(Adds 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)