

ACT 2013 - 215

1 HB506

2 150346-9

3 By Representatives Love, Roberts, Baughn, Johnson (W),  
4 Sessions, Collins, Henry, Boothe, Gaston, Brown, Chesteen,  
5 Lee, Davis, Johnson (K), McClendon, Hubbard (M), Buttram,  
6 Butler, Greer, Harper, Sanderford, Tuggle, McClurkin, Bridges,  
7 Vance, McCutcheon, Faust, Hammon, McMillan, Williams (P),  
8 Moore (B), Beckman, Drake, Ison, Millican, Wood, Rich,  
9 Nordgren, Laird, Ball, Long, Wren, Shiver, Baker, Poole,  
10 Weaver, DeMarco, Mask, Farley, Carns and Clouse

11 RFD: Ways and Means Education

12 First Read: 02-APR-13



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ENROLLED, An Act,

Relating to the salaries of public K-12 education employees; to provide for a revision of the State Minimum Salary Schedule to reflect a pay increase of two percent beginning with the fiscal year 2013-2014; to provide that each employee of certain boards of education shall receive the pay increase according to placement on the appropriate salary step; to require the appropriate increases on the State Minimum Salary Schedule; to provide support employees with a two percent pay increase beginning with the fiscal year 2013-2014; to require salary schedules; to provide the employees of certain other public educational institutions and schools with a two percent pay increase for the 2013-2014 fiscal year; to establish miscellaneous pay provisions relating to public education; to require the Department of Finance, in consultation with the State Department of Education, to implement a program to purchase or provide a policy of education employee liability insurance to insure certificated personnel and support personnel employed by a local board of education and student teachers; and to authorize the Department of Finance to implement and administer the provisions of this act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1                   Section 1. PAY INCREASES, FY 2013-2014. (a) The  
 2 State Budget Officer shall allocate to the State Board of  
 3 Education, the Board of Trustees of the Alabama Institute for  
 4 Deaf and Blind, the Board of Youth Services School District,  
 5 the Board of Directors of the Alabama School of Fine Arts, and  
 6 the Board of Trustees of the Alabama School of Mathematics and  
 7 Science and for disbursement to the employees thereof funds  
 8 based on the criteria established in this act. It is not the  
 9 intent of this act to make appropriations, but the  
 10 appropriations required by this act shall be made in the  
 11 annual budget act for the public K-12 schools for the  
 12 designated fiscal year.

13                   (1) Certificated Personnel (K-12). For the fiscal  
 14 year beginning October 1, 2013, and each year thereafter, each  
 15 certificated employee at all city and county school systems  
 16 and the teachers at the Department of Youth Services School  
 17 District shall receive a two percent pay increase. Each step  
 18 and cell on the State Minimum Salary Schedule contained in the  
 19 annual budget act for the public schools shall be increased by  
 20 the amounts below for fiscal year 2013-2014, the State Minimum  
 21 Salary Schedule shall reflect the following percentage in-  
 22 crease:

23	Step	Years of Experience	Increase
24	1	Less than 3	2.0%

1	2	3 but less than 6	2.0%
2	3	6 but less than 9	2.0%
3	4	9 but less than 12	2.0%
4	5	12 but less than 15	2.0%
5	6	15 but less than 18	2.0%
6	7	18 but less than 21	2.0%
7	8	21 or greater	2.0%
8	9	24 but less than 27	2.0%
9	10	27 or more	2.0%

10 All certificated employees, including the Adult  
 11 Basic Education and Science in Motion employees, shall be  
 12 guaranteed pay increases in the amounts indicated above for  
 13 their years of experience and degrees earned and the  
 14 corresponding pay increases shall be reflected in the  
 15 appropriate local salary schedule and paid to each  
 16 certificated employee. The provisions and requirements of this  
 17 act shall be in addition to the provisions of Section  
 18 16-13-231.1, Code of Alabama 1975, relating to the State  
 19 Minimum Salary Schedule. Each certificated employee shall be  
 20 properly placed on the local salary schedule according to  
 21 degree earned and years of public education service (either  
 22 in-state or out-of-state), which shall be not less than the

1 amounts appropriated for the State Minimum Salary Schedule.  
2 The employee shall be paid according to degree earned and  
3 length of public education experience. The pay increase shall  
4 be given to each person employed for the 2013-2014 fiscal year  
5 in addition to any state or local step increase to which the  
6 employee is otherwise entitled. The local board of education  
7 shall transmit to the State Department of Education the  
8 appropriate notice of the earned advanced degree for each  
9 employee in a timely fashion; thereafter, the employee shall  
10 be paid for the advanced degree as soon as the degree is  
11 certified to the State Department of Education as being  
12 earned.

13 (2) Education Support Personnel (K-12). A two  
14 percent pay increase, beginning with the fiscal year  
15 2013-2014, shall be paid to each public education support  
16 worker and adult bus driver, including Adult Basic Education  
17 and Science in Motion personnel, employed for the 2013-2014  
18 fiscal year in addition to the salary received during the  
19 2012-2013 fiscal year, except employees covered under the  
20 state's Merit System at the Department of Youth Services  
21 District. Each governing body or authority shall establish and  
22 maintain a salary schedule for each class and type of employee  
23 and each step of each salary schedule shall be increased to  
24 reflect a two percent pay increase beginning with fiscal year  
25 2013-2014, which shall be given to the person employed

1 full-time for the 2013-2014 fiscal year and each year employed  
 2 full-time thereafter. The base rate of pay for part-time  
 3 support employees shall be increased by two percent beginning  
 4 with fiscal year 2013-2014. A separate local salary schedule  
 5 shall be established and maintained for each specific job  
 6 performed.

7 (3) AIDB. For the fiscal year 2013-2014, employees  
 8 at the Alabama Institute for Deaf and Blind shall receive a  
 9 pay increase which shall be in excess of their salaries  
 10 received during the 2012-2013 fiscal year. The increase shall  
 11 be as follows:

12 a. Certificated. The salary schedule for certifi-  
 13 cated employees shall be revised to reflect at least the fol-  
 14 lowing percentage increase beginning with the fiscal year  
 15 2013-2014:

16	Step	Years of Experience	Increase
17	1	Less than 3	2.0%
18	2	3 but less than 6	2.0%
19	3	6 but less than 9	2.0%
20	4	9 but less than 12	2.0%
21	5	12 but less than 15	2.0%
22	6	15 but less than 18	2.0%
23	7	18 but less than 21	2.0%

1	8	21 or greater	2.0%
2	9	24 but less than 27	2.0%
3	10	27 or more	2.0%

4           b. Education Support Personnel (K-12). A two percent  
5 pay increase, beginning with the 2013-2014 fiscal year, shall  
6 be given to each support worker employed full-time by the  
7 Alabama Institute for Deaf and Blind. A separate local salary  
8 schedule shall be established and maintained for each specific  
9 job performed. The pay increase in this act shall be  
10 incorporated into the support employees' salary schedules. The  
11 base rate of pay for part-time support employees shall be  
12 increased by two percent for the 2013-2014 fiscal year.

13           c. Miscellaneous Requirements. The AIDB board shall  
14 establish and maintain a salary schedule for each class and  
15 type of employee and each step of each salary schedule for  
16 fiscal year 2013-2014 shall be increased to reflect the pay  
17 increase above to be given to each person employed for the  
18 2013-2014 fiscal year and each year employed thereafter. The  
19 pay increase contained in this subsection shall be paid to  
20 each employee.

21           (4) Miscellaneous provisions. The following  
22 provisions are hereby established:

1           a. Fiscal Year. All salaries and salary increases  
2 which are established by the State Board of Education shall be  
3 paid in full to each person employed before the end of the  
4 applicable fiscal year as defined in Section 16-1-1 of the  
5 Code of Alabama 1975, as amended.

6           b. Extended Work. Public K-12 school employees on  
7 contracts which extend beyond 187 days, or the hourly  
8 equivalent thereof, shall be given a pro rata salary increment  
9 for each or partial day of work extending beyond 187 days.

10          c. Local Increment. Any cost-of-living adjustment  
11 and/or increase on the State Minimum Salary Schedule for  
12 teachers as provided in this act shall be exclusive of any  
13 local pay increase granted or due to teachers under provisions  
14 of any local salary schedule. Any cost-of-living adjustment  
15 and/or pay increase required by this act for public school  
16 support personnel shall be in addition to any pay increase due  
17 or granted to the employee under provisions of any local  
18 salary schedules. The pay increase provisions of this act  
19 shall not apply to any salary supplements granted by local  
20 boards of education, bonuses earned for certification by the  
21 National Board of Professional Teaching Standards, or the  
22 federal portion of the salary paid to a Junior Reserve Officer  
23 Training Corps (JROTC) instructor employed by a local school  
24 board.

1           d. Community Education. Each county and city board  
2 of education shall have the option to exclude from the  
3 provisions of this act any part-time employees of community  
4 education or school-sponsored child care or child enrichment  
5 program which is supplemental to the state-required  
6 educational program.

7           e. Local Chief Executive Officers. The pay increase  
8 provisions of this act shall not apply to superintendents of  
9 education of any school system or institution. Any pay  
10 increase given to the superintendent shall be by majority  
11 recorded vote of the governing body or authority.

12           Section 2. The pay increase granted in this act  
13 shall begin in fiscal year 2013-2014 and continue in  
14 subsequent years. Nothing in this act shall authorize  
15 additional pay increases in subsequent years.

16           Section 3. For the purposes of this act, the  
17 following terms shall have the following meanings:

18           (1) CERTIFICATED PERSONNEL. Full-time teachers,  
19 principals, and other education employees employed by a local  
20 board of education and required to hold a certificate issued  
21 by the State Superintendent of Education.

22           (2) LOCAL BOARD OF EDUCATION. A city or county board  
23 of education, the Board of Trustees of the Alabama Institute  
24 for Deaf and Blind, the Alabama Youth Services Board in its  
25 capacity as the Board of Education for the Youth Services

1 School District, the Board of Directors of the Alabama School  
2 of Fine Arts, and the Board of Directors of the Alabama School  
3 of Mathematics and Science.

4 (3) STUDENT TEACHER. A college or university student  
5 in an education degree program who, as part of the degree  
6 program, is assigned to teach in a local public school  
7 classroom, is providing instruction to students, and is being  
8 mentored by a teacher.

9 (4) SUPPORT PERSONNEL or SUPPORT EMPLOYEE. Full-time  
10 maids, custodians, adult bus drivers, lunchroom or cafeteria  
11 workers, secretaries, clerks, clerical assistants, maintenance  
12 workers, or other non-certificated employees.

13 Section 4. The Department of Finance, in  
14 consultation with the State Department of Education, shall  
15 establish a program of self-insurance or purchase or provide a  
16 policy or policies of education employee liability insurance  
17 from appropriations to the State Department of Education  
18 insuring certificated personnel and support personnel who are  
19 employed by a local board of education and student teachers.  
20 Such policy or policies shall protect against damages for  
21 claims arising out of the performance of their duties or in  
22 any way connected therewith. The amount of the insurance and  
23 the appropriate coverage shall be in the discretion of the  
24 Director of Finance. Appropriations by the Legislature to fund  
25 the program shall be included in the annual Education Trust

1 Fund Appropriations Act. An insurance carrier providing any  
2 portion of the education employee liability coverage under the  
3 program shall be selected by a competitive process. Any amount  
4 of the appropriation for purchase of liability insurance  
5 remaining after liability insurance is provided shall not  
6 revert to the Education Trust Fund, but shall be retained to  
7 cover the costs of this program and is to be accounted for in  
8 future appropriations.

9 Section 5. Insurance coverage provided by this act  
10 shall automatically cover all full-time and part-time  
11 certificated personnel and support personnel who are employed  
12 by a local board of education, and student teachers who are  
13 assigned to a classroom under the purview of a local board of  
14 education, and shall be at no cost to the certificated  
15 personnel, support personnel, or student teachers.

16 Section 6. The program of insurance established by  
17 this act shall be administered by the Department of Finance.  
18 The State Department of Education shall be the administrator  
19 of this program for the school systems and in furtherance of  
20 that duty shall pay the annual cost of the program to the  
21 Department of Finance upon receipt of a statement of that  
22 cost, and require the school systems to provide such  
23 information as the Finance Director may specify to determine  
24 the costs of the program and to adjust and defend claims.

1           Section 7. The administrators and all personnel of  
2 the local school systems shall participate in the program in  
3 accordance with the policies, procedures and rules established  
4 by the Department of Finance.

5           Section 8. The program of insurance shall be  
6 effective for insurance coverage of certificated personnel,  
7 support personnel, and student teachers not later than July 1,  
8 2013.

9           Section 9. The provisions of this act are severable.  
10 If any part of this act is declared invalid or  
11 unconstitutional, that declaration shall not affect the part  
12 which remains.

13           Section 10. This act shall become effective  
14 ~~immediately~~ 30 days following its passage and approval by the  
15 Governor, or its otherwise becoming law.

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Speaker of the House of Representatives

*Kay Ivey*

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in  
and was passed by the House 10-APR-13.

Jeff Woodard  
Clerk

Senate  
House

\_\_\_\_\_  
07-MAY-13  
\_\_\_\_\_  
09-MAY-13  
\_\_\_\_\_

Amended and Passed  
Concurred in Sen-  
ate Amendment

**APPROVED** May 13, 2013

**TIME** 9:18 a.m.

*Robert Bentley*  
**GOVERNOR**

Alabama Secretary Of State

Act Num....: 2013-215  
Bill Num...: H-506

Recv'd 05/15/13 10:16amSLF

DATE: 4-2 2013  
RD 1 RFD 16446

**REPORT OF STANDING COMMITTEE**  
This bill having been referred by the House to its standing committee on WVA Education was acted upon by such committee in session, and returned therefrom to the House with the recommendation that it be Passed w/amend(s) w/sub this 9th day of April, 2013. Gregory, Chairperson

DATE: 4-9 2013  
RF RD 2 CAL

DATE: 20  
RE-REFERRED  RE-COMMITTED   
Committee

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, HB \_\_\_\_\_ NAYS \_\_\_\_\_  
YEAS \_\_\_\_\_ NAYS \_\_\_\_\_  
Clerk

FURTHER HOUSE ACTION (OVER)

DATE: 4-11 2013  
RD 1 RFD FATE

This Bill was referred to the Standing Committee of the Senate on FATE and was acted upon by such Committee in session and is by order of the Committee returned therefrom with a favorable report w/amd(s) w/sub w/weng sub by a vote of 13 yeas 1 nays 0 abstain this 4th day of April, 2013. Patrick Harris Chairperson

DATE: 4-24 2013  
RF FAW sub RD 2 CAL

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, HB 506  
YEAS 19 NAYS 13 A-1  
PATRICK HARRIS, Secretary

DATE: 5-7-13 2013  
PASSED  PASSED AS AMENDED   
RD 3 at length

YEAS 18 NAYS 16 A-1  
And was ordered returned forthwith to the House.  
PATRICK HARRIS, Secretary

DATE: 20  
INDEFINITELY POSTPONED YEARS NAYS

DATE: 20  
RECONSIDERED YEARS NAYS

FURTHER SENATE ACTION (OVER)

- 28 Hammon
- 29 M. Miller
- 30 Phil Visions
- 31 Barbara
- 32 Paul Barber
- 33 Frank
- 34 Isa
- 35 M. Millican
- 36 R. Ward
- 37 Rich
- 38 Perkins
- 39 Clair
- 40 Bob
- 41 Long
- 42 Hubbard, M.
- 43 Stuart
- 44 Baker
- 45 Faule
- 46 Weaver
- 47 Donan
- 48 Mark
- 49 FASAY
- 50 ATKINS
- 51 Clare
- 52 McIntosh
- 53 FALST