HB506

150346-9

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

RFD: Ways and Means Education

First Read: 02-APR-13
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:
Section 1. PAY INCREASES, FY 2013-2014. (a) The State Budget Officer shall allocate to the State Board of Education, the Board of Trustees of the Alabama Institute for Deaf and Blind, the Board of Youth Services School District, the Board of Directors of the Alabama School of Fine Arts, and the Board of Trustees of the Alabama School of Mathematics and Science and for disbursement to the employees thereof funds based on the criteria established in this act. It is not the intent of this act to make appropriations, but the appropriations required by this act shall be made in the annual budget act for the public K-12 schools for the designated fiscal year.

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

<table>
<thead>
<tr>
<th>Step</th>
<th>Years of Experience</th>
<th>Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Less than 3</td>
<td>2.0%</td>
</tr>
<tr>
<td>Year Range</td>
<td>Percentage</td>
<td></td>
</tr>
<tr>
<td>----------------------------------</td>
<td>------------</td>
<td></td>
</tr>
<tr>
<td>3 but less than 6</td>
<td>2.0%</td>
<td></td>
</tr>
<tr>
<td>6 but less than 9</td>
<td>2.0%</td>
<td></td>
</tr>
<tr>
<td>9 but less than 12</td>
<td>2.0%</td>
<td></td>
</tr>
<tr>
<td>12 but less than 15</td>
<td>2.0%</td>
<td></td>
</tr>
<tr>
<td>15 but less than 18</td>
<td>2.0%</td>
<td></td>
</tr>
<tr>
<td>18 but less than 21</td>
<td>2.0%</td>
<td></td>
</tr>
<tr>
<td>21 or greater</td>
<td>2.0%</td>
<td></td>
</tr>
<tr>
<td>24 but less than 27</td>
<td>2.0%</td>
<td></td>
</tr>
<tr>
<td>27 or more</td>
<td>2.0%</td>
<td></td>
</tr>
</tbody>
</table>

All certificated employees, including the Adult Basic Education and Science in Motion employees, shall be guaranteed pay increases in the amounts indicated above for their years of experience and degrees earned and the corresponding pay increases shall be reflected in the appropriate local salary schedule and paid to each certificated employee. The provisions and requirements of this act shall be in addition to the provisions of Section 16-13-231.1, Code of Alabama 1975, relating to the State Minimum Salary Schedule. Each certificated employee shall be properly placed on the local salary schedule according to degree earned and years of public education service (either in-state or out-of-state), which shall be not less than the
amounts appropriated for the State Minimum Salary Schedule. The employee shall be paid according to degree earned and length of public education experience. The pay increase shall be given to each person employed for the 2013-2014 fiscal year in addition to any state or local step increase to which the employee is otherwise entitled. The local board of education shall transmit to the State Department of Education the appropriate notice of the earned advanced degree for each employee in a timely fashion; thereafter, the employee shall be paid for the advanced degree as soon as the degree is certified to the State Department of Education as being earned.

(2) Education Support Personnel (K-12). A two percent pay increase, beginning with the fiscal year 2013-2014, shall be paid to each public education support worker and adult bus driver, including Adult Basic Education and Science in Motion personnel, employed for the 2013-2014 fiscal year in addition to the salary received during the 2012-2013 fiscal year, except employees covered under the state’s Merit System at the Department of Youth Services District. Each governing body or authority shall establish and maintain a salary schedule for each class and type of employee and each step of each salary schedule shall be increased to reflect a two percent pay increase beginning with fiscal year 2013-2014, which shall be given to the person employed
full-time for the 2013-2014 fiscal year and each year employed full-time thereafter. The base rate of pay for part-time support employees shall be increased by two percent beginning with fiscal year 2013-2014. A separate local salary schedule shall be established and maintained for each specific job performed.

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

   a. Certificated. The salary schedule for certificated employees shall be revised to reflect at least the following percentage increase beginning with the fiscal year 2013-2014:

<table>
<thead>
<tr>
<th>Step</th>
<th>Years of Experience</th>
<th>Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>17</td>
<td>Less than 3</td>
<td>2.0%</td>
</tr>
<tr>
<td>18</td>
<td>3 but less than 6</td>
<td>2.0%</td>
</tr>
<tr>
<td>19</td>
<td>6 but less than 9</td>
<td>2.0%</td>
</tr>
<tr>
<td>20</td>
<td>9 but less than 12</td>
<td>2.0%</td>
</tr>
<tr>
<td>21</td>
<td>12 but less than 15</td>
<td>2.0%</td>
</tr>
<tr>
<td>22</td>
<td>15 but less than 18</td>
<td>2.0%</td>
</tr>
<tr>
<td>23</td>
<td>18 but less than 21</td>
<td>2.0%</td>
</tr>
</tbody>
</table>
b. Education Support Personnel (K-12). A two percent pay increase, beginning with the 2013-2014 fiscal year, shall be given to each support worker employed full-time by the Alabama Institute for Deaf and Blind. A separate local salary schedule shall be established and maintained for each specific job performed. The pay increase in this act shall be incorporated into the support employees' salary schedules. The base rate of pay for part-time support employees shall be increased by two percent for the 2013-2014 fiscal year.

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

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

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

c. Local Increment. Any cost-of-living adjustment and/or increase on the State Minimum Salary Schedule for teachers as provided in this act shall be exclusive of any local pay increase granted or due to teachers under provisions of any local salary schedule. Any cost-of-living adjustment and/or pay increase required by this act for public school support personnel shall be in addition to any pay increase due or granted to the employee under provisions of any local salary schedules. The pay increase provisions of this act shall not apply to any salary supplements granted by local boards of education, bonuses earned for certification by the National Board of Professional Teaching Standards, or the federal portion of the salary paid to a Junior Reserve Officer Training Corps (JROTC) instructor employed by a local school board.
d. Community Education. Each county and city board of education shall have the option to exclude from the provisions of this act any part-time employees of community education or school-sponsored child care or child enrichment program which is supplemental to the state-required educational program.

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

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

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

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

(2) LOCAL BOARD OF EDUCATION. A city or county board of education, the Board of Trustees of the Alabama Institute for Deaf and Blind, the Alabama Youth Services Board in its capacity as the Board of Education for the Youth Services
School District, the Board of Directors of the Alabama School of Fine Arts, and the Board of Directors of the Alabama School of Mathematics and Science.

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

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

Section 4. The Department of Finance, in consultation with the State Department of Education, shall establish a program of self-insurance or purchase or provide a policy or policies of education employee liability insurance from appropriations to the State Department of Education insuring certificated personnel and support personnel who are employed by a local board of education and student teachers. Such policy or policies shall protect against damages for claims arising out of the performance of their duties or in any way connected therewith. The amount of the insurance and the appropriate coverage shall be in the discretion of the Director of Finance. Appropriations by the Legislature to fund the program shall be included in the annual Education Trust
Fund Appropriations Act. An insurance carrier providing any portion of the education employee liability coverage under the program shall be selected by a competitive process. Any amount of the appropriation for purchase of liability insurance remaining after liability insurance is provided shall not revert to the Education Trust Fund, but shall be retained to cover the costs of this program and is to be accounted for in future appropriations.

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

Section 6. The program of insurance established by this act shall be administered by the Department of Finance. The State Department of Education shall be the administrator of this program for the school systems and in furtherance of that duty shall pay the annual cost of the program to the Department of Finance upon receipt of a statement of that cost, and require the school systems to provide such information as the Finance Director may specify to determine the costs of the program and to adjust and defend claims.
Section 7. The administrators and all personnel of
the local school systems shall participate in the program in
accordance with the policies, procedures and rules established
by the Department of Finance.

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

Section 9. The provisions of this act are severable.

If any part of this act is declared invalid or
unconstitutional, that declaration shall not affect the part
which remains.

Section 10. This act shall become effective

immediately 30 days following its passage and approval by the
Governor, or its otherwise becoming law.
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 07-MAY-13
House 09-MAY-13

Amended and Passed
Concurred in Senate 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
**REPORT OF STANDING COMMITTEE**

This bill having been referred by the House to its standing committee on [Education] was acted upon by such committee in session, and returned theretofrom with a favorable report w/amd(s) w/sub w/eng sub by a vote of [yeas: 21, nays: 0, abstain: 0]. This 9th day of [April, 2013].

[Signature] Chairperson

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**DATE:** 4-2 2013

**RD 1 RFD**

**NAME**

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**DATE:** 4-2 2013

**RD 1 RFD**

**DATE:** 4-2 2013

**RD 1 RFD**

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**DATE:** 4-24 2013

**RF**

**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  AB

PATRICK HARRIS, Secretary

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**DATE:** 5-7-13

**RD 3 at length**

PASSED PASSED AS AMENDED

YEAS 18  NAYS 16  A

And was ordered returned forthwith to the House.

PATRICK HARRIS, Secretary

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**DATE:** 20

**RECONSIDERED**

**YEAS**

**NAYS**

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**FURTHER HOUSE ACTION (OVER)**