

1 State of Arkansas

As Engrossed: H12/17/03 S1/27/04

Call Item 4

2 84th General Assembly

A Bill

3 Second Extraordinary Session, 2003

HOUSE BILL 1047

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5 By: Representatives J. Johnson, Walters, Chesterfield, Dees, S. Prater, *Borhauer, King*

6 By: Senators Whitaker, Gullett

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For An Act To Be Entitled

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AN ACT TO PROVIDE FOR MINIMUM TEACHER SALARIES;

11

AND FOR OTHER PURPOSES.

12

13

Subtitle

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AN ACT TO PROVIDE FOR MINIMUM TEACHER

15

SALARIES.

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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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20 *SECTION 1. Arkansas Code § 6-17-2402, as added by the act that was*
21 *introduced as Senate Bill 42 of the Second Extraordinary Session of 2003, is*
22 *amended to read as follows:*

23 *6-17-2402. Definitions.*

24 *As used in this subchapter:*

25 *(1) "Basic contract" means a teacher employment contract for one*
26 *hundred and ninety (190) days that includes ten (10) days of professional*
27 *development. ~~The provisions of § 6-17-807 shall apply to require a school~~*
28 *~~district to increase teacher pay proportionately if the school district's~~*
29 *~~normal base contract period exceeds one hundred and ninety (190) days.~~*

30 *(2) "Teacher" means:*

31 *(A) An individual who is required to hold a teaching*
32 *license from the department and who is engaged directly in instruction with*
33 *students in a classroom setting for more than seventy percent (70%) of the*
34 *individual's contracted time;*

35 *(B) A guidance counselor; or*

36 *(C) A librarian.*



SECTION 2. Arkansas Code § 6-17-2403, as added by the act that was introduced as Senate Bill 42 of the Second Extraordinary Session of 2003, is amended to read as follows:

6-17-2403. Minimum teacher compensation schedule for 2004-2005.

(a) The board of directors in each school district in the state shall pay classroom teachers upon a minimum salary schedule that provides:

(1) Annual increments for education and experience;

(2) A base salary; and

(3) A minimum salary for a teacher with a master's degree and at least fifteen (15) years of experience.

~~(b) In school year 2004-2005, each school district in the state shall have in place a salary schedule that includes the following:~~

~~(1) A base salary of at least twenty-seven thousand five hundred dollars (\$27,500) for teachers with a bachelor's degree and no experience;~~

~~(2) A base salary of at least thirty-one thousand six hundred twenty-five dollars (\$31,625) for teachers with a master's degree and no experience; and~~

~~(3) Unless the school district's present salary schedule exceeds the minimum requirements of this subsection (b), provision for at least fifteen (15) annual increments for experience of:~~

~~(A) Four hundred fifty dollars (\$450) for a bachelor's degree; and~~

~~(B) Five hundred dollars (\$500) for a master's degree. In school year 2004-2005, each school district in the state shall have in place a salary schedule with at least the following minimum levels of compensation:~~

<u>Years of Experience</u>	<u>BA Degree Select</u>	<u>MA Degree Salary</u>
<u>0</u>	<u>\$27,500</u>	<u>\$31,625</u>
<u>1</u>	<u>27,950</u>	<u>32,125</u>
<u>2</u>	<u>28,400</u>	<u>32,625</u>
<u>3</u>	<u>28,850</u>	<u>33,125</u>
<u>4</u>	<u>29,300</u>	<u>33,625</u>
<u>5</u>	<u>29,750</u>	<u>34,125</u>
<u>6</u>	<u>30,200</u>	<u>34,625</u>

1	<u>7</u>	<u>30,650</u>	<u>35,125</u>
2	<u>8</u>	<u>31,100</u>	<u>35,625</u>
3	<u>9</u>	<u>31,550</u>	<u>36,125</u>
4	<u>10</u>	<u>32,000</u>	<u>36,625</u>
5	<u>11</u>	<u>32,450</u>	<u>37,125</u>
6	<u>12</u>	<u>32,900</u>	<u>37,625</u>
7	<u>13</u>	<u>33,350</u>	<u>38,125</u>
8	<u>14</u>	<u>33,800</u>	<u>38,625</u>
9	<u>15</u>	<u>34,250</u>	<u>39,125</u>

10 (c) For purposes of the salary schedules described in this section,
 11 the teacher's experience shall be his or her total years in any school
 12 district in the state and shall not be based only upon the years in the
 13 school district in which he or she is currently employed.

14 (d)(1) A teacher shall be entitled to additional pay if the number of
 15 days in the teacher's contract for the 2004-2005 school year exceeds the
 16 number of days in the teacher's contract for the 2003-2004 school year.

17 (2) The additional pay shall be at least equal to the number of
 18 additional contract days under subdivision (d)(1) of this section times the
 19 daily rate calculated using the teacher's 2003-2004 salary.

20 (e)(1) A teacher shall not be entitled to additional pay under
 21 subsection (d) of this section if the teacher's salary to which he or she
 22 would have been entitled for school year 2003-2004 if the salary schedule in
 23 subsection (b) of this section had been effective for the 2003-2004 school
 24 year less the teacher's actual salary for the 2003-2004 school year exceeds
 25 the result of multiplying the number of additional contract days under
 26 subdivision (d)(1) of this section times the daily rate as calculated using
 27 the teacher's actual salary for the 2003-2004 school year.

28 (2) If the provisions of subdivision (e)(1) of this section
 29 apply:

30 (A) The teacher shall receive a minimum salary for school
 31 year 2004-2005 based upon the salary schedule in subsection (b) of this
 32 section; and

33 (B) The requirements of § 6-17-807 shall not apply.

34 (f) For purposes of this section, "daily rate" means the teacher
 35 contract salary divided by the number of days in the teacher contract.

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1 SECTION 3. Arkansas Code Title 6, Chapter 17, Subchapter 10 is
 2 repealed.

3 ~~6-17-1001. Minimum base salary—Master’s degree.~~

4 ~~(a)(1) The board of directors in each school district in the state~~
 5 ~~shall pay its teachers upon a salary schedule which has annual increments for~~
 6 ~~education and experience and which provides for a base salary, a minimum~~
 7 ~~salary for a teacher with a master’s degree, and at least fifteen (15) years~~
 8 ~~of experience as described in this section.~~

9 ~~(2) Beginning with the 2003-2004 school year, the teacher’s~~
 10 ~~experience for purposes of salary and benefits shall be his or her total~~
 11 ~~years in any school district in the state and shall not be based on only the~~
 12 ~~years in the district in which he or she is currently employed.~~

13 ~~(b) In school year 2000-2001 and in each school year thereafter, no~~
 14 ~~school district shall pay its teachers with a bachelor’s degree and no~~
 15 ~~experience less than twenty-one thousand eight hundred sixty dollars~~
 16 ~~(\$21,860).~~

17 ~~(c) In school year 2000-2001 and in each school year thereafter,~~
 18 ~~school districts shall pay teachers with a master’s degree and no experience~~
 19 ~~at least one hundred fifteen percent (115%) of the minimum base salary~~
 20 ~~prescribed in subsection (b) of this section.~~

21 ~~(d) In school year 2001-2002 and in each school year thereafter,~~
 22 ~~school districts shall pay a teacher with a master’s degree and at least~~
 23 ~~fifteen (15) years of experience one hundred fifty percent (150%) of the~~
 24 ~~state minimum base salary.~~

25 ~~(e)(1) In school year 1995-1996 and in each school year thereafter,~~
 26 ~~each school district in the state shall have in place a salary schedule which~~
 27 ~~provides at least fourteen (14) annual increments for experience.~~

28 ~~(2) In school year 2001-2002 and in each school year thereafter,~~
 29 ~~each school district in the state shall have in place a salary schedule which~~
 30 ~~provides at least fifteen (15) annual increments for experience.~~

31 ~~(3) In school year 2001-2002 and in each school year thereafter,~~
 32 ~~each school district in the state shall have in place a salary schedule with~~
 33 ~~at least the following minimum levels of compensation:~~

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Years Experience	BA Degree Salary	MA Degree Salary
0	\$21,860	\$25,139

1	1	22,304	25,649
2	2	22,748	26,159
3	3	23,192	26,669
4	4	23,636	27,179
5	5	24,080	27,689
6	6	24,524	28,199
7	7	24,968	28,709
8	8	25,412	29,219
9	9	25,856	29,729
10	10	26,300	30,239
11	11	26,744	30,749
12	12	27,188	31,259
13	13	27,632	31,769
14	14	28,076	32,279
15	15 or more	28,520	32,789

16 ~~(f) For the 1997-98 school year and for each year thereafter, each~~
 17 ~~school district shall provide no less than four hundred dollar increments for~~
 18 ~~experience for teachers with one (1) and two (2) years of experience.~~

19 ~~(g) For the 1998-1999 school year and for each year thereafter, each~~
 20 ~~school district shall provide no less than four hundred dollar increments for~~
 21 ~~experience for teachers with three (3) and four (4) years of experience.~~

22 ~~(h) For the 1999-2000 school year and for each year thereafter, each~~
 23 ~~school district shall provide no less than four hundred dollar increments for~~
 24 ~~experience for teachers with five (5) and six (6) years of experience.~~

25 ~~(i) For the 2000-2001 school year and for each year thereafter, each~~
 26 ~~school district shall provide no less than four hundred dollar increments for~~
 27 ~~experience for teachers with seven (7) and eight (8) years of experience.~~

28 ~~(j) For the 2001-2002 school year and for each year thereafter, each~~
 29 ~~school district shall provide no less than four hundred dollar increments for~~
 30 ~~experience for teachers with nine (9) and ten (10) years of experience.~~

31 ~~(k) For the 2002-2003 school year and for each year thereafter, each~~
 32 ~~school district shall provide no less than four hundred dollar increments for~~
 33 ~~experience for teachers with eleven (11) and twelve (12) years of experience.~~

34 ~~(l)(1) For the 2003-2004 school year and for each year thereafter,~~
 35 ~~each school district shall provide no less than four hundred dollar~~
 36 ~~increments for experience for teachers with thirteen (13) years of~~

1 ~~experience.~~

2 ~~(2) For the 2004-2005 school year and for each year thereafter,~~
3 ~~each school district shall provide no less than four hundred-dollar~~
4 ~~increments for experience for teachers with fourteen (14) years of~~
5 ~~experience.~~

6 ~~(3) For the 2005-2006 school year and for each year thereafter,~~
7 ~~each school district shall provide no less than four hundred-dollar~~
8 ~~increments for experience for teachers with fifteen (15) years of experience.~~

9 ~~(m) Subsections (f)-(l) of this section shall not apply to any local~~
10 ~~school district whose minimum salary for teachers exceeds twenty-one thousand~~
11 ~~eight hundred sixty dollars (\$21,860) and whose average salary exceeds the~~
12 ~~state average salary for teachers for the previous year.~~

13 ~~(n) As used in this section, "teacher" shall include any full-time~~
14 ~~employee of a local public school district:~~

15 ~~(1) Who is compelled by law to secure a license from the State~~
16 ~~Board of Education as a condition precedent to employment in a position in or~~
17 ~~related to grades prekindergarten through twelve (preK-12) of the public~~
18 ~~schools of this state; and~~

19 ~~(2) Who is:~~

20 ~~(A) Engaged directly in instruction with students in a~~
21 ~~classroom setting for more than seventy percent (70%) of the individual's~~
22 ~~contracted time;~~

23 ~~(B) A guidance counselor; or~~

24 ~~(C) A librarian.~~

25 ~~(o) All minimum salaries set forth in this section shall be for a~~
26 ~~contract number of days that is not more than the number of days in the~~
27 ~~school year required by the State Board of Education's regulations for~~
28 ~~accreditation for the school year in which the contract is effective.~~

29 ~~(p)(1) A district that determines that it cannot meet the minimum~~
30 ~~salary requirements of this section from funds available may petition the~~
31 ~~Department of Education for a waiver of the requirements of this section for~~
32 ~~up to three (3) school years based on regulations promulgated by the State~~
33 ~~Board of Education.~~

34 ~~(2) The department shall not grant a waiver to any district that~~
35 ~~is not in compliance with the uniform rate of tax requirements under Arkansas~~
36 ~~Constitution, Amendment 74.~~

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~~6-17-1002. Salary amount—Annual review.~~

~~(a) The salaries fixed herein shall be regarded as minimum salaries only, and each district may supplement such salaries. No teacher shall receive a reduced salary as a result of this subchapter's requirements.~~

~~(b) Base salary shall not be raised until all teachers within a district are paid equal to or greater than the minimum requirements established herein. Each school district shall develop its own salary schedule with salaries equal to or greater than the required minimums set forth herein.~~

~~(c) The Arkansas Teachers' Salaries Study Commission shall annually review the minimum base salary and make recommendations to the Department of Education, the Governor, and the General Assembly for such modifications as the commission shall deem appropriate.~~

~~6-17-1003. Enforcement—Appeal—Rules and regulations.~~

~~(a) The State Board of Education is empowered to enforce the provisions of this subchapter and is specifically authorized to order the dissolution and merger of any school district which fails to comply with the minimum salary requirements established by this subchapter. Any appeal from a decision of the board ordering the dissolution and merger of a school district for failure to comply with the provisions of this subchapter shall be filed in the Circuit Court of Pulaski County and must be filed within thirty (30) days of the decision of the board.~~

~~(b) The board shall issue rules and regulations to implement this subchapter.~~

~~6-17-1004. Salary goals.~~

~~(a) The personnel policies committees and negotiating teams established and maintained in Arkansas public schools are encouraged to set and meet five year goals to substantially increase teacher salaries. In setting realistic yet meaningful salary goals, the committees and teams shall consider exceeding the state, regional Southern Regional Education Board states, border states, or national average salaries for teachers.~~

~~(b) Within two (2), four (4), and five (5) years following the adoption of this section, school districts shall report to the Arkansas~~

~~Teachers' Salaries Study Commission and the Department of Education the goals developed, adopted, and met.~~

SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the Arkansas Supreme Court in Lake View School District No. 25 v. Huckabee, 351 Ark. 31 (2002) declared the current system of education to be unconstitutional because it is both inequitable and inadequate; and the Arkansas Supreme Court set forth the test for a constitutional system to be one in which the State has an "absolute duty" to provide an "equal opportunity to an adequate education"; the Arkansas Supreme Court instructed the General Assembly to undertake actions as necessary to provide an opportunity for an adequate and equitable education for the children of Arkansas; and the provisions of this bill are necessary steps toward accomplishing that goal. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

/s/ J. Johnson