

ASSEMBLY BILL

No. 1166

Introduced by Assembly Member Solorio

February 18, 2011

An act to amend Section 45028 of the Education Code, relating to teachers.

LEGISLATIVE COUNSEL'S DIGEST

AB 1166, as introduced, Solorio. Teacher salaries: additional credit: years of training.

Existing law requires that each teacher employed by a school district be classified on a uniform salary schedule based on years of training and years of experience, except if the employer and the exclusive bargaining representative agree otherwise, pursuant to a collective bargaining agreement.

This bill would provide that it is not a violation of these provisions of law for a school district, with the agreement of the exclusive bargaining representative of the certificated employees of the district, to grant to any certificated employee uniform additional credit for years of training if the training meets specified requirements. The bill would state that its provisions are declaratory of existing law.

The bill also would make technical, nonsubstantive changes.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 45028 of the Education Code is amended
2 to read:

1 45028. (a) (1) Effective July 1, 1970, each person employed
 2 by a school district in a position requiring certification
 3 qualifications, except a person employed in a position requiring
 4 administrative or supervisory credentials, shall be classified on
 5 the salary schedule on the basis of uniform allowance for years of
 6 training and years of experience, except if a public school employer
 7 and the exclusive representative negotiate and mutually agree to
 8 a salary schedule based on criteria other than a uniform allowance
 9 for years of training and years of experience pursuant to Chapter
 10 10.7 (commencing with Section 3540) of the Government Code.
 11 Employees shall not be placed in different classifications on the
 12 schedule, nor paid different salaries, solely on the basis of the
 13 respective grade levels in which such employees serve.

14 (2) ~~In no case shall the~~ *The* governing board of a school district
 15 *shall not* draw orders for the salary of any teacher in violation of
 16 this section, ~~nor shall any~~ *and a superintendent shall not* draw any
 17 requisition for the salary of any teacher in violation thereof.

18 (3) This section shall not apply to teachers of special day and
 19 evening classes in elementary schools, teachers of special classes
 20 for elementary pupils, teachers of special day and evening high
 21 school classes and substitute teachers.

22 (b) (1) It is not a violation of the uniformity requirement of this
 23 section for a school district, with the agreement of the exclusive
 24 representative of certificated employees, if any, to grant any
 25 employee hired after a locally specified date differential credit for
 26 prior years of experience or prior units of credit for purposes of
 27 initial placement on the salary schedule of the district.

28 (2) This subdivision is declaratory of existing law.

29 (c) (1) *It is not a violation of subdivision (a) for a school*
 30 *district, with the agreement of the exclusive bargaining*
 31 *representative of certificated employees of the district, to grant*
 32 *any certificated employee uniform additional credit for specified*
 33 *years of training when the additional training meets any of the*
 34 *following conditions:*

35 (A) *The training is directly related to the content currently being*
 36 *taught in the classroom by the certificated employee.*

37 (B) *The training is intended to improve the pedagogical*
 38 *strategies used by the certificated employee to teach the content*
 39 *currently being taught in the classroom.*

1 (C) *The training satisfies the requisite criteria for certification*
2 *qualifications to fill a position in a shortage area that has been*
3 *designated by the governing board of the school district with the*
4 *agreement of the exclusive bargaining representative of the*
5 *certificated employees of the district.*

6 (2) *This subdivision is declaratory of existing law.*

7 ~~(e)~~

8 (d) A public school employer and the exclusive representative
9 of credentialed teachers may jointly apply to the Superintendent
10 for technical assistance and planning grant funding to facilitate
11 the planning of a salary schedule for teachers based on criteria in
12 addition to years of training and years of experience, as described
13 in subdivision (a). The Superintendent may make planning grants
14 from funds appropriated for this purpose in the annual Budget Act
15 or other legislation.

16 ~~(d)~~

17 (e) To be eligible for grant funding pursuant to subdivision ~~(e)~~
18 (d), the public school employer and the exclusive representative
19 of credentialed teachers should consider a salary schedule designed
20 to compensate teachers for the additional responsibilities, time,
21 and effort required to serve in challenging school settings, and
22 reward teachers for professional growth tied to their particular
23 assignments.

24 ~~(e)~~

25 (f) Public school employers and exclusive representatives of
26 credentialed teachers are encouraged to recognize teacher
27 contributions to improving pupil achievement, provide incentives
28 to teachers to accept teaching assignments in areas of highest need,
29 and recognize relevant professional experience on the salary
30 schedule in lieu of units and degrees or in lieu of teaching
31 experience.