



Guidance on Teacher Pay Requirements for 2010-11 June 30, 2010

The Attorney General has released Opinion No. GA-0785 regarding the effect of House Bill 3646 on teacher pay in the second year of the current biennium. The A.G.’s ruling defines the minimum pay requirement for each full-time classroom teacher, librarian, speech pathologist, school nurse, and counselor. If the district adopted a salary schedule for those positions in 2008-09, each educator must be paid, at a minimum, the amount that person would have received on **that** schedule for their years of service in 2010-11 **plus** the pay raise that was required by the state for 2009-10. This minimum pay requirement applies to new hires as well as returning educators. Local stipends and supplements paid in 2008-09 must be retained for employees who continue in the same assignment.

Whether this ruling requires your district to give an additional pay raise for 2010-11 depends on: (1) how much of an increase your district gave these educators for 2009-10; and (2) whether or not the district had an adopted salary schedule for those positions in 2008-09. The A.G. does not specifically define the term “salary schedule”. The term commonly refers to scaled salary steps correlated to years of service.

The starting point for compliance with HB 3646 is to determine an employee’s salary under the district’s 2008-09 salary schedule, adjusted for two years of experience. The district should then add the required pay raise for 2009-10 to that amount. The employee’s salary for 2010-11 must be at least equal to the result. The table below is an example of how to determine minimum salaries required for your district.

Years of Experience	2008-09 Local Schedule	+	Required Increase Based on 2009-10 WADA *	=	Minimum Salary Requirement for 2009-10	Minimum Salary Requirement for 2010-11
0	\$39,500		\$1,000		\$40,500	\$40,500
1	\$40,000		\$1,000		\$41,000	\$41,000
2	\$40,300		\$1,000		\$41,300	\$41,300
3	\$40,700		\$1,000		\$41,700	\$41,700
...
19	\$52,100		\$1,000		\$53,100	\$53,100
20	\$52,900		\$1,000		\$53,900	\$53,900
21	\$54,000		\$1,000		\$55,000	\$55,000

*The required increase for 2009-10 based on WADA varied by district.