



Home	Bill Information	California Law	Publications	Other Resources	My Subscriptions	My Favorites
------	------------------	----------------	--------------	-----------------	------------------	--------------

AB-938 Education finance: classified and certificated staff salaries. (2023-2024)

SHARE THIS:  

Date Published: 09/23/2024 02:00 PM

Assembly Bill No. 938

CHAPTER 345

An act to add Sections 42238.015 and 42238.016 to the Education Code, relating to education finance.

[Approved by Governor September 22, 2024. Filed with Secretary of State September 22, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

AB 938, Muratsuchi. Education finance: classified and certificated staff salaries.

Existing law, commencing with the 2013–14 fiscal year, establishes a public school financing system that requires state funding for county superintendents of schools, school districts, and charter schools to be calculated pursuant to a local control funding formula, as specified.

This bill would require the State Department of Education, by July 1, 2025, to update a salary and benefit schedule form, as described, to include salary data collection for classified school staff assigned to a schoolsite or sites in the same manner as that data is collected for certificated staff assigned to a schoolsite or sites, and to call this updated form the Salary and Benefit Schedule for the Bargaining Units (Form J–90). The bill would require school districts, county offices of education, and direct-funded charter schools, by January 31, 2026, and annually thereafter, to complete the Form J–90 for specified classified and certificated staff assigned to a schoolsite or sites and report the Form J–90 to the department, and would authorize those local educational agencies to complete and report the Form J-90 for prior fiscal years, as provided. By imposing new duties on local educational agencies, the bill would impose a state-mandated local program. The bill would require the department, by August 31, 2026, and annually thereafter, to report to the Legislature on the progress of school districts, county offices of education, and charter schools in increasing salaries for classified and certificated staff assigned to a schoolsite or sites, as provided.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 42238.015 is added to the Education Code, immediately following Section 42238.01, to read:

42238.015. (a) The Legislature finds and declares all of the following:

(1) According to 2023 findings from the Economic Policy Institute (EPI), inflation-adjusted average weekly wages of teachers have been relatively flat since 1996, finding that the average weekly wages of public school teachers (adjusted only for inflation) increased just twenty-nine dollars (\$29) from 1996 to 2021, from one thousand three hundred nineteen dollars (\$1,319) to one thousand three hundred forty-eight dollars (\$1,348) (in 2021 dollars), where, in contrast, inflation-adjusted weekly wages of other college graduates rose from one thousand five hundred sixty-four dollars (\$1,564) to two thousand nine dollars (\$2,009) over the same period — a four hundred forty-five-dollar (\$445) increase.

(2) The EPI also found that the teacher wage penalty, when comparing wages of teachers to other professions with similar educational and certification requirements, grew to a record high in 2021 at 23.5 percent nationally and 17.6 percent in California, up from 6.1 percent in 1996.

(3) Even when taking other benefits into account, the teacher total compensation penalty grew by 11.5 percentage points from 1993 to 2021.

(4) When Proposition 98 was approved by voters in 1988, it set as a target for school spending per pupil to “equal or exceed the average annual expenditure per student of the 10 states with the highest annual expenditures per student for elementary and high schools.” This target is embedded in Section 8.5 of Article XVI of the California Constitution.

(b) Therefore, it is the intent of the Legislature to establish a public education transparency and accountability lens to better inform the Members of the Legislature as to the impacts of the state budget on the pay and benefits of the education workforce by reporting salary and benefits data of certificated and classified employees and the impacts on the professional respect and competitiveness of pay and benefits for classified and certificated employees.

SEC. 2. Section 42238.016 is added to the Education Code, immediately following Section 42238.015, to read:

42238.016. (a) The department shall, by July 1, 2025, update the Salary and Benefits Schedule for the Certificated Bargaining Unit (Form J–90) to include salary data collection for classified school staff assigned to a schoolsite or sites, in the same manner as collected for certificated staff assigned to a schoolsite or sites, for the following classifications:

- (1) Secretaries or administrative assistants.
- (2) Custodians.
- (3) Bus drivers.
- (4) School food service workers.
- (5) Instructional aides.

(b) The Salary and Benefits Schedule for the Certificated Bargaining Unit (Form J–90) updated pursuant to subdivision (a) shall be known as the Salary and Benefit Schedule for the Bargaining Units (Form J–90).

(c) (1) On or before January 31, 2026, and annually thereafter, school districts, county offices of education, and direct-funded charter schools as described in Section 47651 shall complete the Salary and Benefit Schedule for the Bargaining Units (Form J–90) for classified and certificated staff assigned to a schoolsite or sites and report the Form J–90 to the department. A school district that is the chartering authority or designated oversight agency of a locally funded charter school as described in Section 47651 shall complete and report the Form J–90 to the department for the locally funded charter school.

(2) School districts, county offices of education, and direct-funded charter schools may, for prior fiscal years not required pursuant to paragraph (1), complete the Form J–90 for classified and certificated staff assigned to a schoolsite or sites and report the Form J–90 to the department.

(d) On or before August 31, 2026, and annually thereafter, the department shall report to the Legislature, in compliance with Section 9795 of the Government Code, on the progress of school districts, county offices of education, and charter schools in increasing salaries for classified staff assigned to a schoolsite or sites and certificated staff assigned to a schoolsite or sites. This report shall include the following:

- (1) The change in salary rates for certificated staff as compared to the 10 prior fiscal years or whichever year the Form J–90 was filed for first.
- (2) The change in salary rates for classified staff as compared to the 10 prior fiscal years or whichever year the Form J–90 was filed for first.
- (3) The salary rate changes year over year.

(4) The rate of salary change compared to the rate of yearly inflation as measured by the percentage change in the annual average value of the Implicit Price Deflator for State and Local Government Purchases of Goods and Services for the United States, as published by the United States Department of Commerce for the 12-month period ending in the third quarter of the prior fiscal year.

(5) The rate of total compensation changes year over year.

SEC. 3. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.