

# **Pay Teachers Act (PTA) of 2023**

*Sponsored by HELP Committee Chairman Bernie Sanders (I-VT)*

## **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

### **Sec. 1. Short title; table of contents.**

### **Sec. 2. Purposes.**

The purposes of this bill are to: (1) ensure public elementary and secondary school teachers earn a livable and competitive salary that is not less than \$60,000 and that increases regularly throughout a teacher’s career; (2) increase Federal investments in public schools, and call upon States and localities to increase investments in public education in order to promote educational equity; and (3) invest in a diverse teacher workforce, strengthen the educator pipeline, and support teachers’ career development and advancement.

### **Sec. 3. Findings.**

Establishes findings related to low teacher pay; the high rate of teachers who qualify for government benefits; the high percentage of teachers who work multiple jobs; the low wages for paraprofessionals and other school classified employees; the high rate of shortages of qualified teachers; the disproportionate impact that teacher shortages have on schools that serve a high enrollment of students of color; the positive benefits that teachers who enter the profession through comprehensive pathways and participate in teacher leadership opportunities have on our nation’s public schools; and states that raising teacher annual salaries to at least \$60,000 and ensuring competitive pay throughout a teacher’s career is one of the most important steps the United States can take to address the teacher shortage crisis in many communities and ensure all students have access to qualified teachers and educational opportunity.

### **Sec. 4. Definitions.**

Defines “annual adjustment percentage”, “consumer price index”, and “Secretary”.

### **Sec. 5. Regulations; Special Rule.**

Requires the Secretary not later than 1 year after the enactment of this Act to issue final regulations related to the implementation of this Act and the amendments made by this Act. Specifies that, notwithstanding any other provision of law, the Secretary may take such steps as the Secretary determines are reasonably necessary to implement the provisions of the PTA and the amendments made to ESEA by the PTA.

## **TITLE I—INVESTING IN OUR NATION’S STUDENTS**

### **Sec. 101. Mandatory appropriations for part A of title I of the ESEA.**

Triples Title I, Part A of the *Elementary and Secondary Education Act* (ESEA) funding by providing \$36.774 billion in mandatory funding in fiscal year 2024 and for each succeeding fiscal year, the amount appropriated for the preceding year indexed to inflation.

**Sec. 102. Mandatory appropriations for rural education.**

Triples Rural Education funding authorized under Title V, Part B of ESEA by providing \$430 million in mandatory funding in fiscal year 2024 and for each succeeding fiscal year, the amount appropriated for the preceding year indexed to inflation.

**Sec. 103. Mandatory appropriations for impact aid.**

Doubles Impact Aid Basic Support Payments authorized under section 7003(b) of ESEA by providing \$1.46 billion in mandatory funding in fiscal year 2024, and for each succeeding fiscal year, the amount appropriated for the preceding year indexed to inflation.

**Sec. 104. Mandatory appropriations for Bureau of Indian Education.**

Doubles funding for the Bureau of Indian Education by providing \$1.13 billion in mandatory funding in fiscal year 2024 and for each succeeding fiscal year, the amount appropriated for the preceding year indexed to inflation. Requires entities that carry out programs or activities that receive funds under this section to pay teachers a livable and competitive annual salary that is not less than \$60,000 and that increases regularly throughout a teacher’s career.

## TITLE II—INCREASING TEACHER PAY

**Sec. 201. State teacher pay plan addendum.**

Amends ESEA to require States to submit a new Title I-A state plan addendum not less than 12 months after the date the Secretary finalizes regulations related to the implementation of the *Pay Teachers Act* (PTA). The state plan addendum collects data from States regarding their average statewide and local teacher salaries, their efforts to increase State investments in public education to support increasing salaries and wages for teachers and other school staff, and the State’s efforts to improve the equitable distribution of teachers. Additionally, the state plan addendum requires States to indicate whether the State will: (1) comply with the teacher pay requirements specified in section 1111(i)(2), as amended in section 202 of the PTA, within 3 years after submitting their addendum; or (2) request to participate in the “Teacher Salary Improvement Pathway.”

**Sec. 202. Paying teachers a livable and competitive wage.**

Amends ESEA to insert a new subsection in section 1111. Codifies new federal definitions for the terms “annual adjustment percentage”, “annual base salary”, “consumer price index”, “minimum statewide salary for teachers”, and “teacher”. Determined by States, the “minimum statewide salary for teachers” is the minimum annual base salary that the State requires all school districts to compensate full-time, fully-certified teachers. This amount is required to be not less than \$60,000 and such amount increases each five-year period at a rate indexed to inflation.

Under the new subsection, States that receive Title I-A are required to ensure that teachers employed by local educational agencies in their States are compensated an annual base salary that is not less than the minimum salary for teachers. States are also required to demonstrate, in accordance with procedures determined by the Secretary, that teachers employed by local educational agencies are paid a livable and competitive salary that increases throughout their career and is at least commensurate with similarly college-educated and experienced professionals in the region in which their employers are located. The Secretary is required to ensure that, not later than 4 years after the date of implementation of the final regulations issued in accordance with section 5 of the Pay Teachers Act, each State that receives assistance under Title I, Part A this part meets two the teacher salary requirements.

However, recognizing that States vary in resources and in fiscal circumstances, the bill includes a “Teacher Salary Improvement Pathway” that provides additional flexibilities and an extended timeline for eligible States to comply with the two teacher salary requirements. Eligible States must meet at least one of the following criteria: (1) have an annual starting statewide teacher salary average that was less than \$45,000 in the 2022-2023 school year; (2) 50 percent or more of the teachers employed by local educational agencies in the State did not receive an annual base salary of \$60,000 or more in the 2022-2023 school year; or (3) demonstrate substantial need for the extended timeline to comply with the teacher salary requirements. In order to participate in the Teacher Salary Improvement Pathway, a State must submit a request that:

- Identifies the average statewide and local average annual teacher salary baselines based on given years of service in the teaching profession in the 2022-2023 school year.
- Establishes statewide annual goals and a timeline of not more than six years after receipt of the request’s approval where all teachers employed by local educational agencies in the State are paid a livable and competitive salary that is at least \$60,000, increases throughout their career, and is at least commensurate with similarly college-educated and experienced professionals in the region in which their employers are located.
- Describes the State’s plan to require local educational agencies that do not compensate their teachers the minimum salary for teachers to, at a minimum, increase the salaries of their teachers consistent with the statewide annual goals.
- Describes the State’s plan to increase funding for local educational agencies to increase salaries and wages for teachers and other school staff in a manner that does not increase average class sizes or full-time equivalent teacher-to-student ratios at the State, local educational agency, or school level, reduce planning time, or require teachers to teach additional classes.
- Allows public comment on their request to participate in the Teacher Salary Improvement Pathway.

If a State demonstrates substantial progress in meeting its annual statewide goals and demonstrates the need for additional flexibility, such a State may request to revise their statewide annual goals not earlier than 3 years after their request to participate is approved, if the Secretary determines such revisions will help the State continue to make significant progress in meeting such requirements. Six years after receipt of the request’s approval, States in the Teacher Salary

Improvement Pathway that do not yet meet the two teacher pay requirements may submit subsequent requests to participate in the pathway again, if the State demonstrates to the Secretary that the initial request has been effective in enabling the State to increase teacher salaries in a manner that made significant progress in reaching the two teacher pay requirements. Additionally, States participating in the Teacher Salary Improvement Pathway are required to submit an annual report on their progress to increase teacher salaries, increase state investments in public education, and their efforts to improve the equitable distribution of teachers.

The bill also requires States to, not less than every five years, examine and address fiscal inequities among schools and local educational agencies in the State, including by working with stakeholders to identify the quartile of schools serving the greatest number and percentage of students from low-income backgrounds, and implement State and local actions to increase per-pupil expenditures at such schools to an amount that is not less than the average per-pupil expenditure of the quartile of local educational agencies with the greatest per-pupil expenditures in the State.

The bill includes additional requirements for States' annual report to the Secretary to include: 1) data demonstrating that States are complying with the teacher pay requirements or the requirements specified under the Teacher Salary Improvement Pathway; and 2) a description of the evidence-based strategies the State implemented to reduce the number and percentage of teachers teaching without full certification and licensure overall and in schools served by local educational agencies that serve high numbers or percentages of students from low-income backgrounds, racial and ethnic minorities, students with disabilities, and English learners, and the evidence-based strategies the State implemented to meet the equitable distribution of teachers requirements specified in subsections (g)(1)(B) of section 1111.

The bill also includes rules of construction related to supporting collective bargaining and ensuring that nothing in the subsection should be construed to limit States or local educational agencies from providing supplemental pay to teachers above the annual base pay. The bill also specifies that waiver authority under section 8401 of ESEA does not apply to requirements under this subsection.

**Sec. 203. Technical assistance to support the equitable distribution of in-field, experienced, and effective teachers.**

Amends the equitable distribution requirements of teachers requirements in section (g)(1)(B) of ESEA by extending the requirement to capture students with disabilities and English learners, and amends section 1111(g)(2)(J) to require the State to submit an assurance that the State educational agency will implement evidenced-based strategies to reduce the number and percentage of teachers and paraprofessionals teaching without full certification and licensure overall and in schools served by local educational agencies that serve high numbers or percentages of students from low-income backgrounds, racial and ethnic minorities, students with disabilities, and English learners. Similarly, the bill amends plan requirements for local educational agencies in section 1112(b)(2) to extend equitable distribution requirements of teachers to capture students with disabilities and English learners, and submit a similar local

assurance related to implementing evidence-based practices to address any disproportionality across public schools.

Provides \$3 million annually to the Department of Education to provide technical assistance and help ensure equitable teacher requirements in ESEA are being met and requires a biannual report to Congress on such issues.

**Sec. 204. Improving resource equity at schools identified for improvement.**

Requires that local educational agencies with schools identified for comprehensive support and improvement identify and propose a plan to mitigate resource inequities and to increase educational opportunities, including the equitable access to qualified teachers. Requires that schools identified for additional targeted support identify resource inequities, including the examination of the local educational agency and school level budgeting, and requires schools identified for targeted support and improvement to identify and propose a plan to mitigate resource inequities and to increase educational opportunities, including the equitable access to qualified teachers in such school.

**Sec. 205. Strengthening per-pupil expenditure reporting.**

Proposes additional reporting requirements in States' annual report to the Secretary to increase reporting on average per-pupil expenditures. Amends section 1112(e)(1) related to parents-right-to-know to require all schools served by a local educational agency to provide parents with information related to resource equity, including the per-pupil expenditure at their child's school, and whether the per-pupil expenditure at their child's school is below the average of the local educational agency and State, respectively.

**Sec. 206. Maintenance of equity.**

Modeled after the maintenance of equity provision in the *American Rescue Plan Act*, the bill codifies maintenance of equity in ESEA to prevent the disproportionate reduction of State per-pupil funding for high-need local educational agencies between fiscal years, and to prevent any reduction in State per-pupil funding for high-need local educational agencies between fiscal years.

**Sec. 207. State administration.**

Increases the cap on how much States may reserve from Title I-A for program administration from \$400,000 to \$1.2 million to align with the tripling of funding. Additionally, the bill allows States to reserve up to 0.5% in a set-aside of Title I-A to improve fiscal and resource adequacy and equity to carry out specified activities.

**Sec. 208. National Academies Study to Improve ESEA's Resource Equity Requirements**

Provides \$1.5 million to require the Department of Education to contract with the National Academies of Sciences, Engineering, and Medicine to conduct and make publicly available a study of how to improve Federal requirements designed to ensure that public schools and local educational agencies that serve a high number or percentage of underserved groups of students,

including students from low-income backgrounds, students of color, English learners, students with disabilities, students experiencing homelessness, and children and youth in the foster care system, receive an adequate and equitable share of State and local funds. The bill requires the study to make recommendations related to improving policies related to comparability as described in section 1118(c), and the supplement, not supplant requirements under section 1118(b).

## **TITLE III—INVESTING IN THE TEACHING PROFESSION**

### **Sec. 301. Mandatory appropriations for the Teacher Quality Partnerships and Grow Your Own Programs.**

Amends the Higher Education Act (HEA) to authorize a new Grow Your Own program within the Teacher Quality Partnership (TQP) grant program and provides \$550 million for TQP grants in fiscal year 2024 and for each succeeding fiscal year, the amount appropriated for the preceding year indexed to inflation to support GYO and teacher residencies.

### **Sec. 302. Mandatory appropriations for the Augustus F. Hawkins Centers of Excellence program.**

Appropriates \$150 million for the Augustus F. Hawkins Centers of Excellence program in fiscal year 2024 and for each succeeding fiscal year, the amount appropriated for the preceding year indexed to inflation, to support teacher preparation at Historically Black Colleges and Universities (HBCUs), Tribal Colleges and Universities (TCUs), and other minority-serving institutions (MSIs).

### **Sec. 303. Mandatory appropriations for personnel development to improve services and results for children with disabilities under Part D of the Individuals with Disabilities Education Act (IDEA).**

Appropriates \$300 million for Part D of IDEA in fiscal year 2024 and for each succeeding fiscal year, the amount appropriated for the preceding year indexed to inflation, to support the special education personnel pipeline.

### **Sec. 304. Mandatory appropriations for the Supporting Effective Educator Development (SEED) program.**

Appropriates \$100 million for the SEED program in fiscal year 2024 and for each succeeding fiscal year, the amount appropriated for the preceding year indexed to inflation, to support the teaching profession with a priority for partnerships between state or local educational agencies non-profits, and institutions of higher education.

### **Sec. 305. Mandatory appropriations for the Teacher and School Leader Incentive program.**

Appropriates \$100 million for the Teacher and School Leader Incentive program in fiscal year 2024 and for each succeeding fiscal year, the amount appropriated for the preceding year indexed to inflation, and directs funding to be used to increase opportunities for teacher leadership and professional advancement.

