



The State of Texas
House of Representatives
Committee on Public Education

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MBJ

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Ernestine V. Glossbrenner . Chair

June 9, 1992

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The Honorable Dan Morales
Attorney General of Texas
P. O. Box 12548
Austin, Texas 78711-2548

Opinion Committee

Dear Attorney General Morales:

I would like to request an attorney general's opinion on the following question: When may a school district reduce the amount of the career ladder supplements pursuant to Chapter 19 of the Texas Administrative Procedure Act, Section 149.71(1)6)?

Districts may reduce the amount of the career ladder on a pro rata basis utilizing the number of days of employment, not the date when the award is made, when the teacher is employed for fewer than 183 days.

Does the term "employed" refer to days the teacher actually performs work, or does it refer to a teacher's status of being employed (as opposed to being unemployed?)

Please respond whether supplemental pay may be reduced with respect to the following situations:

- 1) A teacher who did not work 183 days in a school because she took unpaid sick leave. (She had no accrued sick leave from which to draw).
- 2) A teacher who did not work 183 days in a school year because she was on worker's compensation disability leave. (She had no accrued sick leave at the time).

Please let me know if you need further information. Thank you for your assistance.

Sincerely,

Ernestine V. Glossbrenner
Chair, Committee on Public Education

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