

119TH CONGRESS
1ST SESSION

S. _____

To ensure that paraprofessionals and education support staff are paid a living wage.

IN THE SENATE OF THE UNITED STATES

Mr. MARKEY introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To ensure that paraprofessionals and education support staff are paid a living wage.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Pay Paraprofessionals
5 and Support Staff Act”.

6 **SEC. 2. PAY PARAPROFESSIONALS AND EDUCATION SUP-**
7 **PORT STAFF ACT.**

8 (a) DEFINITIONS.—In this section:

9 (1) ESEA.—The terms “English learner”,
10 “local educational agency”, “paraprofessional”,

1 “professional development”, “Secretary”, and
2 “State” have the meanings given the terms in sec-
3 tion 8101 of the Elementary and Secondary Edu-
4 cation Act of 1965 (20 U.S.C. 7801).

5 (2) ANNUAL ADJUSTMENT PERCENTAGE.—The
6 term “annual adjustment percentage” means, with
7 respect to a fiscal year, a percentage equal to the es-
8 timated percentage change in the Consumer Price
9 Index, as determined by the Secretary, for the most
10 recent calendar year ending prior to the beginning of
11 such fiscal year.

12 (3) MINIMUM SALARY FOR PARAPROFESSIONAL
13 AND EDUCATION SUPPORT STAFF.—

14 (A) IN GENERAL.—The term “minimum
15 salary for paraprofessional and education sup-
16 port staff” means an amount, determined by
17 the State, that all full-time equivalent employ-
18 ees employed by a local educational agency are
19 required by the State to be compensated by
20 such agency as their annual base salary, and
21 which—

22 (i) is greater than the amount de-
23 scribed in subparagraph (B); and

24 (ii) increases as the experience of such
25 school staff increases.

1 (B) INDEXING SALARY GROWTH TO INFLA-
2 TION.—

3 (i) FISCAL YEARS 2026 THROUGH
4 2030.—For each of fiscal years 2026
5 through 2030, the amount described in
6 this subparagraph is \$45,000.

7 (ii) FISCAL YEARS 2031 AND AFTER.—
8 For each fiscal year in the fiscal year pe-
9 riod 2031 through 2035 and in each subse-
10 quent 5 fiscal year period, the amount de-
11 scribed this subparagraph shall be equal to
12 the amount applicable for each fiscal year
13 in the previous 5 fiscal year period, in-
14 creased by the greater of—

15 (I) the aggregate annual adjust-
16 ment percentage over the previous 5
17 fiscal years; or

18 (II) 2 percent of the amount ap-
19 plicable under this subsection for the
20 previous 5 fiscal year period.

21 (4) MINIMUM WAGE FOR PARAPROFESSIONAL
22 AND EDUCATION SUPPORT STAFF.—

23 (A) IN GENERAL.—The term “minimum
24 wage for paraprofessional and education sup-
25 port staff” means an amount, determined by

the State, that all part-time equivalent staff employed by a local educational agency are required by the State to be paid by such agency, and which—

(i) is greater than the amount described in subparagraph (B); and

(ii) increases as the experience of such school staff increases.

(B) INDEXING SALARY GROWTH TO INFLATION.—

(i) FISCAL YEARS 2026 THROUGH 2030.—For each of fiscal years 2026 through 2030, the amount described in this subparagraph is \$30.00 an hour.

(ii) FISCAL YEARS 2031 AND AFTER.—For each fiscal year in the fiscal year period 2031 through 2035 and in each subsequent 5 fiscal year period, the amount described this subparagraph shall be equal to the amount applicable for each fiscal year in the previous 5 fiscal year period, increased by the greater of—

(I) the aggregate annual adjustment percentage over the previous 5 fiscal years; or

1 (II) 2 percent of the amount ap-
2 plicable under this subsection for the
3 previous 5 fiscal year period.

4 (b) PURPOSE.—The purpose of this section is to en-
5 sure that paraprofessionals and education support staff,
6 who are the backbone of our Nation’s public education sys-
7 tem, are—

8 (1) paid a living wage, which means—

9 (A) a minimum salary for paraprofessional
10 and education support staff; or

11 (B) a minimum wage for paraprofessional
12 and education support staff;

13 (2) compensated in a manner that recognizes
14 some regions may have higher costs of living and
15 therefore necessitate higher minimum salaries or
16 wages;

17 (3) recognized as public servants who provide
18 essential services that keep our Nation’s public
19 schools running and our students thriving; and

20 (4) provided safe working conditions and treat-
21 ed with the respect and dignity they deserve.

22 (c) AUTHORIZATION AND APPROPRIATIONS.—In ad-
23 dition to amounts otherwise available, there are authorized
24 to be appropriated and there are appropriated out of any

1 money in the Treasury not otherwise appropriated, to the
2 Department of Education, to carry this section—

3 (1) for fiscal year 2026, \$25,000,000,000; and

4 (2) for each succeeding fiscal year, the amount
5 appropriated under this section for the preceding fis-
6 cal year, increased by the annual adjustment per-
7 centage.

8 (d) AUTHORIZATION OF GRANTS.—

9 (1) RESERVATIONS.—From the total amount
10 appropriated under subsection (c) for a fiscal year,
11 the Secretary shall reserve not more than—

12 (A) 1 percent to provide grants, contracts,
13 or cooperative agreements to regional edu-
14 cational laboratories (established under section
15 174 of the Education Sciences Reform Act of
16 2002 (20 U.S.C. 9564) or qualified nonprofit
17 organizations to assist States that receive
18 grants under this section carry out applied re-
19 search or evaluations in providing paraprofes-
20 sionals and education support staff with oppor-
21 tunities for personnel preparation, professional
22 development, credentials, or certifications, such
23 as to assist in the provision of special education
24 and related services or to serve English learn-
25 ers; and

1 (B) 1 percent for technical assistance and
2 program administration of this section.

3 (2) GRANTS.—The Secretary shall award
4 grants to States from allotments under paragraph
5 (3) to ensure that all local educational agencies have
6 the resources necessary to pay paraprofessionals and
7 education support staff a living wage, which
8 means—

9 (A) the minimum salary for paraprofes-
10 sional and education support staff; or

11 (B) a minimum wage for paraprofessional
12 and education support staff.

13 (3) ALLOTMENTS.—From the amounts appro-
14 priated under subsection (b) that are remaining
15 after making the reservations described in paragraph
16 (1) for a fiscal year, the Secretary shall allot to each
17 State that has submitted an approved application
18 under subsection (d), an amount that bears the
19 same relationship to the remainder as the amount
20 the State received under part A of title I of the Ele-
21 mentary and Secondary Education Act of 1965 (20
22 U.S.C. 6311 et seq.) for the preceding fiscal year
23 bears to the amount all States received under that
24 subpart for the preceding fiscal year.

1 (e) STATE APPLICATION.—In order to receive a grant
2 under this section, a State shall submit an application to
3 the Secretary at such time, in such manner, and including
4 such information as the Secretary may reasonably require,
5 including the following:

6 (1) A timeline, consistent with the goals re-
7 quired under paragraph (2), to ensure that, not later
8 than 4 years after the receipt of a grant under this
9 section—

10 (A) the annual base salary of a full-time
11 equivalent employee employed by a local edu-
12 cational agency in the State is not less than the
13 minimum salary for paraprofessional and edu-
14 cation support staff, as determined by the
15 State; and

16 (B) all part-time equivalent staff employed
17 by a local educational agency in the State are
18 paid not less than the minimum wage for para-
19 professional and education support staff, as de-
20 termined by the State.

21 (2) For each fiscal year in the timeline specified
22 in paragraph (1), statewide annual goals for increas-
23 ing average salary or wage baselines of paraprofes-
24 sionals and education support staff in a manner
25 that—

1 (A) annually proposes a percentage in-
2 crease in the average wage or salary of para-
3 professionals and education support staff;

4 (B) provides for the first increase to occur
5 not later than the second fiscal year a State re-
6 ceives a grant under this section; and

7 (C) makes significant progress toward en-
8 suring that, by the end of the timeline described
9 in subparagraph (A)—

10 (i) the annual base salary of a full-
11 time equivalent employee employed by a
12 local educational agency in the State is not
13 less than the minimum salary for para-
14 professional and education support staff,
15 as determined by the State; and

16 (ii) all part-time equivalent staff em-
17 ployed by a local educational agency in the
18 State are paid not less than the minimum
19 wage for paraprofessional and education
20 support staff, as determined by the State.

21 (3) The State's proposed formula to subgrant
22 funds to local educational agencies as described in
23 subsection (g) in a manner that ensures—

24 (A) local educational agencies that serve a
25 high number or percentage of students from

1 low-income backgrounds receive substantial
2 subgrant allocations that enable such agencies
3 to meet the requirements described in subpara-
4 graphs (A) and (B) of paragraph (1) not later
5 than 2 years after the receipt of a subgrant;
6 and

7 (B) all remaining local educational agen-
8 cies in the State meet the State's requirements
9 in the timeline described in paragraph (1).

10 (f) IMPROVING PARAPROFESSIONAL AND SCHOOL
11 STAFF WAGES AND SALARIES.—

12 (1) STATE RESERVATION.—A State that re-
13 ceives a grant under this section may reserve not
14 more than 2 percent of the total grant amount re-
15 ceived by the State for technical assistance, adminis-
16 trative purposes, and statewide efforts to provide
17 paraprofessionals and education support staff with
18 opportunities for personnel preparation, professional
19 development, credentials, or certifications, such as to
20 assist in the provision of special education and re-
21 lated services or to serve English learners.

22 (2) IMPROVING WAGES AND SALARIES.—

23 (A) IN GENERAL.—Subject to subpara-
24 graph (B), a State that receives a grant under
25 this section shall ensure that, within a timeline

1 determined by the State under subsection (e)(1)
2 and approved by the Secretary—

3 (i) the annual base salary of a full-
4 time equivalent employee employed by a
5 local educational agency in the State is not
6 less than the minimum salary for para-
7 professional and education support staff,
8 as determined by the State; and

9 (ii) all part-time equivalent staff em-
10 ployed by a local educational agency in the
11 State are paid not less than the minimum
12 wage for paraprofessional and education
13 support staff, as determined by the State.

14 (B) TIMING.—The Secretary shall ensure
15 that, by not later than 4 years after the date
16 of implementation of the final regulations
17 issued under this Act, each State that receives
18 a grant under this section meets the salary and
19 wage requirements specified in subparagraph
20 (A).

21 (g) SUBGRANTS TO LOCAL EDUCATIONAL AGEN-
22 CIES.—

23 (1) ALLOCATION.—Each State shall allocate
24 not less than 98 percent of the grant funds awarded
25 to the State under this section as subgrants to local

1 educational agencies (including charter schools that
2 are local educational agencies) in the State under
3 the formula determined by the State under sub-
4 section (e)(3) and approved by the Secretary.

5 (2) USES OF SUBGRANT FUNDS.—A local edu-
6 cational agency that receives a subgrant under para-
7 graph (1)—

8 (A) shall use the subgrant funds to comply
9 with the State's requirements in accordance
10 with subsection (e) guaranteeing that no full-
11 time equivalent employee of the agency is paid
12 less than the minimum salary for paraprofes-
13 sional and education support staff and no part-
14 time equivalent employee of the agency is paid
15 less than the minimum wage for paraprofes-
16 sional and education support staff; and

17 (B) may use subgrant funds—

18 (i) to increase salaries or wages for
19 teachers, paraprofessionals, specialized in-
20 structional support personnel, classified
21 school employees, principals, other school
22 leaders, school librarians, school bus driv-
23 ers, and other staff across their careers;
24 and

1 (ii) to provide paraprofessionals and
2 education support staff with opportunities
3 for personnel preparation, professional de-
4 velopment, credentials, or certifications,
5 such as to assist in the provision of special
6 education and related services or to serve
7 English learners.

8 (3) CONTRACTED STAFF.—

9 (A) IN GENERAL.—A local educational
10 agency that receives a subgrant under this sec-
11 tion shall ensure that staff employed by such
12 agency or in any contract such agency enters
13 into, are paid an amount not less than the min-
14 imum salary for paraprofessionals and edu-
15 cation support staff or the minimum wage for
16 paraprofessionals and education support staff in
17 the State.

18 (B) MONITORING.—A State that receives a
19 grant under this section shall monitor local edu-
20 cational agencies for compliance with subpara-
21 graph (A).

22 (h) RULES.—

23 (1) RULE OF CONSTRUCTION FOR COLLECTIVE
24 BARGAINING.—

1 (A) IN GENERAL.—Subject to subpara-
2 graph (B), nothing in this Act shall be con-
3 strued to alter or otherwise affect the rights,
4 remedies, and procedures afforded to school or
5 local educational agency employees under Fed-
6 eral, State, or local laws (including applicable
7 regulations or court orders) or under the terms
8 of collective bargaining agreements, memoranda
9 of understanding, or other agreements between
10 such employers and their employees.

11 (B) COMPLIANCE.—Subparagraph (A)
12 shall not be construed to exempt a State, local
13 educational agency, or school from complying
14 with salary or wage requirements in this Act or
15 from negotiating in compliance with State labor
16 laws to comply with this Act.

17 (2) RULE OF CONSTRUCTION FOR ADDITIONAL
18 PAY OR OTHER SALARY AUGMENTING SYSTEMS.—
19 Nothing in this Act shall be construed to prevent
20 States or local educational agencies from
21 supplementing the annual base salary of teachers,
22 paraprofessionals, education support staff, or other
23 staff employed by such agencies—

24 (A) for additional skills, knowledge, duties,
25 and responsibilities;

1 (B) by salary systems that increase teach-
2 ers' compensation through supplemental pay
3 that is not part of an annual base salary; or

4 (C) through the provision of bonuses, sti-
5 pends, or awards.

6 (3) NO WAIVER AUTHORITY.—Section 8401 of
7 the Elementary and Secondary Education Act of
8 1965 (20 U.S.C. 7861) shall not apply to this Act.

9 (4) SUPPLEMENT NOT SUPPLANT.—

10 (A) IN GENERAL.—A State shall use Fed-
11 eral funds received under this Act only to sup-
12 plement the funds that would, in the absence of
13 such Federal funds, be made available from
14 State and local sources for elementary and sec-
15 ondary education, and not to supplant State
16 and local funds.

17 (B) COMPLIANCE.—The Secretary shall
18 use funds described in subsection (d)(1)(B) to
19 administer programs authorized under this sub-
20 part and to issue technical assistance to States
21 and to monitor and enforce the requirements
22 under such programs.