

By the Committee on Education Pre-K - 12; and Senator Villalobos

581-03930-09

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1 A bill to be entitled
2 An act relating to school districts; amending s.
3 1012.22, F.S.; requiring that each district school
4 board adopt the district school superintendent's
5 recommendations relating to compensation and salary
6 schedules unless 66 percent of the district school
7 board members vote to reject such recommendations;
8 amending s. 1012.27, F.S.; revising provisions
9 relating to the district school superintendent's duty
10 to prepare and recommend salary schedules for adoption
11 by the district school board; prohibiting the school
12 superintendent from recommending an increase in salary
13 schedules of administrative personnel or managers if
14 the salary schedules of instructional personnel and
15 educational support employees have not been increased;
16 requiring that the school superintendent review the
17 salary schedules of all administrative personnel and
18 managers to ensure that no person is paid in excess of
19 twice the district's average salary of classroom
20 teachers for the prior academic year; requiring that
21 the school superintendent recommend corrective action
22 to address any pay disparity; providing for
23 severability; providing an effective date.

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25 Be It Enacted by the Legislature of the State of Florida:

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27 Section 1. Paragraph (c) of subsection (1) of section
28 1012.22, Florida Statutes, is amended to read:
29 1012.22 Public school personnel; powers and duties of the

581-03930-09

20092466c1

30 district school board.—The district school board shall:

31 (1) Designate positions to be filled, prescribe
32 qualifications for those positions, and provide for the
33 appointment, compensation, promotion, suspension, and dismissal
34 of employees as follows, subject to the requirements of this
35 chapter:

36 (c) *Compensation and salary schedules.*—

37 1. The district school board shall adopt a salary schedule
38 or salary schedules designed to furnish incentives for
39 improvement in training and for continued efficient service to
40 be used as a basis for paying all school employees and fix and
41 authorize the compensation of school employees on the basis
42 thereof.

43 2. A district school board, in determining the salary
44 schedule for instructional personnel, must base a portion of
45 each employee's compensation on performance demonstrated under
46 s. 1012.34, must consider the prior teaching experience of a
47 person who has been designated state teacher of the year by any
48 state in the United States, and must consider prior professional
49 experience in the field of education gained in positions in
50 addition to district level instructional and administrative
51 positions.

52 3. In developing the salary schedule, the district school
53 board shall seek input from parents, teachers, and
54 representatives of the business community.

55 4. Beginning with the 2007-2008 academic year, each
56 district school board shall adopt a salary schedule with
57 differentiated pay for both instructional personnel and school-
58 based administrators. The salary schedule is subject to

581-03930-09

20092466c1

59 negotiation as provided in chapter 447 and must allow
60 differentiated pay based on district-determined factors,
61 including, but not limited to, additional responsibilities,
62 school demographics, critical shortage areas, and level of job
63 performance difficulties.

64 5. Beginning with the 2009-2010 academic year, each
65 district school board shall adopt the district school
66 superintendent's recommendations relating to the compensation
67 and salary schedules pursuant to s. 1012.27(2) unless 66 percent
68 of the district school board members vote to reject such
69 recommendations.

70 Section 2. Subsection (2) of section 1012.27, Florida
71 Statutes, is amended to read:

72 1012.27 Public school personnel; powers and duties of
73 district school superintendent.—The district school
74 superintendent is responsible for directing the work of the
75 personnel, subject to the requirements of this chapter, and in
76 addition the district school superintendent shall perform the
77 following:

78 (2) COMPENSATION AND SALARY SCHEDULES.—

79 (a) Prepare and recommend to the district school board for
80 adoption a salary schedule or salary schedules.

81 (b) In developing or recommending a salary schedule or
82 salary schedules, the district school superintendent:

83 1. ~~The district school superintendent~~ Must recommend a
84 salary schedule for instructional personnel which bases a
85 portion of each employee's compensation on performance
86 demonstrated under s. 1012.34.

87 2. ~~In developing the recommended salary schedule, the~~

581-03930-09

20092466c1

88 ~~district school superintendent~~ Shall include input from parents,
89 teachers, and representatives of the business community.

90 3. Shall recommend a Beginning with the 2007-2008 academic
91 year, the recommended salary schedule for classroom teachers
92 ~~shall be~~ consistent with the district's differentiated-pay
93 policy based upon s. 1012.22.

94 4. Beginning with the 2009-2010 academic year, shall
95 recommend increases to the salary schedules of administrative
96 personnel or managers only if the salary schedules of
97 instructional personnel, as defined in s. 1012.01(2), and
98 educational support employees, as defined in s. 1012.01(6), have
99 also been increased, before or at the same time as the proposed
100 salary increases for administrative personnel or managers, by a
101 percentage greater than that proposed for any of the
102 administrative personnel or managers.

103 5. Beginning with the 2009-2010 academic year, shall review
104 the salary schedules of all administrative personnel and manager
105 positions and ensure that no person is paid in excess of twice
106 the district's average salary of classroom teachers for the
107 prior academic year. If the school superintendent finds that a
108 person is receiving more than twice the district's average
109 salary of classroom teachers for the prior academic year, the
110 school superintendent shall recommend corrective action to
111 address the pay disparity by reducing the administrative
112 personnel or manager salary or commensurately increasing the
113 salary schedule and salaries of classroom teachers.

114 Section 3. If any provision of this act or its application
115 to any person or circumstance is held invalid, the invalidity
116 does not affect other provisions or applications of the act

581-03930-09

20092466c1

117 which can be given effect without the invalid provision or
118 application, and to this end the provisions of this act are
119 severable.

120 Section 4. This act shall take effect July 1, 2009.

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