

By Senator Thompson

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1 A bill to be entitled  
 2 An act relating to public school personnel; amending  
 3 s. 1012.22, F.S.; authorizing additional criteria for  
 4 the use of advanced degrees in setting salary  
 5 schedules; providing an effective date.

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 7 Be It Enacted by the Legislature of the State of Florida:  
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9 Section 1. Paragraph (c) of subsection (1) of section  
 10 1012.22, Florida Statutes, is amended to read:

11 1012.22 Public school personnel; powers and duties of the  
 12 district school board.—The district school board shall:

13 (1) Designate positions to be filled, prescribe  
 14 qualifications for those positions, and provide for the  
 15 appointment, compensation, promotion, suspension, and dismissal  
 16 of employees as follows, subject to the requirements of this  
 17 chapter:

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

19 1. Definitions.—As used in this paragraph:

20 a. "Adjustment" means an addition to the base salary  
 21 schedule that is not a bonus and becomes part of the employee's  
 22 permanent base salary and shall be considered compensation under  
 23 s. 121.021(22).

24 b. "Grandfathered salary schedule" means the salary  
 25 schedule or schedules adopted by a district school board before  
 26 July 1, 2014, pursuant to subparagraph 4.

27 c. "Instructional personnel" means instructional personnel  
 28 as defined in s. 1012.01(2)(a)-(d), excluding substitute  
 29 teachers.

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30 d. "Performance salary schedule" means the salary schedule  
31 or schedules adopted by a district school board pursuant to  
32 subparagraph 5.

33 e. "Salary schedule" means the schedule or schedules used  
34 to provide the base salary for district school board personnel.

35 f. "School administrator" means a school administrator as  
36 defined in s. 1012.01(3)(c).

37 g. "Supplement" means an annual addition to the base salary  
38 for the term of the negotiated supplement as long as the  
39 employee continues his or her employment for the purpose of the  
40 supplement. A supplement does not become part of the employee's  
41 continuing base salary but shall be considered compensation  
42 under s. 121.021(22).

43 2. Cost-of-living adjustment.—A district school board may  
44 provide a cost-of-living salary adjustment if the adjustment:

45 a. Does not discriminate among comparable classes of  
46 employees based upon the salary schedule under which they are  
47 compensated.

48 b. Does not exceed 50 percent of the annual adjustment  
49 provided to instructional personnel rated as effective.

50 3. Advanced degrees.—A district school board may not use  
51 advanced degrees in setting a salary schedule for instructional  
52 personnel or school administrators hired on or after July 1,  
53 2011, unless the advanced degree:

54 a. Is held in the individual's area of certification;

55 b. Is in the subject area that the individual is currently  
56 teaching; or

57 c. Is identified by the school district as having  
58 application that is relevant to school-based learning.

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An advanced degree may be used only for purposes of ~~and is only~~  
a salary supplement.

4. Grandfathered salary schedule.—

a. The district school board shall adopt a salary schedule or salary schedules to be used as the basis for paying all school employees hired before July 1, 2014. Instructional personnel on annual contract as of July 1, 2014, shall be placed on the performance salary schedule adopted under subparagraph 5. Instructional personnel on continuing contract or professional service contract may opt into the performance salary schedule if the employee relinquishes such contract and agrees to be employed on an annual contract under s. 1012.335. Such an employee shall be placed on the performance salary schedule and may not return to continuing contract or professional service contract status. Any employee who opts into the performance salary schedule may not return to the grandfathered salary schedule.

b. In determining the grandfathered salary schedule for instructional personnel, a district school board must base a portion of each employee's compensation upon performance demonstrated under s. 1012.34 and shall provide differentiated pay for both instructional personnel and school administrators based upon district-determined factors, including, but not limited to, additional responsibilities, school demographics, critical shortage areas, and level of job performance difficulties.

5. Performance salary schedule.—By July 1, 2014, the district school board shall adopt a performance salary schedule

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88 that provides annual salary adjustments for instructional  
89 personnel and school administrators based upon performance  
90 determined under s. 1012.34. Employees hired on or after July 1,  
91 2014, or employees who choose to move from the grandfathered  
92 salary schedule to the performance salary schedule shall be  
93 compensated pursuant to the performance salary schedule once  
94 they have received the appropriate performance evaluation for  
95 this purpose. However, a classroom teacher whose performance  
96 evaluation utilizes student learning growth measures established  
97 under s. 1012.34(7)(e) shall remain under the grandfathered  
98 salary schedule until his or her teaching assignment changes to  
99 a subject for which there is an assessment or the school  
100 district establishes equally appropriate measures of student  
101 learning growth as defined under s. 1012.34 and rules of the  
102 State Board of Education.

103 a. Base salary.—The base salary shall be established as  
104 follows:

105 (I) The base salary for instructional personnel or school  
106 administrators who opt into the performance salary schedule  
107 shall be the salary paid in the prior year, including  
108 adjustments only.

109 (II) Beginning July 1, 2014, instructional personnel or  
110 school administrators new to the district, returning to the  
111 district after a break in service without an authorized leave of  
112 absence, or appointed for the first time to a position in the  
113 district in the capacity of instructional personnel or school  
114 administrator shall be placed on the performance salary  
115 schedule.

116 b. Salary adjustments.—Salary adjustments for highly

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117 effective or effective performance shall be established as  
118 follows:

119 (I) The annual salary adjustment under the performance  
120 salary schedule for an employee rated as highly effective must  
121 be greater than the highest annual salary adjustment available  
122 to an employee of the same classification through any other  
123 salary schedule adopted by the district.

124 (II) The annual salary adjustment under the performance  
125 salary schedule for an employee rated as effective must be equal  
126 to at least 50 percent and no more than 75 percent of the annual  
127 adjustment provided for a highly effective employee of the same  
128 classification.

129 (III) The performance salary schedule shall not provide an  
130 annual salary adjustment for an employee who receives a rating  
131 other than highly effective or effective for the year.

132 c. Salary supplements.—In addition to the salary  
133 adjustments, each district school board shall provide for salary  
134 supplements for activities that must include, but are not  
135 limited to:

136 (I) Assignment to a Title I eligible school.

137 (II) Assignment to a school that earned a grade of "F" or  
138 three consecutive grades of "D" pursuant to s. 1008.34 such that  
139 the supplement remains in force for at least 1 year following  
140 improved performance in that school.

141 (III) Certification and teaching in critical teacher  
142 shortage areas. Statewide critical teacher shortage areas shall  
143 be identified by the State Board of Education under s. 1012.07.  
144 However, the district school board may identify other areas of  
145 critical shortage within the school district for purposes of

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146 this sub-sub-subparagraph and may remove areas identified by the  
147 state board which do not apply within the school district.

148 (IV) Assignment of additional academic responsibilities.  
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150 If budget constraints in any given year limit a district school  
151 board's ability to fully fund all adopted salary schedules, the  
152 performance salary schedule shall not be reduced on the basis of  
153 total cost or the value of individual awards in a manner that is  
154 proportionally greater than reductions to any other salary  
155 schedules adopted by the district.

156 Section 2. This act shall take effect July 1, 2013.