

By Senator Mayfield

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1 A bill to be entitled
2 An act relating to instructional personnel and school
3 administrator salary schedules; amending s. 1012.22,
4 F.S.; removing a definition; authorizing a district
5 school board to use an advanced degree in setting a
6 salary schedule for specified employees; requiring
7 each district school board to adopt a salary schedule
8 for specified employees; authorizing, rather than
9 requiring, a district school board to adopt a
10 performance salary schedule; providing requirements
11 for setting the base salary for specified personnel
12 under the performance salary schedule; authorizing,
13 rather than requiring, a district school board to
14 provide for specified salary supplements; amending ss.
15 24.121 and 1002.333, F.S.; conforming provisions to
16 changes made by the act; providing an effective date.
17

18 Be It Enacted by the Legislature of the State of Florida:
19

20 Section 1. Paragraph (c) of subsection (1) of section
21 1012.22, Florida Statutes, is amended to read:

22 1012.22 Public school personnel; powers and duties of the
23 district school board.—The district school board shall:

24 (1) Designate positions to be filled, prescribe
25 qualifications for those positions, and provide for the
26 appointment, compensation, promotion, suspension, and dismissal
27 of employees as follows, subject to the requirements of this
28 chapter:

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

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

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

35 ~~b. "Grandfathered salary schedule" means the salary~~
36 ~~schedule or schedules adopted by a district school board before~~
37 ~~July 1, 2014, pursuant to subparagraph 4.~~

38 b.e. "Instructional personnel" means instructional
39 personnel as defined in s. 1012.01(2)(a)-(d), excluding
40 substitute teachers.

41 c.d. "Performance salary schedule" means the salary
42 schedule or schedules ~~adopted by~~ a district school board may
43 adopt pursuant to subparagraph 5.

44 d.e. "Salary schedule" means the schedule or schedules used
45 to provide the base salary for district school board personnel.

46 e.f. "School administrator" means a school administrator as
47 defined in s. 1012.01(3)(c).

48 f.g. "Supplement" means an annual addition to the base
49 salary for the term of the negotiated supplement as long as the
50 employee continues his or her employment for the purpose of the
51 supplement. A supplement does not become part of the employee's
52 continuing base salary but shall be considered compensation
53 under s. 121.021(22).

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

56 a. Does not discriminate among comparable classes of
57 employees based upon the salary schedule under which they are
58 compensated.

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

61 3. Advanced degrees.—A district school board may ~~not~~ use
62 advanced degrees in setting a salary schedule for instructional
63 personnel or school administrators ~~hired on or after July 1,~~
64 ~~2011, unless the advanced degree is held in the individual's~~
65 ~~area of certification and is only a salary supplement.~~

66 4. Grandfathered Salary schedule.—

67 a. The district school board shall adopt a salary schedule
68 or salary schedules to be used as the basis for paying all
69 school employees ~~hired before July 1, 2014.~~ If a school district
70 adopts a performance salary schedule, instructional personnel on
71 annual contract as of July 1, 2014, shall be placed on the
72 performance salary schedule adopted under subparagraph 5.
73 instructional personnel on continuing contract or professional
74 service contract may continue to use the salary schedule adopted
75 before the performance salary schedule or, if the employee
76 relinquishes such contract and agrees to be employed on an
77 annual contract under s. 1012.335, opt into the performance
78 salary schedule if the employee relinquishes such contract and
79 agrees to be employed on an annual contract under s. 1012.335.
80 Such an employee shall be placed on the performance salary
81 schedule and may not return to continuing contract or
82 professional service contract status. Any employee who opts into
83 the performance salary schedule may not return to the
84 ~~grandfathered~~ salary schedule under this sub-subparagraph.

85 b. In determining the ~~grandfathered~~ salary schedule for
86 instructional personnel, a district school board may ~~must~~ base a
87 portion of each employee's compensation upon performance

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88 demonstrated under s. 1012.34 and shall provide differentiated
89 pay for both instructional personnel and school administrators
90 based upon district-determined factors, including, but not
91 limited to, additional responsibilities, school demographics,
92 critical shortage areas, and level of job performance
93 difficulties.

94 5. Performance salary schedule.—~~A~~ By July 1, 2014, the
95 district school board may shall adopt a performance salary
96 schedule that provides annual salary adjustments for
97 instructional personnel and school administrators based upon
98 performance determined under s. 1012.34. Employees ~~hired on or~~
99 ~~after July 1, 2014, or employees~~ who choose to move from the
100 grandfathered salary schedule under sub-subparagraph 4. to the
101 performance salary schedule shall be compensated pursuant to the
102 performance salary schedule once they have received the
103 appropriate performance evaluation for this purpose.

104 a. Base salary.—For a district school board that adopts a
105 performance salary schedule, ~~The base salary shall be~~
106 ~~established as follows:~~

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

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

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117 ~~schedule.~~

118 b. Salary adjustments.—For a district school board that
119 adopts a performance salary schedule, salary adjustments for
120 highly effective or effective performance shall be established
121 as follows:

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

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

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

135 c. Salary supplements.—In addition to the salary
136 adjustments, each district school board may ~~shall~~ provide for
137 salary supplements for activities that ~~must~~ include, but are not
138 limited to:

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

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

144 (III) Certification and teaching in critical teacher
145 shortage areas. Statewide critical teacher shortage areas shall

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146 be identified by the State Board of Education under s. 1012.07.
147 However, the district school board may identify other areas of
148 critical shortage within the school district for purposes of
149 this sub-sub-subparagraph and may remove areas identified by the
150 state board which do not apply within the school district.

151 (IV) Assignment of additional academic responsibilities.
152

153 If budget constraints in any given year limit a district school
154 board's ability to fully fund all adopted salary schedules, a
155 ~~the~~ performance salary schedule shall not be reduced on the
156 basis of total cost or the value of individual awards in a
157 manner that is proportionally greater than reductions to any
158 other salary schedules adopted by the district.

159 Section 2. Paragraph (d) of subsection (5) of section
160 24.121, Florida Statutes, is amended to read:

161 24.121 Allocation of revenues and expenditure of funds for
162 public education.-

163 (5)

164 (d) No funds shall be released for any purpose from the
165 Educational Enhancement Trust Fund to any school district in
166 which one or more schools do not have an approved school
167 improvement plan pursuant to s. 1001.42(18) or do not comply
168 with school advisory council membership composition requirements
169 pursuant to s. 1001.452(1). The Commissioner of Education shall
170 withhold disbursements from the trust fund to any school
171 district that fails to adopt the performance-based salary
172 schedule authorized ~~required~~ by s. 1012.22(1).

173 Section 3. Paragraph (b) of subsection (10) of section
174 1002.333, Florida Statutes, is amended to read:

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175 1002.333 Persistently low-performing schools.—

176 (10) SCHOOLS OF HOPE PROGRAM.—The Schools of Hope Program
177 is created within the Department of Education.

178 (b) A traditional public school that is required to submit
179 a plan for implementation pursuant to s. 1008.33(4) is eligible
180 to receive up to \$2,000 per full-time equivalent student from
181 the Schools of Hope Program based upon the strength of the
182 school's plan for implementation and its focus on evidence-based
183 interventions that lead to student success by providing wrap-
184 around services that leverage community assets, improve school
185 and community collaboration, and develop family and community
186 partnerships. Wrap-around services include, but are not limited
187 to, tutorial and after-school programs, student counseling,
188 nutrition education, parental counseling, and adult education.
189 Plans for implementation may also include models that develop a
190 culture of attending college, high academic expectations,
191 character development, dress codes, and an extended school day
192 and school year. At a minimum, a plan for implementation must:

193 1. Establish wrap-around services that develop family and
194 community partnerships.

195 2. Establish clearly defined and measurable high academic
196 and character standards.

197 3. Increase parental involvement and engagement in the
198 child's education.

199 4. Describe how the school district will identify, recruit,
200 retain, and reward instructional personnel. The state board may
201 ~~wave the requirements of s. 1012.22(1)(e)5.,~~ and suspend the
202 requirements of s. 1012.34~~7~~ to facilitate implementation of the
203 plan.

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204 5. Identify a knowledge-rich curriculum that the school
205 will use that focuses on developing a student's background
206 knowledge.

207 6. Provide professional development that focuses on
208 academic rigor, direct instruction, and creating high academic
209 and character standards.

210 Section 4. This act shall take effect July 1, 2018.