

By Senator Berman

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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 the definition of the term
5 "grandfathered salary schedule"; authorizing a
6 district school board to use an advanced degree in
7 setting a salary schedule for specified employees;
8 requiring each district school board to adopt a salary
9 schedule for specified employees; authorizing, rather
10 than requiring, a district school board to adopt a
11 performance salary schedule; providing requirements
12 for setting the base salary for specified personnel
13 under the performance salary schedule; authorizing,
14 rather than requiring, a district school board to
15 provide for specified salary supplements; amending s.
16 1002.333, F.S.; conforming provisions to changes made
17 by the act; providing an effective date.

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

20
21 Section 1. Paragraph (c) of subsection (1) of section
22 1012.22, Florida Statutes, is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

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59 compensated.

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

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

67 4. Grandfathered Salary schedule.—

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

86 b. In determining the ~~grandfathered~~ salary schedule for
87 instructional personnel, a district school board may ~~must~~ base a

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

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

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

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

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

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117 ~~administrator shall be placed on the performance salary~~
118 ~~schedule.~~

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

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

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

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

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

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

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

145 (III) Certification and teaching in critical teacher

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

152 (IV) Assignment of additional academic responsibilities.
153

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

160 Section 2. Paragraph (b) of subsection (10) of section
161 1002.333, Florida Statutes, is amended to read:

162 1002.333 Persistently low-performing schools.—

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

165 (b) A traditional public school that is required to submit
166 a plan for implementation pursuant to s. 1008.33(4) is eligible
167 to receive up to \$2,000 per full-time equivalent student from
168 the Schools of Hope Program based upon the strength of the
169 school's plan for implementation and its focus on evidence-based
170 interventions that lead to student success by providing wrap-
171 around services that leverage community assets, improve school
172 and community collaboration, and develop family and community
173 partnerships. Wrap-around services include, but are not limited
174 to, tutorial and after-school programs, student counseling,

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175 nutrition education, parental counseling, and adult education.
176 Plans for implementation may also include models that develop a
177 culture of attending college, high academic expectations,
178 character development, dress codes, and an extended school day
179 and school year. At a minimum, a plan for implementation must:

180 1. Establish wrap-around services that develop family and
181 community partnerships.

182 2. Establish clearly defined and measurable high academic
183 and character standards.

184 3. Increase parental involvement and engagement in the
185 child's education.

186 4. Describe how the school district will identify, recruit,
187 retain, and reward instructional personnel. The state board may
188 ~~waive the requirements of s. 1012.22(1)(c)5.,~~ and suspend the
189 requirements of s. 1012.34~~7~~, to facilitate implementation of the
190 plan.

191 5. Identify a knowledge-rich curriculum that the school
192 will use that focuses on developing a student's background
193 knowledge.

194 6. Provide professional development that focuses on
195 academic rigor, direct instruction, and creating high academic
196 and character standards.

197 Section 3. This act shall take effect July 1, 2019.