

Amendment No.

CHAMBER ACTION

Senate

House

.

1 Representative Grall offered the following:

2
3 **Amendment to Amendment (375029) (with directory and title**
4 **amendments)**

5 Between lines 4276 and 4277, insert:

6 (11) VIRTUAL EDUCATION CONTRIBUTION.—The Legislature may
7 annually provide in the Florida Education Finance Program a
8 virtual education contribution. The amount of the virtual
9 education contribution shall be the difference between the
10 amount per FTE established in the General Appropriations Act for
11 virtual education and the amount per FTE for each district and
12 the Florida Virtual School, which may be calculated by taking
13 the sum of the base FEFP allocation, the discretionary local

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14 effort, the state-funded discretionary contribution, the
15 discretionary millage compression supplement, the research-based
16 reading instruction allocation, the salary enhancement
17 allocation ~~the best and brightest teacher and principal~~
18 ~~allocation~~, and the instructional materials allocation, and then
19 dividing by the total unweighted FTE. This difference shall be
20 multiplied by the virtual education unweighted FTE for programs
21 and options identified in s. 1002.455 and the Florida Virtual
22 School and its franchises to equal the virtual education
23 contribution and shall be included as a separate allocation in
24 the funding formula.

25 (18) SALARY ENHANCEMENT ALLOCATION.—The Legislature may
26 annually provide in the Florida Education Finance Program a
27 salary enhancement allocation to assist school districts in
28 their recruitment and retention of classroom teachers and other
29 instructional and educational support staff. The amount of the
30 allocation shall be specified in the General Appropriations Act
31 and shall be allocated to each school district based on each
32 school district's proportionate share of the state's total
33 unweighted full-time equivalent student enrollment.

34 (a)1. For fiscal year 2020-2021, each school district
35 shall use its portion of the allocation as specified in the
36 General Appropriations Act to increase the minimum base salary
37 to the maximum amount achievable by the school district's
38 portion of the allocation for a full-time classroom teacher, as

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39 defined in s. 1012.01(2)(a), plus certified prekindergarten
40 teachers funded in the Florida Education Finance Program, but
41 excluding substitute teachers. The term "minimum base salary"
42 means the annual base salary on the salary schedule for a full-
43 time classroom teacher.

44 2. For fiscal year 2020-2021, each school district shall
45 use its portion of the allocation as specified in the General
46 Appropriations Act to provide salary and compensation related
47 enhancements for full-time classroom teachers, as defined in s.
48 1012.01(2)(a), plus certified prekindergarten teachers funded in
49 the Florida Education Finance Program, but excluding substitute
50 teachers, who did not receive an increase or who received an
51 increase of less than two percent under subparagraph 1.

52 (b) Beginning with the fiscal year 2021-2022 and
53 thereafter, subject to legislative appropriation, each school
54 district shall use its portion of the allocation as specified in
55 the General Appropriations Act to maintain the increase provided
56 during the prior fiscal year. Any remaining funds shall be used
57 to increase the minimum base salary for a classroom teacher, as
58 defined in s. 1012.01(2)(a), plus certified prekindergarten
59 teachers funded in the Florida Education Finance Program, but
60 excluding substitute teachers, by at least 75 percent of the
61 largest salary adjustment made by the school district for a
62 classroom teacher who is rated as highly effective, as
63 determined by the classroom teacher's performance evaluation

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64 under s. 1012.34. If a school district has any remaining funds
65 after complying with the 75 percent increase to the minimum base
66 salary, such funds shall be used to provide salary and
67 compensation related enhancements for instructional personnel,
68 as defined in s. 1012.01(2), or educational support employees,
69 as defined in s. 1012.01(6).

70 (c) Before the distribution of the salary enhancement
71 allocation, each school district shall submit a proposed
72 distribution plan for review of compliance by the Department of
73 Education, in a format prescribed by the department. Annually,
74 by December 1, each school district shall provide a report to
75 the department that includes a detailed summary of how the
76 school district utilized its entire portion of the salary
77 enhancement allocation, the amount of the increase to the
78 minimum base salaries for classroom teachers, and the salary
79 schedule for the prior fiscal year and the fiscal year in which
80 the base salary is increased.

81 (d) Although district school boards and charter school
82 governing boards are not precluded from bargaining over wages,
83 the salary enhancement allocation must only be used to comply
84 with the requirements of this subsection. ~~THE FLORIDA BEST AND~~
85 ~~BRIGHTEST TEACHER AND PRINCIPAL ALLOCATION.~~

86 ~~(a) The Florida Best and Brightest Teacher and Principal~~
87 ~~Allocation is created to recruit, retain, and recognize~~
88 ~~classroom teachers and instructional personnel who meet the~~

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89 ~~criteria established in s. 1012.731 and reward principals who~~
90 ~~meet the criteria established in s. 1012.732. Subject to annual~~
91 ~~appropriation, each school district shall receive an allocation~~
92 ~~based on the district's proportionate share of FEFP base~~
93 ~~funding. The Legislature may specify a minimum allocation for~~
94 ~~all districts in the General Appropriations Act.~~

95 ~~(b) From the allocation, each district shall provide the~~
96 ~~following:~~

97 ~~1. A one-time recruitment award, as provided in s.~~
98 ~~1012.731(3)(a);~~

99 ~~2. A retention award, as provided in s. 1012.731(3)(b);~~
100 ~~and~~

101 ~~3. A recognition award, as provided in s. 1012.731(3)(c)~~
102 ~~from the remaining balance of the appropriation after the~~
103 ~~payment of all other awards authorized under ss. 1012.731 and~~
104 ~~1012.732.~~

105 ~~(c) From the allocation, each district shall provide~~
106 ~~eligible principals an award as provided in s. 1012.732(3).~~

107
108 ~~If a district's calculated awards exceed the allocation, the~~
109 ~~district may prorate the awards.~~

110 Section 74. Paragraph (c) of subsection (1) of section
111 1012.22, Florida Statutes, is amended to read:

112 1012.22 Public school personnel; powers and duties of the
113 district school board.—The district school board shall:

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114 (1) Designate positions to be filled, prescribe
115 qualifications for those positions, and provide for the
116 appointment, compensation, promotion, suspension, and dismissal
117 of employees as follows, subject to the requirements of this
118 chapter:

119 (c) Compensation and salary schedules.—

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

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

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

128 c. "Instructional personnel" means instructional personnel
129 as defined in s. 1012.01(2)(a)-(d), excluding substitute
130 teachers.

131 d. "Performance salary schedule" means the salary schedule
132 or schedules adopted by a district school board pursuant to
133 subparagraph 5.

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

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

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138 g. "Supplement" means an annual addition to the base
139 salary for the term of the negotiated supplement as long as the
140 employee continues his or her employment for the purpose of the
141 supplement. A supplement does not become part of the employee's
142 continuing base salary but shall be considered compensation
143 under s. 121.021(22).

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

146 a. Does not discriminate among comparable classes of
147 employees based upon the salary schedule under which they are
148 compensated.

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

151 3. Advanced degrees.—A district school board may not use
152 advanced degrees in setting a salary schedule for instructional
153 personnel or school administrators hired on or after July 1,
154 2011, unless the advanced degree is held in the individual's
155 area of certification and is only a salary supplement.

156 4. Grandfathered salary schedule.—

157 a. The district school board shall adopt a salary schedule
158 or salary schedules to be used as the basis for paying all
159 school employees hired before July 1, 2014. Instructional
160 personnel on annual contract as of July 1, 2014, shall be placed
161 on the performance salary schedule adopted under subparagraph 5.
162 Instructional personnel on continuing contract or professional

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163 service contract may opt into the performance salary schedule if
164 the employee relinquishes such contract and agrees to be
165 employed on an annual contract under s. 1012.335. Such an
166 employee shall be placed on the performance salary schedule and
167 may not return to continuing contract or professional service
168 contract status. Any employee who opts into the performance
169 salary schedule may not return to the grandfathered salary
170 schedule.

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

180 5. Performance salary schedule.—By July 1, 2014, the
181 district school board shall adopt a performance salary schedule
182 that provides annual salary adjustments for instructional
183 personnel and school administrators based upon performance
184 determined under s. 1012.34. Employees hired on or after July 1,
185 2014, or employees who choose to move from the grandfathered
186 salary schedule to the performance salary schedule shall be
187 compensated pursuant to the performance salary schedule once

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188 they have received the appropriate performance evaluation for
189 this purpose.

190 a. Base salary.—The base salary shall be established as
191 follows:

192 (I) The base salary for instructional personnel or school
193 administrators who opt into the performance salary schedule
194 shall be the salary paid in the prior year, including
195 adjustments only.

196 (II) Beginning July 1, 2014, instructional personnel or
197 school administrators new to the district, returning to the
198 district after a break in service without an authorized leave of
199 absence, or appointed for the first time to a position in the
200 district in the capacity of instructional personnel or school
201 administrator shall be placed on the performance salary
202 schedule.

203 b. Salary adjustments.—Salary adjustments for highly
204 effective or effective performance shall be established as
205 follows:

206 (I) The annual salary adjustment under the performance
207 salary schedule for an employee rated as highly effective must
208 be 25 percent greater than the highest annual salary adjustment
209 available to an employee of the same classification through any
210 other salary schedule adopted by the district.

211 (II) The annual salary adjustment under the performance
212 salary schedule for an employee rated as effective must be equal

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213 to at least 50 percent and no more than 75 percent of the annual
214 adjustment provided for a highly effective employee of the same
215 classification.

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

219 c. Salary supplements.—In addition to the salary
220 adjustments, each district school board shall provide for salary
221 supplements for activities that must include, but are not
222 limited to:

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

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

228 (III) Certification and teaching in critical teacher
229 shortage areas. Statewide critical teacher shortage areas shall
230 be identified by the State Board of Education under s. 1012.07.
231 However, the district school board may identify other areas of
232 critical shortage within the school district for purposes of
233 this sub-sub-subparagraph and may remove areas identified by the
234 state board which do not apply within the school district.

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

243 Section 75. Sections 1012.731 and 1012.732, Florida
 244 Statutes, are repealed.

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 246

D I R E C T O R Y A M E N D M E N T

247 Remove lines 4134-4135 and insert:
 248 Section 73. Subsections (9), (11), and (18) of section
 249 1011.62, Florida Statutes, are amended to read:
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251 -----
 252

T I T L E A M E N D M E N T

253 Remove line 4550 and insert:
 254 such funds; revising the calculation of the virtual
 255 education contribution; establishing the salary
 256 enhancement allocation; providing requirements for the
 257 use of such allocation for specified fiscal years;
 258 deleting the Florida Best and Brightest Teacher and
 259 Principal Allocation; amending s. 1012.22, F.S.,
 260 revising requirements for a specified salary
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262 adjustment; repealing s. 1012.731, F.S., relating to
263 the Florida Best and Brightest Teacher Program;
264 repealing s. 1012.732, F.S., relating to the Florida
265 Best and Brightest Principal Program; providing an
266 effective date.

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