

By Senator Stewart

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1                   A bill to be entitled  
2           An act relating to school personnel salary  
3           supplements; amending s. 1012.22, F.S.; requiring  
4           district school boards to provide salary supplements  
5           to instructional personnel who hold the degree of  
6           Juris Doctor and teach law courses; providing an  
7           effective date.

8  
9   Be It Enacted by the Legislature of the State of Florida:

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11           Section 1. Paragraph (c) of subsection (1) of section  
12   1012.22, Florida Statutes, is amended to read:

13           1012.22 Public school personnel; powers and duties of the  
14   district school board.—The district school board shall:

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

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

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

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

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

29           c. "Instructional personnel" means instructional personnel

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30 as defined in s. 1012.01(2)(a)-(d), excluding substitute  
31 teachers.

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

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

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

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

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

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

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

52 3. Advanced degrees.—A district school board may not use  
53 advanced degrees in setting a salary schedule for instructional  
54 personnel or school administrators hired on or after July 1,  
55 2011, unless the advanced degree is held in the individual's  
56 area of certification and is only a salary supplement. For  
57 purposes of this subparagraph, advanced degrees in law held by  
58 instructional personnel shall count as advanced degrees for

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59 social science area of certification, if such instructional  
60 personnel teach law courses.

61 4. Grandfathered salary schedule.—

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

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

85 5. Performance salary schedule.—By July 1, 2014, the  
86 district school board shall adopt a performance salary schedule  
87 that provides annual salary adjustments for instructional

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88 personnel and school administrators based upon performance  
89 determined under s. 1012.34. Employees hired on or after July 1,  
90 2014, or employees who choose to move from the grandfathered  
91 salary schedule to the performance salary schedule shall be  
92 compensated pursuant to the performance salary schedule once  
93 they have received the appropriate performance evaluation for  
94 this purpose.

95 a. Base salary.—The base salary shall be established as  
96 follows:

97 (I) The base salary for instructional personnel or school  
98 administrators who opt into the performance salary schedule  
99 shall be the salary paid in the prior year, including  
100 adjustments only.

101 (II) Beginning July 1, 2014, instructional personnel or  
102 school administrators new to the district, returning to the  
103 district after a break in service without an authorized leave of  
104 absence, or appointed for the first time to a position in the  
105 district in the capacity of instructional personnel or school  
106 administrator shall be placed on the performance salary  
107 schedule.

108 b. Salary adjustments.—Salary adjustments for highly  
109 effective or effective performance shall be established as  
110 follows:

111 (I) The annual salary adjustment under the performance  
112 salary schedule for an employee rated as highly effective must  
113 be greater than the highest annual salary adjustment available  
114 to an employee of the same classification through any other  
115 salary schedule adopted by the district.

116 (II) The annual salary adjustment under the performance

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117 salary schedule for an employee rated as effective must be equal  
118 to at least 50 percent and no more than 75 percent of the annual  
119 adjustment provided for a highly effective employee of the same  
120 classification.

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

124 c. Salary supplements.—In addition to the salary  
125 adjustments, each district school board shall provide for salary  
126 supplements for activities that must include, but are not  
127 limited to:

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

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

133 (III) Certification and teaching in critical teacher  
134 shortage areas. Statewide critical teacher shortage areas shall  
135 be identified by the State Board of Education under s. 1012.07.  
136 However, the district school board may identify other areas of  
137 critical shortage within the school district for purposes of  
138 this sub-sub-subparagraph and may remove areas identified by the  
139 state board which do not apply within the school district.

140 (IV) Assignment of additional academic responsibilities.

141  
142 If budget constraints in any given year limit a district school  
143 board's ability to fully fund all adopted salary schedules, the  
144 performance salary schedule shall not be reduced on the basis of  
145 total cost or the value of individual awards in a manner that is

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146 proportionally greater than reductions to any other salary  
147 schedules adopted by the district.

148 Section 2. This act shall take effect July 1, 2020.