

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Sullivan offered the following:

**Amendment (with directory and title amendments)**

Remove line 947 and insert:

score.

(11) VIRTUAL EDUCATION CONTRIBUTION.—The Legislature may annually provide in the Florida Education Finance Program a virtual education contribution. The amount of the virtual education contribution shall be the difference between the amount per FTE established in the General Appropriations Act for virtual education and the amount per FTE for each district and the Florida Virtual School, which may be calculated by taking 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), but excluding substitute teachers.  
40 The term "minimum base salary" means the annual base salary on  
41 the salary schedule for a full-time classroom teacher.

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

49 (b) Beginning with the fiscal year 2021-2022 and  
50 thereafter, subject to legislative appropriation, each school  
51 district shall use its portion of the allocation as specified in  
52 the General Appropriations Act to maintain the increase provided  
53 during the prior fiscal year. Any remaining funds shall be used  
54 to increase the minimum base salary for a classroom teacher, as  
55 defined in s. 1012.01(2) (a), but excluding substitute teachers,  
56 by at least 75 percent of the largest salary adjustment made by  
57 the school district for a classroom teacher who is rated as  
58 highly effective, as determined by the classroom teacher's  
59 performance evaluation under s. 1012.34. If a school district  
60 has any remaining funds after complying with the 75 percent  
61 increase to the minimum base salary, such funds shall be used to  
62 provide salary and compensation related enhancements for

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63 instructional personnel, as defined in s. 1012.01(2), or  
64 educational support employees, as defined in s. 1012.01(6).

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

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

81 ~~(a) The Florida Best and Brightest Teacher and Principal~~  
82 ~~Allocation is created to recruit, retain, and recognize~~  
83 ~~classroom teachers and instructional personnel who meet the~~  
84 ~~criteria established in s. 1012.731 and reward principals who~~  
85 ~~meet the criteria established in s. 1012.732. Subject to annual~~  
86 ~~appropriation, each school district shall receive an allocation~~  
87 ~~based on the district's proportionate share of FEFP base~~

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88 ~~funding. The Legislature may specify a minimum allocation for~~  
89 ~~all districts in the General Appropriations Act.~~

90 ~~(b) From the allocation, each district shall provide the~~  
91 ~~following:~~

92 ~~1. A one-time recruitment award, as provided in s.~~  
93 ~~1012.731(3)(a);~~

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

96 ~~3. A recognition award, as provided in s. 1012.731(3)(c)~~  
97 ~~from the remaining balance of the appropriation after the~~  
98 ~~payment of all other awards authorized under ss. 1012.731 and~~  
99 ~~1012.732.~~

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

102  
103 ~~If a district's calculated awards exceed the allocation, the~~  
104 ~~district may prorate the awards.~~

105 Section 9. Paragraph (c) of subsection (1) of section  
106 1012.22, Florida Statutes, is amended to read:

107 1012.22 Public school personnel; powers and duties of the  
108 district school board.—The district school board shall:

109 (1) Designate positions to be filled, prescribe  
110 qualifications for those positions, and provide for the  
111 appointment, compensation, promotion, suspension, and dismissal

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112 of employees as follows, subject to the requirements of this  
113 chapter:

114 (c) Compensation and salary schedules.—

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

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

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

123 c. "Instructional personnel" means instructional personnel  
124 as defined in s. 1012.01(2)(a)-(d), excluding substitute  
125 teachers.

126 d. "Performance salary schedule" means the salary schedule  
127 or schedules adopted by a district school board pursuant to  
128 subparagraph 5.

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

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

133 g. "Supplement" means an annual addition to the base  
134 salary for the term of the negotiated supplement as long as the  
135 employee continues his or her employment for the purpose of the  
136 supplement. A supplement does not become part of the employee's

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137 continuing base salary but shall be considered compensation  
138 under s. 121.021(22).

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

141 a. Does not discriminate among comparable classes of  
142 employees based upon the salary schedule under which they are  
143 compensated.

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

146 3. Advanced degrees.—A district school board may not use  
147 advanced degrees in setting a salary schedule for instructional  
148 personnel or school administrators hired on or after July 1,  
149 2011, unless the advanced degree is held in the individual's  
150 area of certification and is only a salary supplement.

151 4. Grandfathered salary schedule.—

152 a. The district school board shall adopt a salary schedule  
153 or salary schedules to be used as the basis for paying all  
154 school employees hired before July 1, 2014. Instructional  
155 personnel on annual contract as of July 1, 2014, shall be placed  
156 on the performance salary schedule adopted under subparagraph 5.  
157 Instructional personnel on continuing contract or professional  
158 service contract may opt into the performance salary schedule if  
159 the employee relinquishes such contract and agrees to be  
160 employed on an annual contract under s. 1012.335. Such an  
161 employee shall be placed on the performance salary schedule and

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162 may not return to continuing contract or professional service  
163 contract status. Any employee who opts into the performance  
164 salary schedule may not return to the grandfathered salary  
165 schedule.

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

175       5. Performance salary schedule.—By July 1, 2014, the  
176 district school board shall adopt a performance salary schedule  
177 that provides annual salary adjustments for instructional  
178 personnel and school administrators based upon performance  
179 determined under s. 1012.34. Employees hired on or after July 1,  
180 2014, or employees who choose to move from the grandfathered  
181 salary schedule to the performance salary schedule shall be  
182 compensated pursuant to the performance salary schedule once  
183 they have received the appropriate performance evaluation for  
184 this purpose.

185       a. Base salary.—The base salary shall be established as  
186 follows:

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187 (I) The base salary for instructional personnel or school  
188 administrators who opt into the performance salary schedule  
189 shall be the salary paid in the prior year, including  
190 adjustments only.

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

198 b. Salary adjustments.—Salary adjustments for highly  
199 effective or effective performance shall be established as  
200 follows:

201 (I) The annual salary adjustment under the performance  
202 salary schedule for an employee rated as highly effective must  
203 be 25 percent greater than the highest annual salary adjustment  
204 available to an employee of the same classification through any  
205 other salary schedule adopted by the district.

206 (II) The annual salary adjustment under the performance  
207 salary schedule for an employee rated as effective must be equal  
208 to at least 50 percent and no more than 75 percent of the annual  
209 adjustment provided for a highly effective employee of the same  
210 classification.

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

214 c. Salary supplements.—In addition to the salary  
215 adjustments, each district school board shall provide for salary  
216 supplements for activities that must include, but are not  
217 limited to:

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

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

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

230 (IV) Assignment of additional academic responsibilities.

231  
232 If budget constraints in any given year limit a district school  
233 board's ability to fully fund all adopted salary schedules, the  
234 performance salary schedule shall not be reduced on the basis of  
235 total cost or the value of individual awards in a manner that is

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236 | proportionally greater than reductions to any other salary  
237 | schedules adopted by the district.

238 |       Section 10. Sections 1012.731 and 1012.732, Florida  
239 | Statutes, are repealed.

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241 | -----

242 |                   **D I R E C T O R Y   A M E N D M E N T**

243 |       Remove line 827 and insert:

244 |       Section 8. Paragraphs (i) and (n) of subsection (1) and  
245 | subsections (11) and (18) of

246 |

247 | -----

248 |                   **T I T L E   A M E N D M E N T**

249 |       Remove line 63 and insert:

250 | specified fiscal year; revising the calculation of the virtual  
251 | education contribution; establishing the salary enhancement  
252 | allocation; providing requirements for the use of such  
253 | allocation for specified fiscal years; deleting the Florida Best  
254 | and Brightest Teacher and Principal Allocation; amending s.  
255 | 1012.22, F.S., revising requirements for a specified salary  
256 | adjustment; repealing s. 1012.731, F.S., relating to the Florida  
257 | Best and Brightest Teacher Program; repealing s. 1012.732, F.S.,  
258 | relating to the Florida Best and Brightest Principal Program;  
259 | amending s. 1001.10, F.S.;

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