A bill to be entitled
An act relating to teacher salaries; amending s. 1011.62, F.S.; requiring each school district that has not yet reached a specified minimum base salary to use its share of the teacher salary increase allocation in a specified manner; requiring school districts to use a specified percentage of the allocation to raise the minimum base salary; authorizing school districts that have met the minimum base salary for full-time classroom teachers to use funds to raise the salaries of specified personnel; providing applicability; amending s. 1012.22, F.S.; revising definitions; authorizing, instead of prohibiting, district school boards to use advanced degrees as a criterion in setting a salary schedule for certain personnel; authorizing certain instructional personnel to continue to use a salary schedule adopted before a district school board adopts a performance salary schedule or opt into the performance salary schedule; authorizing, instead of requiring, a district school board to base a portion of each employee’s compensation upon performance; authorizing, instead of requiring, a district school board to adopt a performance salary schedule; conforming provisions to changes made by the act; providing an effective date.

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

Section 1. Paragraph (b) of subsection (16) of section
1011.62, Florida Statutes, is amended to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(16) TEACHER SALARY INCREASE ALLOCATION.—The Legislature may annually provide in the Florida Education Finance Program a teacher salary increase allocation to assist school districts in their recruitment and retention of classroom teachers and other instructional personnel. The amount of the allocation shall be specified in the General Appropriations Act.

(b) Allocation funds are restricted in use as follows:

1. Each school district that has not yet reached a minimum base salary of $47,500 and charter school shall use its share of the allocation to increase the minimum base salary for full-time classroom teachers, as defined in s. 1012.01(2)(a), plus certified prekindergarten teachers funded in the Florida Education Finance Program, to at least $47,500, or to the maximum amount achievable based on the allocation and as specified in the General Appropriations Act. School districts shall use at least 50 percent of their share of the allocation to raise the minimum base salary. The term “minimum base salary” means the lowest annual base salary reported on the salary schedule for a full-time classroom teacher. No full-time classroom teacher shall receive a salary less than the minimum base salary as adjusted by this subparagraph. This subparagraph does not apply to substitute teachers.
2. In addition, each school district shall use its share of the allocation to provide salary increases, as funding permits, for the following personnel:
   a. Full-time classroom teachers, as defined in s. 1012.01(2)(a), plus certified prekindergarten teachers funded in the Florida Education Finance Program, who did not receive an increase or who received an increase of less than 2 percent under subparagraph 1. or as specified in the General Appropriations Act. This subparagraph does not apply to substitute teachers.
   b. Other full-time instructional personnel as defined in s. 1012.01(2)(b)-(d).

3. A school district or charter school may use funds available after the requirements of subparagraph 1. are met to provide salary increases pursuant to subparagraph 2.

4. A school district or charter school shall maintain the minimum base salary achieved for classroom teachers provided under subparagraph 1. and may not reduce the salary increases provided under subparagraph 2. in any subsequent fiscal year, unless specifically authorized in the General Appropriations Act.

5. School districts that have met the minimum base salary of $47,500 for full-time classroom teachers may use funds to raise the salaries of veteran teachers who received less than a 3 percent raise in the previous fiscal year and to raise the salaries of other full-time instructional personnel. This subparagraph does not apply to substitute teachers.

Section 2. Paragraph (c) of subsection (1) of section 1012.22, Florida Statutes, is amended to read:
1012.22 Public school personnel; powers and duties of the
district school board.—The district school board shall:

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

(c) Compensation and salary schedules.—

1. Definitions.—As used in this paragraph:

a. “Adjustment” means an addition to the base salary
schedule that is not a bonus and becomes part of the employee’s
permanent base salary and shall be considered compensation under
s. 121.021(22).

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

c. “Instructional personnel” means instructional personnel
as defined in s. 1012.01(2)(a)-(d), excluding substitute
teachers.

d. “Performance salary schedule” means the salary
schedule or schedules adopted by a district school board may
adopt pursuant to subparagraph 5.

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

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

f. “Supplement” means an annual addition to the base
salary for the term of the negotiated supplement as long as the
employee continues his or her employment for the purpose of the
supplement. A supplement does not become part of the employee’s continuing base salary but shall be considered compensation under s. 121.021(22).

2. Cost-of-living adjustment.—A district school board may provide a cost-of-living salary adjustment if the adjustment:
   a. Does not discriminate among comparable classes of employees based upon the salary schedule under which they are compensated.
   b. Does not exceed 50 percent of the annual adjustment provided to instructional personnel rated as effective.

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

4. Grandfathered Salary schedule.—
   a. The district school board shall adopt a salary schedule or salary schedules to be used as the basis for paying all school employees hired before July 1, 2014. If a school district adopts a Instructional personnel on annual contract as of July 1, 2014, shall be placed on the performance salary schedule, adopted under subparagraph 5. instructional personnel on a continuing contract or professional service contract may continue to use the salary schedule adopted before the performance salary schedule or, if the employee relinquishes his or her contract and agrees to be employed on an annual contract under s. 1012.335, opt in to the performance salary schedule if the employee relinquishes such contract and agrees to be employed on an annual contract under s. 1012.335. Such an
employee shall be placed on the performance salary schedule and may not return to continuing contract or professional service contract status. Any employee who opts into the performance salary schedule may not return to the grandfathered salary schedule under this sub-subparagraph.

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

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

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

(I) the base salary for instructional personnel and of school administrators who opt into the performance salary

CODING: Words stricken are deletions; words underlined are additions.
schedule shall be the salary paid in the prior year, including adjustments only.

(II) Instructional personnel or school administrators new to the district, returning to the district after a break in service without an authorized leave of absence, or appointed for the first time to a position in the district in the capacity of instructional personnel or school administrator shall be placed on the performance salary schedule. Beginning July 1, 2021, and until such time as the minimum base salary as defined in s. 1011.62(16) equals or exceeds $47,500, the annual increase to the minimum base salary shall not be less than 150 percent of the largest adjustment made to the salary of an employee on the grandfathered salary schedule. Thereafter, the annual increase to the minimum base salary shall not be less than 75 percent of the largest adjustment for an employee on the grandfathered salary schedule.

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

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

(II) The annual salary adjustment under the performance salary schedule for an employee rated as effective must be equal to at least 50 percent and no more than 75 percent of the annual adjustment provided for a highly effective employee of the same
A salary schedule shall not provide an annual salary adjustment for an employee who receives a rating other than highly effective or effective for the year.

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

(I) Assignment to a Title I eligible school.

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

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

(IV) Assignment of additional academic responsibilities.

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

Section 3. This act shall take effect July 1, 2022.