

By Senator Book

32-00378-22

2022298__

1 A bill to be entitled
2 An act relating to teacher salaries; amending s.
3 1011.62, F.S.; requiring each school district that has
4 not yet reached a specified minimum base salary to use
5 its share of the teacher salary increase allocation in
6 a specified manner; requiring school districts to use
7 a specified percentage of the allocation to raise the
8 minimum base salary; authorizing school districts that
9 have met the minimum base salary for full-time
10 classroom teachers to use funds to raise the salaries
11 of specified personnel; providing applicability;
12 amending s. 1012.22, F.S.; revising definitions;
13 authorizing, instead of prohibiting, district school
14 boards to use advanced degrees as a criterion in
15 setting a salary schedule for certain personnel;
16 authorizing certain instructional personnel to
17 continue to use a salary schedule adopted before a
18 district school board adopts a performance salary
19 schedule or opt into the performance salary schedule;
20 authorizing, instead of requiring, a district school
21 board to base a portion of each employee's
22 compensation upon performance; authorizing, instead of
23 requiring, a district school board to adopt a
24 performance salary schedule; conforming provisions to
25 changes made by the act; providing an effective date.

26
27 Be It Enacted by the Legislature of the State of Florida:

28
29 Section 1. Paragraph (b) of subsection (16) of section

32-00378-22

2022298__

30 1011.62, Florida Statutes, is amended to read:

31 1011.62 Funds for operation of schools.—If the annual
32 allocation from the Florida Education Finance Program to each
33 district for operation of schools is not determined in the
34 annual appropriations act or the substantive bill implementing
35 the annual appropriations act, it shall be determined as
36 follows:

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

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

44 1. Each school district that has not yet reached a minimum
45 base salary of \$47,500 and charter school shall use its share of
46 the allocation to increase the minimum base salary for full-time
47 classroom teachers, as defined in s. 1012.01(2)(a), plus
48 certified prekindergarten teachers funded in the Florida
49 Education Finance Program, to at least \$47,500, or to the
50 maximum amount achievable based on the allocation and as
51 specified in the General Appropriations Act. School districts
52 shall use at least 50 percent of their share of the allocation
53 to raise the minimum base salary. The term "minimum base salary"
54 means the lowest annual base salary reported on the salary
55 schedule for a full-time classroom teacher. No full-time
56 classroom teacher shall receive a salary less than the minimum
57 base salary as adjusted by this subparagraph. This subparagraph
58 does not apply to substitute teachers.

32-00378-22

2022298__

59 2. In addition, each school district shall use its share of
60 the allocation to provide salary increases, as funding permits,
61 for the following personnel:

62 a. Full-time classroom teachers, as defined in s.
63 1012.01(2)(a), plus certified prekindergarten teachers funded in
64 the Florida Education Finance Program, who did not receive an
65 increase or who received an increase of less than 2 percent
66 under subparagraph 1. or as specified in the General
67 Appropriations Act. This subparagraph does not apply to
68 substitute teachers.

69 b. Other full-time instructional personnel as defined in s.
70 1012.01(2)(b)-(d).

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

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

80 5. School districts that have met the minimum base salary
81 of \$47,500 for full-time classroom teachers may use funds to
82 raise the salaries of veteran teachers who received less than a
83 3 percent raise in the previous fiscal year and to raise the
84 salaries of other full-time instructional personnel. This
85 subparagraph does not apply to substitute teachers.

86 Section 2. Paragraph (c) of subsection (1) of section
87 1012.22, Florida Statutes, is amended to read:

32-00378-22

2022298__

88 1012.22 Public school personnel; powers and duties of the
89 district school board.—The district school board shall:

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

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

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

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

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

104 ~~e.~~ “Instructional personnel” means instructional personnel
105 as defined in s. 1012.01(2)(a)-(d), excluding substitute
106 teachers.

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

110 ~~d.e.~~ “Salary schedule” means the schedule or schedules used
111 to provide the base salary for district school board personnel.

112 ~~e.f.~~ “School administrator” means a school administrator as
113 defined in s. 1012.01(3)(c).

114 ~~f.g.~~ “Supplement” means an annual addition to the base
115 salary for the term of the negotiated supplement as long as the
116 employee continues his or her employment for the purpose of the

32-00378-22

2022298__

117 supplement. A supplement does not become part of the employee's
118 continuing base salary but shall be considered compensation
119 under s. 121.021(22).

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

122 a. Does not discriminate among comparable classes of
123 employees based upon the salary schedule under which they are
124 compensated.

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

127 3. Advanced degrees.—A district school board may ~~not~~ use
128 advanced degrees in setting a salary schedule for instructional
129 personnel or school administrators ~~hired on or after July 1,~~
130 ~~2011, unless the advanced degree is held in the individual's~~
131 ~~area of certification and is only a salary supplement.~~

132 4. ~~Grandfathered~~ Salary schedule.—

133 a. The district school board shall adopt a salary schedule
134 or salary schedules to be used as the basis for paying all
135 school employees ~~hired before July 1, 2014.~~ If a school district
136 adopts a Instructional personnel on annual contract as of July
137 1, 2014, shall be placed on the performance salary schedule,
138 ~~adopted under subparagraph 5.~~ instructional personnel on a
139 continuing contract or professional service contract may
140 continue to use the salary schedule adopted before the
141 performance salary schedule or, if the employee relinquishes his
142 or her contract and agrees to be employed on an annual contract
143 under s. 1012.335, opt into the performance salary schedule ~~if~~
144 ~~the employee relinquishes such contract and agrees to be~~
145 ~~employed on an annual contract under s. 1012.335.~~ Such an

32-00378-22

2022298__

146 employee shall be placed on the performance salary schedule and
147 may not return to continuing contract or professional service
148 contract status. Any employee who opts into the performance
149 salary schedule may not return to the ~~grandfathered~~ salary
150 schedule under this sub-subparagraph.

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

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

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

173 ~~(I)~~ the base salary for instructional personnel and ~~or~~
174 school administrators ~~who opt into the performance salary~~

32-00378-22

2022298__

175 schedule shall be the salary paid in the prior year, including
176 adjustments only.

177 ~~(II) Instructional personnel or school administrators new~~
178 ~~to the district, returning to the district after a break in~~
179 ~~service without an authorized leave of absence, or appointed for~~
180 ~~the first time to a position in the district in the capacity of~~
181 ~~instructional personnel or school administrator shall be placed~~
182 ~~on the performance salary schedule. Beginning July 1, 2021, and~~
183 ~~until such time as the minimum base salary as defined in s.~~
184 ~~1011.62(16) equals or exceeds \$47,500, the annual increase to~~
185 ~~the minimum base salary shall not be less than 150 percent of~~
186 ~~the largest adjustment made to the salary of an employee on the~~
187 ~~grandfathered salary schedule. Thereafter, the annual increase~~
188 ~~to the minimum base salary shall not be less than 75 percent of~~
189 ~~the largest adjustment for an employee on the grandfathered~~
190 ~~salary schedule.~~

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

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

200 (II) ~~The annual salary adjustment under the performance~~
201 ~~salary schedule for an employee rated as effective must be equal~~
202 ~~to at least 50 percent and no more than 75 percent of the annual~~
203 ~~adjustment provided for a highly effective employee of the same~~

32-00378-22

2022298__

204 ~~classification.~~

205 ~~(III)~~ A salary schedule shall not provide an annual salary
206 adjustment for an employee who receives a rating other than
207 highly effective or effective for the year.

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

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

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

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

224 (IV) Assignment of additional academic responsibilities.

225

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

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