

By Senator Berman

26-00771-23

2023342__

1 A bill to be entitled
2 An act relating to minimum base salary for full-time
3 classroom teachers; providing a short title; amending
4 s. 1011.62, F.S.; increasing the minimum base salary
5 for full-time classroom teachers; amending s. 1012.22,
6 F.S.; conforming a provision to changes made by the
7 act; providing an effective date.

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

10
11 Section 1. This act may be cited as the "Save Our Teachers
12 Act."

13 Section 2. Paragraph (b) of subsection (14) of section
14 1011.62, Florida Statutes, is amended to read:

15 1011.62 Funds for operation of schools.—If the annual
16 allocation from the Florida Education Finance Program to each
17 district for operation of schools is not determined in the
18 annual appropriations act or the substantive bill implementing
19 the annual appropriations act, it shall be determined as
20 follows:

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

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

28 1. Each school district and charter school shall use its
29 share of the allocation to increase the minimum base salary for

26-00771-23

2023342__

30 full-time classroom teachers, as defined in s. 1012.01(2)(a),
31 plus certified prekindergarten teachers funded in the Florida
32 Education Finance Program, to at least \$65,000 ~~\$47,500~~, or to
33 the maximum amount achievable based on the allocation and as
34 specified in the General Appropriations Act. The term "minimum
35 base salary" means the lowest annual base salary reported on the
36 salary schedule for a full-time classroom teacher. No full-time
37 classroom teacher shall receive a salary less than the minimum
38 base salary as adjusted by this subparagraph. This subparagraph
39 does not apply to substitute teachers.

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

43 a. Full-time classroom teachers, as defined in s.
44 1012.01(2)(a), plus certified prekindergarten teachers funded in
45 the Florida Education Finance Program, who did not receive an
46 increase or who received an increase of less than 2 percent
47 under subparagraph 1. or as specified in the General
48 Appropriations Act. This subparagraph does not apply to
49 substitute teachers.

50 b. Other full-time instructional personnel as defined in s.
51 1012.01(2)(b)-(d).

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

55 4. A school district or charter school shall maintain the
56 minimum base salary achieved for classroom teachers provided
57 under subparagraph 1. and may not reduce the salary increases
58 provided under subparagraph 2. in any subsequent fiscal year,

26-00771-23

2023342__

59 unless specifically authorized in the General Appropriations
60 Act.

61 Section 3. Paragraph (c) of subsection (1) of section
62 1012.22, Florida Statutes, is amended to read:

63 1012.22 Public school personnel; powers and duties of the
64 district school board.—The district school board shall:

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

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

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

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

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

79 c. "Instructional personnel" means instructional personnel
80 as defined in s. 1012.01(2)(a)-(d), excluding substitute
81 teachers.

82 d. "Performance salary schedule" means the salary schedule
83 or schedules adopted by a district school board pursuant to
84 subparagraph 5.

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

87 f. "School administrator" means a school administrator as

26-00771-23

2023342__

88 defined in s. 1012.01(3)(c).

89 g. "Supplement" means an annual addition to the base salary
90 for the term of the negotiated supplement as long as the
91 employee continues his or her employment for the purpose of the
92 supplement. A supplement does not become part of the employee's
93 continuing base salary but shall be considered compensation
94 under s. 121.021(22).

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

97 a. Does not discriminate among comparable classes of
98 employees based upon the salary schedule under which they are
99 compensated.

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

102 3. Advanced degrees.—A district school board may not use
103 advanced degrees in setting a salary schedule for instructional
104 personnel or school administrators hired on or after July 1,
105 2011, unless the advanced degree is held in the individual's
106 area of certification and is only a salary supplement.

107 4. Grandfathered salary schedule.—

108 a. The district school board shall adopt a salary schedule
109 or salary schedules to be used as the basis for paying all
110 school employees hired before July 1, 2014. Instructional
111 personnel on annual contract as of July 1, 2014, shall be placed
112 on the performance salary schedule adopted under subparagraph 5.
113 Instructional personnel on continuing contract or professional
114 service contract may opt into the performance salary schedule if
115 the employee relinquishes such contract and agrees to be
116 employed on an annual contract under s. 1012.335. Such an

26-00771-23

2023342__

117 employee shall be placed on the performance salary schedule and
118 may not return to continuing contract or professional service
119 contract status. Any employee who opts into the performance
120 salary schedule may not return to the grandfathered salary
121 schedule.

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

131 5. Performance salary schedule.—By July 1, 2014, the
132 district school board shall adopt a performance salary schedule
133 that provides annual salary adjustments for instructional
134 personnel and school administrators based upon performance
135 determined under s. 1012.34. Employees hired on or after July 1,
136 2014, or employees who choose to move from the grandfathered
137 salary schedule to the performance salary schedule shall be
138 compensated pursuant to the performance salary schedule once
139 they have received the appropriate performance evaluation for
140 this purpose.

141 a. Base salary.—The base salary shall be established as
142 follows:

143 (I) The base salary for instructional personnel or school
144 administrators who opt into the performance salary schedule
145 shall be the salary paid in the prior year, including

26-00771-23

2023342__

146 adjustments only.

147 (II) Instructional personnel or school administrators new
148 to the district, returning to the district after a break in
149 service without an authorized leave of absence, or appointed for
150 the first time to a position in the district in the capacity of
151 instructional personnel or school administrator shall be placed
152 on the performance salary schedule. Beginning July 1, 2023 ~~2021~~,
153 and until such time as the minimum base salary as defined in s.
154 1011.62(14) equals or exceeds \$65,000 ~~\$47,500~~, the annual
155 increase to the minimum base salary shall not be less than 150
156 percent of the largest adjustment made to the salary of an
157 employee on the grandfathered salary schedule. Thereafter, the
158 annual increase to the minimum base salary shall not be less
159 than 75 percent of the largest adjustment for an employee on the
160 grandfathered salary schedule.

161 b. Salary adjustments.—Salary adjustments for highly
162 effective or effective performance shall be established as
163 follows:

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

169 (II) The annual salary adjustment under the performance
170 salary schedule for an employee rated as effective must be equal
171 to at least 50 percent and no more than 75 percent of the annual
172 adjustment provided for a highly effective employee of the same
173 classification.

174 (III) A salary schedule shall not provide an annual salary

26-00771-23

2023342__

175 adjustment for an employee who receives a rating other than
176 highly effective or effective for the year.

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

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

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

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

193 (IV) Assignment of additional academic responsibilities.
194

195 If budget constraints in any given year limit a district school
196 board's ability to fully fund all adopted salary schedules, the
197 performance salary schedule shall not be reduced on the basis of
198 total cost or the value of individual awards in a manner that is
199 proportionally greater than reductions to any other salary
200 schedules adopted by the district. Any compensation for
201 longevity of service awarded to instructional personnel who are
202 on any other salary schedule must be included in calculating the
203 salary adjustments required by sub-subparagraph b.

26-00771-23

2023342__

204

Section 4. This act shall take effect July 1, 2023.