

By Senator Trumbull

2-01380-24

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1 A bill to be entitled
2 An act relating to K-12 instructional personnel salary
3 schedules; amending s. 1012.22, F.S.; authorizing
4 district school boards to use advanced degrees in
5 setting salary schedules for instructional personnel;
6 providing requirements for such degrees; 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 if 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.~~

57 4. Grandfathered salary schedule.—

58 a. The district school board shall adopt a salary schedule

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

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

81 5. Performance salary schedule.—By July 1, 2014, the
82 district school board shall adopt a performance salary schedule
83 that provides annual salary adjustments for instructional
84 personnel and school administrators based upon performance
85 determined under s. 1012.34. Employees hired on or after July 1,
86 2014, or employees who choose to move from the grandfathered
87 salary schedule to the performance salary schedule shall be

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88 compensated pursuant to the performance salary schedule once
89 they have received the appropriate performance evaluation for
90 this purpose.

91 a. Base salary.—The base salary shall be established as
92 follows:

93 (I) The base salary for instructional personnel or school
94 administrators who opt into the performance salary schedule
95 shall be the salary paid in the prior year, including
96 adjustments only.

97 (II) Instructional personnel or school administrators new
98 to the district, returning to the district after a break in
99 service without an authorized leave of absence, or appointed for
100 the first time to a position in the district in the capacity of
101 instructional personnel or school administrator shall be placed
102 on the performance salary schedule.

103 b. Salary adjustments.—Salary adjustments for highly
104 effective or effective performance shall be established as
105 follows:

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

111 (II) The annual salary adjustment under the performance
112 salary schedule for an employee rated as effective must be equal
113 to at least 50 percent and no more than 75 percent of the annual
114 adjustment provided for a highly effective employee of the same
115 classification.

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

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

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

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

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

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

135 (IV) Assignment of additional academic responsibilities.
136

137 If budget constraints in any given year limit a district school
138 board's ability to fully fund all adopted salary schedules, the
139 performance salary schedule shall not be reduced on the basis of
140 total cost or the value of individual awards in a manner that is
141 proportionally greater than reductions to any other salary
142 schedules adopted by the district. Any compensation for
143 longevity of service awarded to instructional personnel who are
144 on any other salary schedule must be included in calculating the
145 salary adjustments required by sub-subparagraph b.

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Section 2. This act shall take effect July 1, 2024.