

By Senator Rodriguez

40-00444-25

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1                   A bill to be entitled  
2       An act relating to public school personnel salary  
3       schedules; amending s. 1012.22, F.S.; deleting  
4       definitions; deleting a requirement relating to cost-  
5       of-living salary adjustments; revising requirements  
6       for salary schedules for school employees;  
7       authorizing, rather than requiring, a district school  
8       board to base a portion of each employee's  
9       compensation on performance; deleting a requirement  
10      that district school boards adopt a performance salary  
11      schedule based on specified requirements; revising the  
12      requirement for a base salary for instructional  
13      personnel or school administrators; revising  
14      conditions under which a district school board must  
15      provide salary supplements; deleting a provision that  
16      prohibits a performance salary schedule from being  
17      reduced due to budget constraints; making technical  
18      changes; reenacting ss. 1002.33(16)(b),  
19      1002.451(5)(a), 1003.621(2)(h), and 1011.6202(3)(b),  
20      F.S., relating to charter school exemption from  
21      statutes, district innovation school of technology  
22      program exemption from statutes, academically high-  
23      performing school districts' compliance with statutes  
24      and rules, and Principal Autonomy Program Initiative  
25      exemption from laws, respectively, to incorporate the  
26      amendment made to s. 1012.22, F.S., in references  
27      thereto; providing an effective date.

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

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Section 1. 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.~~

~~e.~~ "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 pursuant to ~~subparagraph 5.~~

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

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

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59 ~~e.g.~~ "Supplement" means an annual addition to the base  
60 salary for the term of the negotiated supplement as long as the  
61 employee continues his or her employment for the purpose of the  
62 supplement. A supplement does not become part of the employee's  
63 continuing base salary but shall be considered compensation  
64 under s. 121.021(22).

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

67 a. does not discriminate among comparable classes of  
68 employees based upon the salary schedule under which they are  
69 compensated.

70 ~~b. Does not exceed 50 percent of the annual adjustment  
71 provided to instructional personnel rated as effective.~~

72 3. Advanced degrees.—A district school board may use  
73 advanced degrees in setting a salary schedule for instructional  
74 personnel or school administrators if the advanced degree is  
75 held in the individual's area of certification.

76 4. ~~Grandfathered~~ Salary schedule.—

77 a. Beginning with the 2026-2027 school year, the district  
78 school board shall adopt a salary schedule or salary schedules  
79 to be used as the basis for paying all school employees ~~hired~~  
80 ~~before July 1, 2014. Instructional personnel on annual contract~~  
81 ~~as of July 1, 2014, shall be placed on the performance salary~~  
82 ~~schedule adopted under subparagraph 5. Instructional personnel~~  
83 ~~on continuing contract or professional service contract may opt~~  
84 ~~into the performance salary schedule if the employee~~  
85 ~~relinquishes such contract and agrees to be employed on an~~  
86 ~~annual contract under s. 1012.335. Such an employee shall be~~  
87 ~~placed on the performance salary schedule and may not return to~~

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88 ~~continuing contract or professional service contract status. Any~~  
89 ~~employee who opts into the performance salary schedule may not~~  
90 ~~return to the grandfathered salary schedule.~~

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

100 5. ~~Performance salary schedule. By July 1, 2014, the~~  
101 ~~district school board shall adopt a performance salary schedule~~  
102 ~~that provides annual salary adjustments for instructional~~  
103 ~~personnel and school administrators based upon performance~~  
104 ~~determined under s. 1012.34. Employees hired on or after July 1,~~  
105 ~~2014, or employees who choose to move from the grandfathered~~  
106 ~~salary schedule to the performance salary schedule shall be~~  
107 ~~compensated pursuant to the performance salary schedule once~~  
108 ~~they have received the appropriate performance evaluation for~~  
109 ~~this purpose.~~

110 a. Base salary. ~~The base salary shall be established as~~  
111 ~~follows:~~

112 ~~(I)~~ The base salary for instructional personnel or school  
113 administrators who opt into the performance salary schedule is  
114 only ~~shall be~~ the salary paid in the prior year, including  
115 adjustments ~~only~~.

116 ~~(II)~~ ~~Instructional personnel or school administrators new~~

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117 ~~to the district, returning to the district after a break in~~  
118 ~~service without an authorized leave of absence, or appointed for~~  
119 ~~the first time to a position in the district in the capacity of~~  
120 ~~instructional personnel or school administrator shall be placed~~  
121 ~~on the performance salary schedule.~~

122 ~~b. Salary adjustments. Salary adjustments for highly~~  
123 ~~effective or effective performance shall be established as~~  
124 ~~follows:~~

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

130 ~~(II) The annual salary adjustment under the performance~~  
131 ~~salary schedule for an employee rated as effective must be equal~~  
132 ~~to at least 50 percent and no more than 75 percent of the annual~~  
133 ~~adjustment provided for a highly effective employee of the same~~  
134 ~~classification.~~

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

138 ~~6.e. Salary supplements. In addition to the salary~~  
139 ~~adjustments,~~ Each district school board shall provide for salary  
140 supplements for activities that must include, but are not  
141 limited to:

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

143 b.(II) Assignment to a school that earned a grade of "F" or  
144 two ~~three~~ consecutive grades of "D" pursuant to s. 1008.34 such  
145 that the supplement remains in force for at least 1 year

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146 following improved performance in that school.

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

155 d.~~(IV)~~ Assignment as a mentor to a teacher hired within the  
156 first 3 years.

157 e. Assignment of additional academic responsibilities.

158  
159 ~~If budget constraints in any given year limit a district school~~  
160 ~~board's ability to fully fund all adopted salary schedules, the~~  
161 ~~performance salary schedule shall not be reduced on the basis of~~  
162 ~~total cost or the value of individual awards in a manner that is~~  
163 ~~proportionally greater than reductions to any other salary~~  
164 ~~schedules adopted by the district. Any compensation for~~  
165 ~~longevity of service awarded to instructional personnel who are~~  
166 ~~on any other salary schedule must be included in calculating the~~  
167 ~~salary adjustments required by sub-subparagraph b.~~

168 Section 2. For the purpose of incorporating the amendment  
169 made by this act to section 1012.22, Florida Statutes, in a  
170 reference thereto, paragraph (b) of subsection (16) of section  
171 1002.33, Florida Statutes, is reenacted to read:

172 1002.33 Charter schools.—

173 (16) EXEMPTION FROM STATUTES.—

174 (b) Additionally, a charter school shall be in compliance

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175 with the following statutes:

- 176 1. Section 286.011, relating to public meetings and  
177 records, public inspection, and criminal and civil penalties.
- 178 2. Chapter 119, relating to public records.
- 179 3. Section 1003.03, relating to the maximum class size,  
180 except that the calculation for compliance pursuant to s.  
181 1003.03 shall be the average at the school level.
- 182 4. Section 1012.22(1)(c), relating to compensation and  
183 salary schedules.
- 184 5. Section 1012.33(5), relating to workforce reductions.
- 185 6. Section 1012.335, relating to contracts with  
186 instructional personnel hired on or after July 1, 2011.
- 187 7. Section 1012.34, relating to the substantive  
188 requirements for performance evaluations for instructional  
189 personnel and school administrators.
- 190 8. Section 1006.12, relating to safe-school officers.
- 191 9. Section 1006.07(7), relating to threat management teams.
- 192 10. Section 1006.07(9), relating to School Environmental  
193 Safety Incident Reporting.
- 194 11. Section 1006.07(10), relating to reporting of  
195 involuntary examinations.
- 196 12. Section 1006.1493, relating to the Florida Safe Schools  
197 Assessment Tool.
- 198 13. Section 1006.07(6)(d), relating to adopting an active  
199 assailant response plan.
- 200 14. Section 943.082(4)(b), relating to the mobile  
201 suspicious activity reporting tool.
- 202 15. Section 1012.584, relating to youth mental health  
203 awareness and assistance training.

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204           16. Section 1001.42(4)(f)2., relating to middle school and  
205 high school start times. A charter school-in-the-workplace is  
206 exempt from this requirement.

207           Section 3. For the purpose of incorporating the amendment  
208 made by this act to section 1012.22, Florida Statutes, in a  
209 reference thereto, paragraph (a) of subsection (5) of section  
210 1002.451, Florida Statutes, is reenacted to read:

211           1002.451 District innovation school of technology program.-

212           (5) EXEMPTION FROM STATUTES.-

213           (a) An innovation school of technology is exempt from  
214 chapters 1000-1013. However, an innovation school of technology  
215 shall comply with the following provisions of those chapters:

216           1. Laws pertaining to the following:

217           a. Schools of technology, including this section.

218           b. Student assessment program and school grading system.

219           c. Services to students who have disabilities.

220           d. Civil rights, including s. 1000.05, relating to  
221 discrimination.

222           e. Student health, safety, and welfare.

223           2. Laws governing the election and compensation of district  
224 school board members and election or appointment and  
225 compensation of district school superintendents.

226           3. Section 1003.03, governing maximum class size, except  
227 that the calculation for compliance pursuant to s. 1003.03 is  
228 the average at the school level.

229           4. Sections 1012.22(1)(c) and 1012.27(2), relating to  
230 compensation and salary schedules.

231           5. Section 1012.33(5), relating to workforce reductions,  
232 for annual contracts for instructional personnel. This



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233 subparagraph does not apply to at-will employees.

234         6. Section 1012.335, relating to contracts with  
235 instructional personnel hired on or after July 1, 2011, for  
236 annual contracts for instructional personnel. This subparagraph  
237 does not apply to at-will employees.

238         7. Section 1012.34, relating to requirements for  
239 performance evaluations of instructional personnel and school  
240 administrators.

241         Section 4. For the purpose of incorporating the amendment  
242 made by this act to section 1012.22, Florida Statutes, in a  
243 reference thereto, paragraph (h) of subsection (2) of section  
244 1003.621, Florida Statutes, is reenacted to read:

245         1003.621 Academically high-performing school districts.—It  
246 is the intent of the Legislature to recognize and reward school  
247 districts that demonstrate the ability to consistently maintain  
248 or improve their high-performing status. The purpose of this  
249 section is to provide high-performing school districts with  
250 flexibility in meeting the specific requirements in statute and  
251 rules of the State Board of Education.

252         (2) COMPLIANCE WITH STATUTES AND RULES.—Each academically  
253 high-performing school district shall comply with all of the  
254 provisions in chapters 1000-1013, and rules of the State Board  
255 of Education which implement these provisions, pertaining to the  
256 following:

257         (h) Sections 1012.22(1)(c) and 1012.27(2), relating to  
258 public school personnel compensation and salary schedules; s.  
259 1012.34, relating to personnel evaluation procedures and  
260 criteria; and ss. 1012.33 and 1012.335, relating to contracts  
261 with instructional personnel, staff, supervisors, and school

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262 administrators.

263 Section 5. For the purpose of incorporating the amendment  
264 made by this act to section 1012.22, Florida Statutes, in a  
265 reference thereto, paragraph (b) of subsection (3) of section  
266 1011.6202, Florida Statutes, is reenacted to read:

267 1011.6202 Principal Autonomy Program Initiative.—The  
268 Principal Autonomy Program Initiative is created within the  
269 Department of Education. The purpose of the program is to  
270 provide a highly effective principal of a participating school  
271 with increased autonomy and authority to operate his or her  
272 school, as well as other schools, in a way that produces  
273 significant improvements in student achievement and school  
274 management while complying with constitutional requirements. The  
275 State Board of Education may, upon approval of a principal  
276 autonomy proposal, enter into a performance contract with the  
277 district school board for participation in the program.

278 (3) EXEMPTION FROM LAWS.—

279 (b) A participating school or a school operated by a  
280 principal pursuant to subsection (5) shall comply with the  
281 provisions of chapters 1000-1013, and rules of the state board  
282 that implement those provisions, pertaining to the following:

283 1. Those laws relating to the election and compensation of  
284 district school board members, the election or appointment and  
285 compensation of district school superintendents, public meetings  
286 and public records requirements, financial disclosure, and  
287 conflicts of interest.

288 2. Those laws relating to the student assessment program  
289 and school grading system, including chapter 1008.

290 3. Those laws relating to the provision of services to

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291 students with disabilities.

292 4. Those laws relating to civil rights, including s.  
293 1000.05, relating to discrimination.

294 5. Those laws relating to student health, safety, and  
295 welfare.

296 6. Section 1001.42(4)(f), relating to the uniform opening  
297 date for public schools.

298 7. Section 1003.03, governing maximum class size, except  
299 that the calculation for compliance pursuant to s. 1003.03 is  
300 the average at the school level for a participating school.

301 8. Sections 1012.22(1)(c) and 1012.27(2), relating to  
302 compensation and salary schedules.

303 9. Section 1012.33(5), relating to workforce reductions for  
304 annual contracts for instructional personnel. This subparagraph  
305 does not apply to at-will employees.

306 10. Section 1012.335, relating to annual contracts for  
307 instructional personnel hired on or after July 1, 2011. This  
308 subparagraph does not apply to at-will employees.

309 11. Section 1012.34, relating to personnel evaluation  
310 procedures and criteria.

311 12. Those laws pertaining to educational facilities,  
312 including chapter 1013, except that s. 1013.20, relating to  
313 covered walkways for relocatables, is eligible for exemption.

314 13. Those laws pertaining to participating school  
315 districts, including this section and ss. 1011.69(2) and  
316 1012.28(8).

317 Section 6. This act shall take effect July 1, 2025.