

1 A bill to be entitled
 2 An act relating to instructional personnel and
 3 educational support employee salaries; amending s.
 4 1012.22, F.S.; providing definitions; creating ss.
 5 1012.053 and 1012.054, F.S.; providing a short title;
 6 requiring the Legislature to fund the Florida
 7 Education Finance Program at a level that ensures that
 8 instructional personnel and educational support
 9 employees earn a living wage; providing minimum base
 10 salaries for or specified percentage increases to the
 11 base salaries of instructional personnel for certain
 12 years; providing specified percentage increases to the
 13 base salaries of educational support employees for
 14 certain years; providing an effective date.

15
 16 Be It Enacted by the Legislature of the State of Florida:
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18 Section 1. Paragraph (c) of subsection (1) of section
 19 1012.22, Florida Statutes, is amended to read:

20 1012.22 Public school personnel; powers and duties of the
 21 district school board.—The district school board shall:

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

26 chapter:

27 (c) Compensation and salary schedules.—

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

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

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

36 c. "Instructional personnel" means instructional personnel
37 as defined in s. 1012.01(2)(a)-(d), excluding substitute
38 teachers.

39 d. "Minimum base salary" means the minimum salary amount
40 an instructional personnel, as defined in s. 1012.01(2), may
41 receive as a salary.

42 ~~e.d.~~ "Performance salary schedule" means the salary
43 schedule or schedules adopted by a district school board
44 pursuant to subparagraph 5.

45 f. "Salary" means the base annual salary before payroll
46 deductions and excluding additional compensations, such as
47 supplements and bonuses.

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

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

53 ~~i.g.~~ "Supplement" means an annual addition to the base
54 salary for the term of the negotiated supplement as long as the
55 employee continues his or her employment for the purpose of the
56 supplement. A supplement does not become part of the employee's
57 continuing base salary but shall be considered compensation
58 under s. 121.021(22).

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

61 a. Does not discriminate among comparable classes of
62 employees based upon the salary schedule under which they are
63 compensated.

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

66 3. Advanced degrees.—A district school board may not use
67 advanced degrees in setting a salary schedule for instructional
68 personnel or school administrators hired on or after July 1,
69 2011, unless the advanced degree is held in the individual's
70 area of certification and is only a salary supplement.

71 4. Grandfathered salary schedule.—

72 a. The district school board shall adopt a salary schedule
73 or salary schedules to be used as the basis for paying all
74 school employees hired before July 1, 2014. Instructional
75 personnel on annual contract as of July 1, 2014, shall be placed

76 | on the performance salary schedule adopted under subparagraph 5.
77 | Instructional personnel on continuing contract or professional
78 | service contract may opt into the performance salary schedule if
79 | the employee relinquishes such contract and agrees to be
80 | employed on an annual contract under s. 1012.335. Such an
81 | employee shall be placed on the performance salary schedule and
82 | may not return to continuing contract or professional service
83 | contract status. Any employee who opts into the performance
84 | salary schedule may not return to the grandfathered salary
85 | schedule.

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

95 | 5. Performance salary schedule.—By July 1, 2014, the
96 | district school board shall adopt a performance salary schedule
97 | that provides annual salary adjustments for instructional
98 | personnel and school administrators based upon performance
99 | determined under s. 1012.34. Employees hired on or after July 1,
100 | 2014, or employees who choose to move from the grandfathered

101 salary schedule to the performance salary schedule shall be
102 compensated pursuant to the performance salary schedule once
103 they have received the appropriate performance evaluation for
104 this purpose.

105 a. Base salary.—The base salary shall be established as
106 follows:

107 (I) The base salary for instructional personnel or school
108 administrators who opt into the performance salary schedule
109 shall be the salary paid in the prior year, including
110 adjustments only.

111 (II) Beginning July 1, 2014, instructional personnel or
112 school administrators new to the district, returning to the
113 district after a break in service without an authorized leave of
114 absence, or appointed for the first time to a position in the
115 district in the capacity of instructional personnel or school
116 administrator shall be placed on the performance salary
117 schedule.

118 b. Salary adjustments.—Salary adjustments for highly
119 effective or effective performance shall be established as
120 follows:

121 (I) The annual salary adjustment under the performance
122 salary schedule for an employee rated as highly effective must
123 be greater than the highest annual salary adjustment available
124 to an employee of the same classification through any other
125 salary schedule adopted by the district.

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

131 (III) The performance salary schedule shall not provide an
 132 annual salary adjustment for an employee who receives a rating
 133 other than highly effective or effective for the year.

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

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

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

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

150 (IV) Assignment of additional academic responsibilities.

151
152 If budget constraints in any given year limit a district school
153 board's ability to fully fund all adopted salary schedules, the
154 performance salary schedule shall not be reduced on the basis of
155 total cost or the value of individual awards in a manner that is
156 proportionally greater than reductions to any other salary
157 schedules adopted by the district.

158 Section 2. Section 1012.053, Florida Statutes, is created
159 to read:

160 1012.053 Instructional personnel salaries.-

161 (1) This section may be cited as the "Florida
162 Instructional Personnel Fair Pay Act."

163 (2) In order to attract and retain instructional
164 personnel, the Legislature shall fund the Florida Education
165 Finance Program at a level that ensures that the collectively
166 bargained salary schedules for instructional personnel are
167 sufficient to guarantee a living wage while maintaining adequate
168 funding for all other education program areas and personnel.

169 (3) Effective July 1, 2020, district school boards shall
170 pay each instructional personnel, as defined in s. 1012.01(2),
171 the greater of:

172 (a) A minimum base salary of \$47,500; or

173 (b) A 5 percent increase on his or her June 30, 2020, base
174 salary.

175 (4) Effective July 1, 2021, district school boards shall

176 pay each instructional personnel, as defined in s. 1012.01(2),
177 the greater of:

178 (a) A minimum base salary of \$49,400; or

179 (b) A 4 percent increase on his or her June 30, 2021, base
180 salary.

181 (5) Effective July 1, 2022, district school boards shall
182 pay each instructional personnel, as defined in s. 1012.01(2),
183 the greater of:

184 (a) A minimum base salary of \$51,376; or

185 (b) A 4 percent increase on his or her June 30, 2022, base
186 salary.

187 Section 3. Section 1012.054, Florida Statutes, is created
188 to read:

189 1012.054 Educational support employees' salaries.—

190 (1) This section may be cited as the "Florida Educational
191 Support Employees Fair Pay Act."

192 (2) In order to attract and retain educational support
193 employees, the Legislature shall fund the Florida Education
194 Finance Program at a level that ensures that the collectively
195 bargained salary schedules for educational support employees are
196 sufficient to guarantee a living wage while maintaining adequate
197 funding for all other education program areas and personnel.

198 (3) Effective July 1, 2020, each educational support
199 employee, as defined in s. 1012.01(6), is provided a 5 percent
200 increase on his or her June 30, 2020, base salary.

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201 (4) Effective July 1, 2021, each educational support
202 employee, as defined in s. 1012.01(6), is provided a 4 percent
203 increase on his or her June 30, 2021, base salary.

204 (5) Effective July 1, 2022, each educational support
205 employee, as defined in s. 1012.01(6), is provided a 4 percent
206 increase on his or her June 30, 2022, base salary.

207 Section 4. This act shall take effect July 1, 2020.