

1                   A bill to be entitled  
 2           An act relating to public school personnel; amending  
 3           s. 1012.22, F.S.; authorizing additional criteria for  
 4           the use of advanced degrees in setting salary  
 5           schedules; providing an effective date.

6  
 7 Be It Enacted by the Legislature of the State of Florida:

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 9           Section 1. Paragraph (c) of subsection (1) of section  
 10   1012.22, Florida Statutes, is amended to read:

11           1012.22 Public school personnel; powers and duties of the  
 12   district school board.—The district school board shall:

13           (1) Designate positions to be filled, prescribe  
 14   qualifications for those positions, and provide for the  
 15   appointment, compensation, promotion, suspension, and dismissal  
 16   of employees as follows, subject to the requirements of this  
 17   chapter:

18           (c) Compensation and salary schedules.—

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

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

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

27           c. "Instructional personnel" means instructional personnel  
 28   as defined in s. 1012.01(2)(a)-(d), excluding substitute

29 teachers.

30 d. "Performance salary schedule" means the salary schedule  
 31 or schedules adopted by a district school board pursuant to  
 32 subparagraph 5.

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

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

37 g. "Supplement" means an annual addition to the base  
 38 salary for the term of the negotiated supplement as long as the  
 39 employee continues his or her employment for the purpose of the  
 40 supplement. A supplement does not become part of the employee's  
 41 continuing base salary but shall be considered compensation  
 42 under s. 121.021(22).

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

45 a. Does not discriminate among comparable classes of  
 46 employees based upon the salary schedule under which they are  
 47 compensated.

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

50 3. Advanced degrees.—A district school board may not use  
 51 advanced degrees in setting a salary schedule for instructional  
 52 personnel or school administrators hired on or after July 1,  
 53 2011, unless the advanced degree:

54 a. Is held in the individual's area of certification;

55 b. Is in the subject area that the individual is currently  
 56 teaching; or

57 | c. Is identified by the school district as having  
58 | application that is relevant to school-based learning.

59 |  
60 | An advanced degree may be used only for purposes of ~~and is only~~  
61 | a salary supplement.

62 | 4. Grandfathered salary schedule.—

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

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

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85 | difficulties.

86 |         5. Performance salary schedule.—By July 1, 2014, the  
87 | district school board shall adopt a performance salary schedule  
88 | that provides annual salary adjustments for instructional  
89 | personnel and school administrators based upon performance  
90 | determined under s. 1012.34. Employees hired on or after July 1,  
91 | 2014, or employees who choose to move from the grandfathered  
92 | salary schedule to the performance salary schedule shall be  
93 | compensated pursuant to the performance salary schedule once  
94 | they have received the appropriate performance evaluation for  
95 | this purpose. However, a classroom teacher whose performance  
96 | evaluation utilizes student learning growth measures established  
97 | under s. 1012.34(7)(e) shall remain under the grandfathered  
98 | salary schedule until his or her teaching assignment changes to  
99 | a subject for which there is an assessment or the school  
100 | district establishes equally appropriate measures of student  
101 | learning growth as defined under s. 1012.34 and rules of the  
102 | State Board of Education.

103 |         a. Base salary.—The base salary shall be established as  
104 | follows:

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

109 |             (II) Beginning July 1, 2014, instructional personnel or  
110 | school administrators new to the district, returning to the  
111 | district after a break in service without an authorized leave of  
112 | absence, or appointed for the first time to a position in the

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113 district in the capacity of instructional personnel or school  
114 administrator shall be placed on the performance salary  
115 schedule.

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

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

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

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

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

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

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

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

148 (IV) Assignment of additional academic responsibilities.

149

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

156 Section 2. This act shall take effect July 1, 2013.