

By Senator Rodriguez

37-01172D-20

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1 A bill to be entitled
2 An act relating to the Instructional Personnel and
3 Educational Support Employee Pay Raise Initiative;
4 creating s. 1011.687, F.S.; providing a short title;
5 establishing the Instructional Personnel and
6 Educational Support Employee Pay Raise Initiative and
7 providing its purpose; requiring that the initiative
8 be funded at a level sufficient to provide a specified
9 annual salary increase for all instructional personnel
10 and educational support employees, plus a specified
11 cost-of-living adjustment, beginning in a specified
12 fiscal year and continuing through a specified fiscal
13 year; providing construction; requiring that a school
14 district that provides the authorized salary increase
15 or that enters into an agreement with bargaining units
16 to provide a salary increase receive funds made
17 available through the initiative to cover the
18 incremental cost to the district; requiring that such
19 funds be incorporated into the base student allocation
20 and that they be distributed through the Florida
21 Education Finance Program; authorizing charter schools
22 to receive funds from the Instructional Personnel and
23 Educational Support Employee Pay Raise Initiative
24 under certain circumstances; requiring that a charter
25 school return the funds and pay a certain penalty
26 under certain circumstances; providing legislative
27 intent with regard to such penalties; providing an
28 effective date.
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30 Be It Enacted by the Legislature of the State of Florida:

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32 Section 1. Section 1011.687, Florida Statutes, is created
33 to read:

34 1011.687 Instructional Personnel and Educational Support
35 Employee Pay Raise Initiative; operating categorical fund.—

36 (1) This section may be cited as the "Instructional
37 Personnel and Educational Support Employee Pay Raise
38 Initiative."

39 (2) The Instructional Personnel and Educational Support
40 Employee Pay Raise Initiative is established for the purpose of
41 affording school districts the opportunity to raise the salaries
42 of instructional personnel as defined in s. 1012.01(2) and
43 education support employees as defined in s. 1012.40(1)(a) to
44 address challenges with retention and recruitment of
45 instructional personnel and education support employees in the
46 state's K-20 education system. The initiative must be funded at
47 a level sufficient to provide a 4.5 percent annual salary
48 increase for all instructional personnel and educational support
49 employees, plus a cost-of-living adjustment, beginning with the
50 2020-2021 fiscal year and continuing through the 2028-2029
51 fiscal year. This section may not be construed to abridge the
52 membership of any instructional personnel and educational
53 support employees in any labor organization or to impact the
54 right of instructional personnel and educational support
55 employees to bargain collectively through a labor organization,
56 and the voluntary salary increases provided under this section
57 may not be construed to interfere with the right of school
58 boards to set the wages, hours, and terms and conditions of

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59 employment for all school board employees.

60 (a) Beginning with the 2020-2021 fiscal year, funding
61 sufficient to provide for at least the 4.5 percent annual salary
62 increase and the cost of living adjustment authorized by this
63 section must be calculated using aggregate data on the payments
64 disbursed to instructional personnel as defined in s. 1012.01(2)
65 and educational support employees as defined in s.
66 1012.40(1)(a), as reported by the Department of Education.
67 Subject to s. 6, Art. I of the State Constitution, for each year
68 during which a school district provides the salary increase and
69 the cost of living adjustment authorized by this subsection, or
70 when a school district and appropriate bargaining units agree to
71 a salary increase, the school district must receive funds as
72 authorized under this section to cover the incremental cost to
73 the district of the raise. Funds provided pursuant to this
74 subsection must be incorporated into the base student allocation
75 for the subsequent fiscal year.

76 (b) Instructional Personnel and Education Support Employee
77 Pay Raise Initiative funds must be distributed through the
78 Florida Education Finance Program (FEFP).

79 (c) Each district school board, in consultation with each
80 charter school governing board in the district, may provide
81 salary increases for charter school instructional personnel and
82 education support employees under this section if the
83 participating charter school reports pay schedules adopted
84 pursuant to s. 1012.22, documents expenditures related to
85 categorical funds to the department at least 30 days before the
86 start of each legislative session, and agrees to return all
87 funds received under this section plus pay a 5 percent penalty

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88 if pay schedules do not reflect that instructional personnel and
89 educational support employees actually received the 4.5 percent
90 raise. A charter school that fails to report pay schedules must
91 return all funds received under this section plus pay a 10
92 percent penalty.

93 (d) The Legislature intends that any financial penalty
94 assessed against a charter school governing board pursuant to
95 paragraph (c) directly impact funding for that charter school
96 and not impact funding for the district school board.

97 Section 2. This act shall take effect July 1, 2020.