

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education

BILL: SB 1576

INTRODUCER: Senator Polsky

SUBJECT: Educational Support Staff

DATE: January 24, 2022

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Jahnke	Bouck	ED	Favorable
2.			AED	
3.			AP	

I. Summary:

SB 1576 establishes that a support staff position that has over 20 percent of its available staffing positions vacant constitutes a critical shortage area. Specifically, the bill requires:

- District superintendents to annually compile a list of critical employment shortages for education support employees and paraprofessionals.
- Each district to fund incentives that will help retain and recruit personnel for critical shortages or hard to staff positions or worksites in support staff positions as appropriated by the General Appropriations Act.
- District superintendents to annually file a report to the President of the Senate and the Speaker of the House of Representatives with documentation of the shortage and how the funds were used.

The bill does not have a fiscal impact to the state.

The bill takes effect July 1, 2022.

II. Present Situation:

Instructional Personnel

Instructional personnel means any K-12 staff member whose function includes the provision of direct instructional services to students.¹ Instructional personnel also includes K-12 personnel whose functions provide direct support in the learning process of students. Included in the classification of instructional personnel are the following K-12 personnel:²

¹ Section 1012.01(2), F.S.

² Section 1012.01(2)(a)-(e), F.S.

- Classroom teachers – Staff members assigned the professional activity of instructing students in courses in classroom situations, including basic instruction, exceptional student education, career education, and adult education, including substitute teachers.
- Student personnel services – Staff members responsible for advising students, such as, certified school counselors, social workers, career specialists, and school psychologists.
- Librarians/media specialists – Staff members responsible for providing school library media services.
- Other instructional staff – Other instructional staff are primary specialists, learning resource specialists, instructional trainers, adjunct educators,³ and similar positions.
- Education paraprofessionals – Individuals who are under the direct supervision of an instructional staff member, aiding the instructional process.

Based on data from the Florida Department of Education (DOE), there were 2,484 fewer full-time instructional staff in 2020-2021 school year⁴ compared to the 2019-2020 school year.⁵

Full-Time Instructional Staff in Florida's Public Schools	2019-2020 School Year	2020-2021 School Year
Instructional Teachers	179,004	176,182
Guidance	6,322	6,397
Visiting Teachers/Guidance Workers	1,518	1,567
School Psychologist	1,494	1,471
Librarian/Audio Visual Workers	1,992	1,923
Other Professional Staff/Instructional	14,659	14,965
Statewide Total	204,989	202,505

The State Board of Education is required to annually identify critical teacher shortage areas based on the recommendation of the Commissioner of Education.⁶ The list of shortage areas identify high-need content areas and high-priority location areas.⁷ Most of the recommended critical teacher shortage areas for 2021-2022 are among those with the highest projected vacancies and the highest number of current vacancies for the 2020-2021 school year.⁸ This information is collected from each school district and is typically used to plan recruitment efforts, including “The Great Florida Teach-In” held annually.⁹

³ Section 1012.57, F.S.

⁴ Florida Department of Education, *Staff in Florida’s Public Schools, District Reports 2020-21, Instructional Staff*, <https://www.fldoe.org/accountability/data-sys/edu-info-accountability-services/pk-12-public-school-data-pubs-reports/staff.html> (last visited January 21, 2022).

⁵ Florida Department of Education, Archive, Data Publications and Reports, *Staff in Florida’s Public Schools, District Reports 2019-20, Instructional Staff*, <https://www.fldoe.org/accountability/data-sys/edu-info-accountability-services/pk-12-public-school-data-pubs-reports/archive.html> (last visited January 21, 2022).

⁶ Section 1012.07, F.S.

⁷ Rule 6A-20.0131, F.A.C.

⁸ Florida Department of Education, *Identification of Critical Teacher Shortage Areas for 2021-22*, available at <https://www.fldoe.org/core/fileparse.php/7766/urlt/CTSA2122.pdf>.

⁹ *Id.*

Educational Support Employees

An educational support employee is any person employed by a district school system who is employed as a:¹⁰

- Teacher assistant.
- Education paraprofessional.
- Member of the transportation, operations maintenance or food service departments.
- Secretary or clerical employee.
- Other person not required to be certified¹¹ by the DOE or district school board.

Education paraprofessionals¹² are K-12 instructional personnel who are under the direct supervision of an instructional staff member, aiding the instructional process. Included in this classification are:

- Classroom paraprofessionals in regular instruction.
- Exceptional education paraprofessionals.
- Career education paraprofessionals.
- Adult education paraprofessionals.
- Library paraprofessionals.
- Physical education and playground paraprofessionals.
- Other school-level paraprofessionals.

Based on data from the Florida Department of Education (DOE), there were 2,457 fewer education support staff in 2020-2021 school year¹³ compared to the 2019-2020 school year.¹⁴

Education Support Staff in Florida's Public Schools	2019-2020 School Year	2020-2021 School Year
OPS Noninstructional	13,010	13,409
Paraprofessionals	33,641	32,819
Technicians	3,410	3,346
Administrative Support Workers	22,950	22,439
Service Workers	46,584	45,258
Skilled Crafts Workers	4,539	4,426
Unskilled Laborers	1,418	1,398
Statewide Total	125,552	123,095

¹⁰ Section 1012.40, F.S. This section does not apply to persons employed in confidential or management positions. However, this does apply to all employees who are not temporary or casual and whose duties require 20 or more hours in each normal working week.

¹¹ Section 1012.39, F.S.

¹² Section 1012.01(2)(e), F.S.

¹³ Florida Department of Education, *Staff in Florida's Public Schools, District Reports 2020-21, Support Staff*, <https://www.fldoe.org/accountability/data-sys/edu-info-accountability-services/pk-12-public-school-data-pubs-reports/staff.shtml> (last visited January 21, 2022).

¹⁴ Florida Department of Education, Archive, Data Publications and Reports, *Staff in Florida's Public Schools, District Reports 2019-20, Support Staff*, <https://www.fldoe.org/accountability/data-sys/edu-info-accountability-services/pk-12-public-school-data-pubs-reports/archive.shtml> (last visited January 21, 2022).

III. Effect of Proposed Changes:

SB 1576 creates s. 1012.08, F.S, to establish that a support staff position that has over 20 percent of its available staffing positions vacant constitutes a critical shortage area. The bill requires district superintendents to compile a list, not later than April 1 of each year, of critical employment shortages for education support staff and paraprofessionals based on evidence of a shortage for each position.

Additionally, the bill requires each district to fund incentives that will help retain and recruit personnel for critical shortages or hard to staff positions or worksites in support staff positions as appropriated by the General Appropriations Act.

The bill requires district superintendents to file a report, by December 1 of each year, to the President of the Senate and the Speaker of the House of Representatives with documentation of the shortage and how the funds were used.

The bill takes effect July 1, 2022.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 1012.08 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.