

Amendment No. 3 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Richardson offered the following:

Amendment

On page 1289, line 15, through page 1291, line 24,
remove: all of said lines

and insert:

Section 694. Section 1012.22, Florida Statutes, is
created 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:

(a) Positions, qualifications, and appointments.--

1. The district school board shall act upon written
recommendations submitted by the district school
superintendent for positions to be filled, for minimum
qualifications for personnel for the various positions, and

1 for the persons nominated to fill such positions.

2 2. The district school board may reject for good cause
3 any employee nominated.

4 3. If the third nomination by the district school
5 superintendent for any position is rejected for good cause, if
6 the district school superintendent fails to submit a
7 nomination for initial employment within a reasonable time as
8 prescribed by the district school board, or if the district
9 school superintendent fails to submit a nomination for
10 reemployment within the time prescribed by law, the district
11 school board may proceed on its own motion to fill such
12 position.

13 4. The district school board's decision to reject a
14 person's nomination does not give that person a right of
15 action to sue over the rejection and may not be used as a
16 cause of action by the nominated employee.

17 (b) Time to act on nominations.--The district school
18 board shall act not later than 3 weeks after the end of the
19 regular legislative session or May 31, whichever is later, on
20 the district school superintendent's nominations of
21 supervisors, principals, and members of the instructional
22 staff.

23 (c) Compensation and salary schedules.--

24 1. The district school board shall adopt a salary
25 schedule or salary schedules designed to furnish incentives
26 for improvement in training and for continued efficient
27 service to be used as a basis for paying all school employees
28 and fix and authorize the compensation of school employees on
29 the basis thereof.

30 2. A district school board, in determining the salary
31 schedule for instructional personnel, must base a portion of

1 each employee's compensation on performance demonstrated under
2 s. 1012.34, must consider the prior teaching experience of a
3 person who has been designated state teacher of the year by
4 any state in the United States, and must consider prior
5 professional experience in the field of education gained in
6 positions in addition to district level instructional and
7 administrative positions.

8 3. In developing the salary schedule, the district
9 school board shall seek input from parents, teachers, and
10 representatives of the business community.

11 4. By June 30, 2003, the adopted district school board
12 budget must include a reserve to fully fund an additional 5
13 percent supplement for school administrators and instructional
14 personnel. The district's performance-pay policy is subject to
15 negotiation as provided in chapter 447; however, the adopted
16 salary schedule must allow school administrators and
17 instructional personnel who demonstrate outstanding
18 performance, as measured under s. 1012.34, to earn a 5 percent
19 supplement in addition to their individual, negotiated salary.
20 The supplements shall be funded from the reserve funds adopted
21 in the salary schedule. The Commissioner of Education shall
22 determine whether the district school board's adopted salary
23 schedule complies with the requirement for performance-based
24 pay. If the district school board fails to comply with this
25 section, the commissioner shall withhold disbursements from
26 the Educational Enhancement Trust Fund to the district until
27 compliance is verified.

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