

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

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Prepared By: Education Appropriations Committee

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BILL: CS/SB 1298

INTRODUCER: Education Committee and Senator Constantine

SUBJECT: District School Superintendents

DATE: March 6, 2006

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Harkey</u>	<u>Matthews</u>	<u>ED</u>	<u>Fav/CS</u>
2.	<u>Armstrong</u>	<u>Newman</u>	<u>EA</u>	<u>Pre-meeting</u>
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

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## I. Summary:

The bill clarifies that the method of determining district school superintendents' compensation established in s. 1001.47, F.S., applies to the compensation of elected superintendents only. School districts will pay the \$2,000-per-year special qualification salary for elected superintendents. The Department of Education (DOE) will pay the annual performance salary incentives in an amount between \$3,000 and \$7,500 for elected superintendents.

The bill amends s. 1001.50, F.S., to clarify that district school superintendents who are appointed by school boards may participate in the courses of continuing professional education provided in the special qualification certification program under s. 1001.47(4), F.S., and the leadership development and performance compensation program under s. 1001.47(5), F.S. The district school board may use participation in the programs as a factor in determining the amount of compensation to be paid.

This bill amends ss. 1001.47 and 1001.50, Florida Statutes.

## II. Present Situation:

### *Election and Appointment of District School Superintendents*

Under Article IX, Section 5, of the State Constitution, each school district must have a superintendent of schools. The district school superintendent must be elected at the general election unless the district school board adopts a resolution or the voters approve a special law to require the school board to employ a superintendent.

Superintendents are elected in 43 school districts.<sup>1</sup> Superintendents are appointed in the following 24 school districts: Alachua, Brevard, Broward, Charlotte, Collier, Duval, Flagler, Hernando, Hillsborough, Indian River, Lee, Manatee, Miami-Dade, Okeechobee, Orange, Osceola, Palm Beach, Pinellas, Polk, St. Johns, St. Lucie, Sarasota, Seminole, and Volusia.<sup>2</sup>

#### *Compensation of Elected District School Superintendents*

The compensation of elected district school superintendents is governed by s. 1001.47, F.S., which establishes a population-based salary formula. However, a district school board, by majority vote, may approve a salary in excess of the amount specified by the formula.

*The primary determinants of an elected school superintendent's formula-based salary are: 1) the countywide population; 2) the annual factor, a measure of the average percentage increase in salaries of state career service employees for the current fiscal year, or seven percent, whichever is less; and 3) the cumulative annual factor, a measure reflecting the product of all previously-certified annual factors.*<sup>3</sup>

#### *Compensation of Appointed District School Superintendents*

Appointed district school superintendents are compensated according to the provisions of s. 1001.50, F.S. The school district must pay the appointed school superintendent a reasonable annual salary and must take into account the following factors in determining the compensation to be paid:

- The population of the school district;
- The rate and character of population growth;
- The size and composition of the student body to be served;
- The geographic extent of the district;
- The number and character of the schools to be supervised; and
- The individual's educational qualifications and professional experience.

#### *Special Qualification Salary and Leadership Development and Performance Compensation*

Section 1001.47(5), F.S., authorizes a special qualification salary of up to \$2,000 per year for each district school superintendent who has met the certification requirements established by the DOE. The superintendent must annually complete a course of continuing education, prescribed by the department, to remain certified.

Section 1001.47(6), F.S., authorizes the department to provide a leadership development and performance compensation program for district school superintendents, comparable to chief executive officer development programs for corporate executive officers. The program consists

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<sup>1</sup> Florida Legislative Committee on Intergovernmental Relations. "Compensation of Florida's School Superintendents." January 2006. p. 1.

<sup>2</sup> Florida Association of District School Superintendents. <http://www.fadss.org/>

<sup>3</sup> Florida Legislative Committee on Intergovernmental Relations. "Compensation of Florida's School Superintendents", January 2006.

of two phases: a content, knowledge, and skills phase; and a competency acquisition phase. Upon successful completion of both phases and demonstrated successful performance, the school superintendent is issued a Chief Executive Officer Leadership Development Certificate and is given an annual performance salary incentive in an amount between \$3,000 and \$7,500 based upon his or her performance evaluation.

The law does not specify whether the DOE or the school district pays the special qualification salary and the annual performance salary incentive for elected superintendents. According to the Florida Association of District School Superintendents (FADSS), school districts pay the \$2,000 special qualification salary and the department pays the annual performance salary incentive.

The training for the certification programs is conducted by FADSS via a contract administered by the DOE and funded by an annual legislative appropriation of \$290,400. The association offers these training programs to both appointed and elected school superintendents.<sup>4</sup>

The training program expenses associated with the special qualification salary are paid by FADSS, while the superintendents' travel expenses are paid by the individual school districts. However, both the training program expenses and superintendents' travel expenses, associated with the leadership development and performance compensation program, are paid by FADSS.<sup>5</sup>

#### *Legislative Committee on Intergovernmental Relations Interim Project*

During the 2005-2006 interim, the Legislative Committee on Intergovernmental Relations conducted an interim project on district school superintendents' compensation that addressed a lack of statutory authorization for appointed superintendents' participation in the certification programs. The report found that:

*The statutory authorization for participation by appointed school superintendents in the Special Qualification Salary and the Leadership Development and Performance Compensation Program is ambiguous and requires clarification.*<sup>6</sup>

The report presented the following policy option concerning participation of appointed superintendents in the certification programs:

*The Legislature should consider amending Part II of Chapter 1001, F.S., to remove any ambiguity regarding the participation by appointed school superintendents in the supplemental training programs.*<sup>7</sup>

### **III. Effect of Proposed Changes:**

The bill clarifies that the method of determining compensation established in s. 1001.47, F.S., applies to the compensation of elected superintendents only. The extra \$2,000 per year special qualification salary will be paid by district school boards. The Department of Education will pay

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<sup>4</sup> *Ibid.*

<sup>5</sup> *Ibid.*

<sup>6</sup> *Ibid.*

<sup>7</sup> *Ibid.*

the annual performance salary incentives in an amount between \$3,000 and \$7,500, which is paid to elected district school superintendents who complete the leadership development and performance compensation program.

The bill amends s. 1001.50, F.S., to clarify that superintendents who are appointed by school boards may participate in the courses of continuing professional education provided in the special qualification certification program under s. 1001.47(4), F.S., and the leadership development and performance compensation program under s. 1001.47(5), F.S. Upon successful completion of the certification requirements for one or both of these programs, the district school board may use the certification or certifications as a factor in determining the amount of compensation to be paid.

The bill will take effect July 1, 2006.

#### **IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

#### **V. Economic Impact and Fiscal Note:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill codifies existing practice. The Department of Education would be required to pay \$3,000 to \$7,500 to each elected superintendent earning the Chief Executive Officer Leadership Development Certificate. If all 43 elected district superintendents successfully complete the requirements, the state expenditure would range from \$129,000 to \$322,500. Eligibility for elected superintendents to annually receive the salary performance incentive from the state would depend on continued performance assessment and follow up training prescribed by the Department of Education.

The 2006-07 legislative budget request of the Department of Education asks for \$350,000 to provide the salary performance incentive to superintendents who have acquired the Chief Executive Officer Leadership Development Certificate.

School districts will be required to pay the \$2,000-per-year special qualification salary for elected superintendents.

A district school board could use the certifications for either or both of the programs, special qualification or leadership development and performance, in determining the amount of compensation to be paid an appointed superintendent.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

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This Senate staff analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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## **VIII. Summary of Amendments:**

None.

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