

BEST & BRIGHTEST TEACHER PROGRAM 2019-2020

The Florida Legislature has created four new categories for the 2019-2020 Best and Brightest Teacher Program. The Legislative intent of the program is to recruit, retain, and recognize teachers who meet the needs of the state and have achieved success in the classroom. The program also designates school principals whose schools make noticeable academic improvement as Florida's Best and Brightest Principals. Employees may only receive one of the four Best and Brightest Teacher/Principal awards in a single year, provided he/she meets all eligibility requirements of the award.

AWARD CATEGORIES

Recruitment:

Recruitment award is a one-time award limited to new hires who are classroom teachers as defined in F.S.1012.01(2)(a). This one time award is up to \$4000 and may be prorated if funding from the state is insufficient. Applicants must be a content expert, as defined by the Florida Department of Education, in the areas of mathematics, science, computer science, reading, or civics and be teaching in the designated subject area.

New hires, in the specified areas, will apply to Human Resources for this award. Human Resources will verify applicant meets the mandatory requirements.

Retention:

Retention award is for classroom teachers as defined in F.S.1012.01(2)(a) and who have been teaching in the same qualifying school for two (2) consecutive school years, including the current year. Qualifying schools have been determined by the state. For a school to qualify, it must have improved an average of three (3) percentage points or more in the percentage of total possible points achieved for school grade determination over the prior three (3) years.

Retention award amount is \$2500 for highly effective teachers and \$1000 for effective teachers based on their 2018-2019 final Clay County evaluation. Awards may be prorated if funding is insufficient.

Notification will be sent to each qualifying school for classroom teachers to apply for the Retention award. Human Resources will verify applicant meets the mandatory requirements.

Principal Award:

Principal award is for principals who have served at a qualifying school for four (4) consecutive years, including the current 2019-2020 school year. Eligible schools have been determined by the state using the same criterion as for Retention award. Human Resources will determine eligible principals based on state information and required four (4) years of service.

Principal award is \$5,000 and may be prorated if funding is insufficient.

Human Resources will verify qualifying principals

Recognition Award:

Recognition award is for instructional personnel who receive either a highly effective or effective 2018-2019 final Clay County evaluation and are selected by his/her school principal. This award will be distributed to instructional personnel who were not eligible for the Retention or Recruitment Award and meet statutory requirements.

Human Resources will send information to all district instructional personnel providing Recognition Award requirements and application process. Human Resources will verify applications for eligibility.

The amount of the Recognition Award will be determined after payment of the Recruitment, Retention, and the Principal award have been finalized and paid in full for all Clay County public schools. Should state funding not meet the payout for the Recruitment, Recognition and Principal funding, these category payouts will be prorated to meet the need and recognition award will not be paid.

DEFINITIONS

For the purpose of implementation of the 2019-2020 Best and Brightest Teacher Program, the following definitions shall apply:

1. **Classroom Teacher:** Florida Statute 1012.01(2)(a) explicitly defines a classroom teacher. These include K-12 staff who meet F.S.1012.01(2)(a): Classroom teachers.—Classroom teachers are 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.

Please note - statute lists other instructional personnel in F.S.1012.01(2)(b - e).

These instructional personnel do not meet the definition of Classroom teacher (F.S. 1012.01(2)(a)) and do not qualify for the Retention or Recruitment award.

2. **Instructional Staff:** Any K-12 staff member whose function includes the provision of direct instructional services to students. Instructional personnel also includes K-12 personnel whose functions provide direct support in the learning process of students.
3. **Content Expert:** Defined by the Florida State Board of Education in Rule 6AER19-01. A content expert is one who has earned a Master's Degree in one or more of the associated subject areas or has earned a Bachelor's degree in one or more of the associated subject areas and has at least five (5) years of work experience in the same area.
4. **Highly Effective/Effective Final Evaluation:** A final evaluation meets statutory requirements as set in F.S. 1012.34. Statute requires a minimum of one-third of a final evaluation to hold student performance measures in terms of State VAM, District/School VAM, or local student assessment factors. The final evaluation must be for the school year immediately preceding the award. For the 2019-2020 Best and Brightest Award, the 2018-2019 final evaluation will be used.

5. **Newly Hired:** Initial employment with Clay County District Schools as an instructional personnel, prior to October FTE of said school year. A teacher may only be eligible once in their lifetime for the Recruitment award. Newly hired is defined as an instructional employee hired, for the first time, by the District for the 2019-2020 school year. Teachers hired prior to the 2019-2020 school year are not eligible for the Recruitment Award.
6. **Performance Criteria Adopted by School Board:** For the purpose of the Best and Brightest Teacher Program, the state approved Instructional Summative Final Evaluation shall be used to determine the overall evaluation rating of "Highly Effective" or "Effective". Statute requirement is to use the evaluation instrument for the school year immediately preceding the award year.
7. **Principal:** Defined in Florida Statute 1012.01(3)(c) as K-12 staff members performing the assigned activities as the administrative head of a school to whom have been delegated responsibility for the coordination and administrative direction of the instructional and non-instructional activities of the school. This does not include principals exclusively serving Pre-K or Post-Secondary programs.
8. **Qualifying School:** A school that has improved an average of three (3) percentage points or more in the percentage of total possible points achieved for determining school grades over the past three (3) years. The Florida Department of Education has identified qualifying schools.
9. **Selected by His/Her School Principal:** For the purpose of this award, eligible instructional personnel shall be deemed to have met this criteria once they are determined to have met all other eligibility criteria for the Recognition award.

FUNDING

The Florida Legislature annually establishes the total funding allocation for each school district. The District's allocation is based on its proportional share of statewide FEFP base funding using weighted FTE. Each approved Clay County charter school, operating within the district, shall be provided its proportional share of the District's allocation. Charter schools will be solely responsible for determination of eligibility, documentation of eligibility, and disbursement of funds to their employees, for all Best & Brightest Teacher Program categories.

The maximum amount of each award is established by the Florida Legislature through the annual General Appropriations Act. The District and charter school governing Boards must pay the full amounts specified in law for specified categories prior to paying any award to Recognition recipients. The amount of Recognition funds shall be determined by dividing the number of eligible instructional personnel by the total amount of funding remaining after all Recruitment, Retention, and Principal awards have been paid in full for all Clay County public schools. Should the District's specific appropriation funds be insufficient to pay the full award amounts specified by law for Recruitment, Retention, and Principal awards, each award amount shall be prorated to match the District's or charter school governing Board's

specified appropriation and no Recognition awards shall be paid. Proration should begin with the Recruitment award and then proration of principal and retention awards as needed.

The award amounts identified in law, or as appropriated by the Board in the case of Recognition awards, shall be considered to be gross award amounts. All applicable employee and employer withholdings shall be deducted from the gross award amount prior to payment of any award to an eligible instructional employee or principal. Final eligibility for all awards shall be determined prior to February FTE and awards shall be paid by April 1 of that school year.

AWARD ELIGIBILITY CRITERIA

Recruitment Award:

Any newly hired classroom teacher, as defined by F.S. 1012.01(2)(a), and who meets all criteria identified by law, subject to the definitions within this policy, shall be eligible for a one-time Recruitment Award provided he/she:

- Began working for the district on or after July 1, 2019 for the 2019-2020 school year and hired prior to October FTE period
- Was employed continuously, in a classroom teacher position, through award payment date
- Is instructing students in one of the state designated subject areas
- Completed the District required application for the Recruitment award and provided any supporting documentation requested by Human Resources for eligibility verification
- Meets all statutory Recruitment award criteria

Retention Award:

Any classroom teacher, as defined by F.S. 1012.01(2)(a) and works in a state identified qualifying school for a minimum of two (2) years, including current 2019-2020 school year and meets the criteria identified by law, subject to the definitions contained within this policy, shall be eligible for the Retention Award provided he/she:

- Was employed as a classroom teacher at the same eligible school for a minimum of two (2) consecutive years, including the 2019-2020 school year.
- Was employed at said school through the award payment date
- Completed the District required application for the Retention award and provided any supporting documentation requested by Human Resources for eligibility verification
- Is not defined by any of the definitions of F.S. 1012.01 (2)(b-e)

Principal Award:

Any school principal who meets the criteria identified by law, subject to the definitions contained within this policy, shall be eligible for the Principal award provided he/she:

- Was employed as a principal at the same eligible school over the four (4) year eligibility period, including the current 2019-2020 school year
- Was employed as the principal of said school through the award payment date

Recognition Award:

Any instructional personnel who meet the criteria identified in law, subject to the definitions contained within this policy, shall be eligible for the Recognition award provided he/she:

- Was employed in an eligible instructional position through the award payment date
- Completed any District required application for the award and provided any supporting documentation requested by Human Resources for eligibility verification
- Did not receive a Recruitment or Retention award
- Was selected by his/her school principal

ELIGIBILITY DECISIONS

Clay County District Schools may require an application and/or supporting documentation to be provided by an employee seeking one of the aforementioned awards associated with the Florida Best & Brightest Teacher Program. Failure of an employee to provide timely or sufficient applications or supporting documentation, when requested, shall be considered a waiver of eligibility and the employee will not be eligible for an award. Eligibility shall be determined by the Department of Human Resources based on law, definitions within this policy, and submission of required application and supporting documentation.



**The Best & Brightest Teacher and Principal Program
Eligibility for Retention Award and Principal Award
Frequently Asked Questions
July 17, 2019**

What is a retention award?

To be eligible for a retention award, a classroom teacher must have been rated as highly effective or effective the preceding year pursuant to [section 1012.34, Florida Statutes](#), and teach in a school for 2 consecutive school years, including the current year, which has improved an average of 3 percentage points or more in the percentage of total possible points achieved for determining school grades over the prior 3 years.

How is the average of the 3 percentage point increase calculated for the retention and principal awards?

Because there are a number of ways to interpret this requirement, and to ensure the maximum number of possible teachers are eligible for this award, the department has developed three separate calculations to identify whether a school meets the *average of 3 percentage points growth* requirement. Any school that is identified for inclusion under any one of the three methods will be placed on the list. All percentages and averages are rounded to the nearest whole number. The three methods under which a school qualifies for inclusion on the list are:

Method 1 – A school shows an average growth of at least three percentage points across three growth periods. This calculation computes three differences across three growth periods and takes the average of them.

$$\begin{aligned} 2019 \text{ (Year 3)} - 2018 \text{ (Year 2)} &= A \\ 2018 \text{ (Year 2)} - 2017 \text{ (Year 1)} &= B \\ 2017 \text{ (Year 1)} - 2016 \text{ (Baseline Year)} &= C \\ (A+B+C)/3 &\geq 3 \end{aligned}$$

Method 2 – Same as method 1, except it uses only two growth periods for a total of three years in the calculation.

$$\begin{aligned} 2019 \text{ (Year 3)} - 2018 \text{ (Year 2)} &= A \\ 2018 \text{ (Year 2)} - 2017 \text{ (Year 1)} &= B \\ (A+B)/2 &\geq 3 \end{aligned}$$

Method 3 – A school that shows growth between year one and year three of at least 3 percentage points.

$$2019 \text{ (Year 3)} - 2017 \text{ (Year 1)} \geq 3$$

In future years, the years used in the calculations above will advance each year.



Will the average of the 3 percentage point increase calculation be rounded?

Yes. School grade percentage of total points earned are already rounded to the nearest whole number. Therefore, the average of those percentages will also be rounded to the nearest whole number.

If a school receives an improvement rating instead of a school grade, are the teachers and principal eligible for the retention and principal award?

No. For both the retention award and the principal award, a school must receive a school grade for any of its teachers or its principal to be eligible for these awards.

Will FDOE provide a list of eligible schools for the retention award and principal award?

Yes. The department will release the list following resolution of school grades appeals.

How much money does an eligible retention award recipient receive?

The amount is set annually by the legislature in the appropriations act. This year, the retention award is \$2,500 for highly effective teachers and \$1,000 for effective teachers. However, a district is authorized to prorate awards if the funds allocated to the district are insufficient to cover the awards.

What does two consecutive school years actually mean for a retention award?

Two consecutive school years means the prior school year and the current school year. Therefore, for awards this year, the teacher must have taught in the 2018-2019 school year and the 2019-2020 school year.

What is a principal award?

A school principal is eligible to receive an award if he or she has served as school principal at his or her school for at least four consecutive school years, including the current school year, and the school has improved an average of 3 percentage points or more in the percentage of total possible points achieved for determining school grades over the prior three years. The methodology for determining which schools qualify for consideration is the same as it is for the teacher retention award.

How much money does an eligible principal award recipient receive?

The amount is set annually by the legislature. This year, the principal award is \$5,000. However, a district is authorized to prorate awards if the funds allocated to the district are insufficient to cover the awards.

What does four consecutive school years actually mean for the principal award?

Four consecutive years means the three prior school years and the current school year. Therefore, for this year, the principal must have served as principal at his school for the 2016-17, 2017-18 and 2018-19 school years and still be principal at his school in the 2019-2020 school year.



**The Best & Brightest Teacher and Principal Program
Frequently Asked Questions
July 29, 2019**

In order to assist districts and charter schools in implementing the 2019 changes to the Best and Brightest Programs the attached document includes frequently asked questions and answers. The 2019 legislative changes amended section (s.) 1012.731, Florida Statutes (F.S.), The Florida Best and Brightest Teacher Program, s. 1012.732, F.S., The Florida Best and Brightest Principal Program, and s. 1011.62, F.S., Funds for Operation of Schools. The answers in the document are derived from these statutes, as well as the General Appropriations Act, Chapter 2019-115, Laws of Florida, §2, line 93, pages 21-22. Except for one area, the information provided in this document should be understood as guidance to districts and charters. The exception to this is the criteria for subject matter content areas for recruitment awards for teachers under s. 1012.731(3)(a), F.S. The agency is pursuing rulemaking for this area, and adopted an emergency rule on Monday, July 29, 2019. Thus, the information provided below on “content experts” must be followed when providing recruitment awards. See page 3 for information on the emergency rule to define “content experts.”

The department issued an FAQ document on the retention award and the principal award on July 17, 2019. That can be found at <https://info.fldoe.org/docushare/dsweb/Get/Document-8600/dps-2019-109a.pdf>. It describes three methodologies to identify schools with an average of three percentage point increase for retention and the principal awards. The department recommends giving these awards to teachers and principals who meet any of these methodologies in order to benefit the greatest number of educators.

General Questions

What is the purpose of the Best and Brightest Teacher Program?

The stated intent of the Best and Brightest Teacher Program is “to recruit, retain, and recognize teachers who meet the needs of this state and have achieved success in the classroom.”

What is the purpose of the Best and Brightest Principal Program?

The stated intent of the Best and Brightest Principal Program is “to designate school principals whose schools make noticeable academic improvement as Florida’s best and brightest principals.”

How are these programs funded?

The Florida Best and Brightest Teacher and Principal Allocation is funded through the Florida Education Finance Program (FEFP). Subject to annual appropriation, each school district receives an allocation based on the district’s proportionate share of FEFP base funding. The Legislature may specify a minimum allocation for districts in the General Appropriations Act. For the 2019-2020 school year, all districts will be provided a \$100,000 minimum allocation.

Can awards be prorated?

Yes; s. 1011.62(18), F.S., provides that if a district’s calculated awards exceed the allocation, the school district may prorate awards.



How should awards be prorated if district FEFP funds are insufficient to pay for the recruitment, retention and principal awards at the specified amounts?

While the law provides that all recruitment, retention and principal awards must be paid before recognition awards can be made by a district, it does not specify the manner to prorate awards when funds are insufficient to cover the recruitment, retention and principal awards. Therefore, this is a matter committed to the district's discretion, subject to the requirements of other laws, such as collective bargaining. However, since the appropriation provides that recruitment awards are "up to \$4,000" and the retention and principal awards are for set amounts, it appears that the recruitment award should be reduced before the retention and principal awards are prorated.

Are SAT or ACT scores required for award eligibility?

No.

Are Prekindergarten teachers eligible for a Best and Brightest teacher award?

No. All recipients must be K-12 staff members. This is because awards are limited instructional personnel or classroom teachers as defined in s. 1012.01(2), F.S., and these definitions are limited to K-12 personnel.

Are instructional personnel that are not designated as a classroom teacher eligible for a Best and Brightest award?

You must be a K-12 classroom teacher to be eligible for a recruitment or retention award. K-12 instructional personnel who are not classroom teachers are statutorily eligible for a recognition award. However, since a district school board or charter school governing board must establish performance criteria and policies for the award, which K-12 instructional personnel will receive awards will depend upon district or charter criteria.

Are district decisions subject to collective bargaining?

Without knowing what has already been bargained or waived in individual collective bargaining agreements, the best advice we can provide is to consult counsel to resolve this question.

Can a district establish a cut-off date for the recruitment, retention and principal awards? This will allow for districts and charter school governing boards to set timelines around the recognition awards.

Once funds are made available to districts, it is up to the school districts to manage the procedures for providing awards consistent with the statutes addressing the program.

When will funds be distributed to districts?

The funds will be distributed to school districts as soon as possible. We should have more definite information at the beginning of August.

What does a district need to submit to the department to receive the funds?

A district does not need to submit documentation to receive the funds.

Do unused funds roll forward from year to year?

Unused funds are carried forward to the next fiscal year. It is expected that most if not all of a district's allocation will be awarded during the year of the appropriation.



Recruitment Award Questions

What is a recruitment award?

To be eligible for a one-time recruitment award, a newly hired classroom teacher must be a "content expert," based on criteria established by the department, in mathematics, science, computer science, reading or civics.

Are recruitment awards limited to classroom teachers?

Yes; recruitment awards are limited to classroom teachers as defined in s. 1012.01(2)(a), F.S.

How much will an eligible recruitment award recipient receive?

This amount is set annually by the Legislature. This year, the one-time recruitment award is up to \$4,000. However, the award may be prorated by a district if there are insufficient funds to pay eligible teachers.

How is "content expert" defined?

The State Board of Education adopted an emergency rule on July 29, 2019, to establish a definition in order for districts to distribute funds allocated for 2019-20. Rule 6AER19-01 will be in effect for 90 days, and during that time the standard rule development process will ensue to establish a definition for future years.

Rule 6AER19-01, Content Expert for Best and Brightest Recruitment Award, can be found at <http://www.fldoe.org/policy/state-board-of-edu/meetings/2019/2019-07-29/index.stml>. It reads:

In order to allow school districts to distribute recruitment awards in the 2019-20 school year, a content expert in mathematics, science, computer science, reading, and civics means the following:

(1) For all areas, a person who has sufficient subject matter expertise as set forth in Rule 6A-1.0503(2)(a), Definition of Qualified Instructional Personnel, F.A.C.;

(2) For the areas of mathematics, science, or computer science, a person who has either:

(a) Earned at least a master's degree in the areas of mathematics, science, or computer science from an institution accredited by the United States Department of Education; or

(b) Earned at least a bachelor's degree in the areas of mathematics, science or computer science from an institution accredited by the United States Department of Education and who has at least five (5) years' teaching experience in the associated subject area or at least five (5) years' work experience in the associated subject area.

(3) For the area of civics, a person who has either:

(a) Earned at least a master's degree in political science, American history, social studies, or social science from an institution accredited by the United States Department of Education; or

(b) Earned at least a bachelor's degree in political science, American history, social studies, or social science from an institution accredited by the United States Department of Education and who has at least five (5) years' teaching experience in the associated subject area or at least five (5) years' work experience in the associated subject area.

(4) For the area of reading, a person who has either:

(a) Earned at least a master's degree in English, English literature, reading, or literacy instruction from an institution accredited by the United States Department of Education; or



(b) Earned at least a bachelor's degree in English, English literature, reading, or literacy instruction from an institution accredited by the United States Department of Education and who has at least five (5) years' teaching experience in English language arts or reading.

Does the eligible teacher need to teach mathematics, science, computer science, reading or civics to receive the recruitment award?

The statute is silent on this question and only requires that the teacher be a "newly hired classroom teacher" and a "content expert" in these areas.

What is the definition of a "newly hired classroom teacher?"

The statute does not provide a definition of "newly hired classroom teacher." The definition could encompass persons who are new to teaching, new to the state of Florida, new to the district or other definitions. It is suggested that districts apply the funds so that the purpose of this portion of the statute, namely to recruit content experts as classroom teachers, is met and that the district maintain documentation to show that the recipient satisfies the district's criteria for "newly hired." This is meant to be implemented with as much flexibility as possible.

If a classroom teacher is new to the state, is there a state database to verify that this teacher did not teach in the State of Florida in the preceding year?

There is not a state database that can be used for this purpose.

Recognition Award Questions

What is a Recognition Award?

To be eligible for a recognition award, instructional personnel must be rated as highly effective or effective, and be selected by his or her school principal, based on performance criteria and policies adopted by the district school board or charter school governing board.

Are recognition awards limited to classroom teachers?

No; unlike recruitment and retention awards, which are limited to classroom teachers, this award is statutorily available to instructional personnel as defined in s. 1012.01(2), F.S. However, since a district school board or charter school governing board must establish performance criteria and policies for the award, which K-12 instructional personnel will receive awards will depend upon district or charter criteria.

How much will an eligible recognition award recipient receive?

There is no set amount for this award and the amount will be determined by the district. In establishing this amount, be aware that recognition awards must be provided from funds remaining after the payment of all teacher recruitment and retention awards and all principal awards.

Does a charter school follow the district's criteria and policy for identifying instructional staff to receive the recognition award, or does the charter establish its own criteria and policy?

A charter school is authorized to adopt its own performance criteria and policies for recognition awards. However, awards may only be made to instructional personnel rated as highly effective or effective.



What is the formula for allocating remaining funds for the recognition award to schools after all other funds are disbursed?

The formula will be determined by the district or charter school governing board.



**The Best & Brightest Teacher and Principal Program
Frequently Asked Questions
September 20, 2019**

Where can I access the list of eligible schools for the retention and principal award?

The list of eligible schools was released on September 20, 2019, and can be accessed at <http://www.fldoe.org/core/fileparse.php/5306/urlt/bestandbrightest-rp.xls>.

When will districts receive Best and Brightest Award Funding?

The Best and Brightest allocation funds will be distributed to school districts in the September 26, 2019, FEFP payments through revenue code 3310.

How will charter schools receive Best and Brightest Award Funding?

Districts should distribute to charter schools their proportionate share of the funds upon receipt of the district's allocation. Similar to the allocation of other categorical funds to charter schools, it is recommended to allocate the funds on a full-time equivalent student basis.

Withholding Employer Payroll Taxes and Other Expenses from State Funds Provided for the Best and Brightest Scholarship Program:

From the inception of the Best and Brightest Program to the present, the Department's guidance has been that districts may subtract applicable payroll taxes, including the employer portion of FICA taxes, and any mandatory payroll expenses to determine the gross amount that will be paid to each award recipient.

In July, a putative class action lawsuit, Alianiello v. State of Florida, Department of Education, No. 2019-CA-001674 (Fla. 2d Cir. Ct. filed July 16, 2019), was filed against the Department claiming damages based on the theory that certain award recipients had received less than the amounts set out in the statute. The Department denies any and all liability. Copies of the Alianiello complaint and of the Department's motion to dismiss that lawsuit are attached.

The Department continues to stand by its prior guidance to districts about awards under the Best and Brightest Program. Although employers are liable for the employer portion of FICA taxes vis-à-vis the IRS, federal tax law does not prohibit an employer from adjusting an employee's gross compensation to account for the employer's FICA taxes. In addition, courts have held that FICA does not create a private right of action for an employee to challenge employer deductions or withholdings for FICA taxes, and courts have also held that state-law claims challenging those practices (as such) are preempted by federal law. Courts have thus rejected claims challenging deductions of the employer portion of FICA taxes from amounts that might otherwise have been available to compensate employees.

If a district chooses to use some of the state funds made available under the Best and Brightest Program to pay FICA taxes, the Department's prior guidance provided that the amount used to pay the employer portion of FICA should not be included in "wages" for either FICA or income tax purposes. For example,



if a district received \$100 in state funds under the program and chose to deduct \$7.10 from that amount to cover the employer portion of FICA taxes before paying the balance to an employee, only \$92.90 could be reported as the employee's wages, from which the employee portion of FICA would be withheld. The Form W-2 would report wages of \$92.90 and FICA tax withheld from the employee of \$7.10. The district would remit \$14.20 in FICA with its Form 941.

While the Department stands by its guidance on the costs associated with these awards, in light of the pending putative class action lawsuit, districts should nevertheless consult with their own tax and legal counsel to ensure compliance with all state and federal requirements.

Select Year: 2019 ▼ Go

The 2019 Florida Statutes

Title XLVIII K-20 EDUCATION CODE

Chapter 1012 PERSONNEL

[View Entire Chapter](#)

¹**1012.731 The Florida Best and Brightest Teacher Program.—**

(1) The Legislature recognizes that, second only to parents, teachers play the most critical role within schools in preparing students to achieve a high level of academic performance. Therefore, it is the intent of the Legislature to recruit, retain, and recognize teachers who meet the needs of this state and have achieved success in the classroom.

(2) The Florida Best and Brightest Teacher Program is created to provide recruitment and retention awards to classroom teachers, as defined in s. 1012.01(2)(a), and recognition awards to instructional personnel, as defined in s. 1012.01(2), to be funded as provided in s. 1011.62(18).

(3)(a) To be eligible for a one-time recruitment award as specified in the General Appropriations Act, a newly hired classroom teacher must be a content expert, based on criteria established by the department, in mathematics, science, computer science, reading, or civics.

²(b) To be eligible for a retention award as specified in the General Appropriations Act, a classroom teacher must have been rated as highly effective or effective the preceding year pursuant to s. 1012.34, and teach in a school for 2 consecutive school years, including the current year, which has improved an average of 3 percentage points or more in the percentage of total possible points achieved for determining school grades over the prior 3 years.

(c) To be eligible for a recognition award, instructional personnel must be rated as highly effective or effective and be selected by his or her school principal, based on performance criteria and policies adopted by the district school board or charter school governing board. Recognition awards must be provided from funds remaining under the allocation provided in s. 1011.62(18) after the payment of all teacher recruitment and retention awards and principal awards authorized under this section and the General Appropriations Act.

History.—s. 25, ch. 2016-62; s. 46, ch. 2017-116; s. 39, ch. 2018-6; s. 19, ch. 2019-23.

¹**Note.**—Section 24, ch. 2019-23, provides that:

“(1) The Department of Revenue is authorized, and all conditions are deemed to be met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, for the purpose of administering the provisions of this act relating to the Hope Scholarship Program and Florida Tax Credit Scholarship Program.

“(2) Notwithstanding any other provision of law, emergency rules adopted pursuant to subsection (1) are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

“(3) This section shall take effect upon this act becoming a law and shall expire January 1, 2022.”

²**Note.**—Section 49, ch. 2018-6, provides that:

“(1) The Department of Revenue is authorized, and all conditions are deemed to be met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, for the purpose of administering the provisions of this act.

“(2) Notwithstanding any other provision of law, emergency rules adopted pursuant to subsection (1) are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

“(3) This section shall take effect upon this act becoming a law and shall expire January 1, 2022.”

Section 19, ch. 2019-23, substantially reworded paragraph (3)(b), which was subject to s. 49, ch. 2018-6.

Select Year: 2019 ▾ Go

The 2019 Florida Statutes

[Title XLVIII](#) K-20 EDUCATION CODE

[Chapter 1012](#) PERSONNEL

[View Entire Chapter](#)

1012.01 Definitions.—As used in this chapter, the following terms have the following meanings:

(1) **SCHOOL OFFICERS.**—The officers of the state system of public K-12 and Florida College System institution education shall be the Commissioner of Education and the members of the State Board of Education; for each district school system, the officers shall be the district school superintendent and members of the district school board; and for each Florida College System institution, the officers shall be the Florida College System institution president and members of the Florida College System institution board of trustees.

(2) **INSTRUCTIONAL PERSONNEL.**—“Instructional personnel” means any K-12 staff member whose function includes the provision of direct instructional services to students. 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:

(a) **Classroom teachers.**—Classroom teachers are 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.

(b) **Student personnel services.**—Student personnel services include staff members responsible for: advising students with regard to their abilities and aptitudes, educational and occupational opportunities, and personal and social adjustments; providing placement services; performing educational evaluations; and similar functions. Included in this classification are certified school counselors, social workers, career specialists, and school psychologists.

(c) **Librarians/media specialists.**—Librarians/media specialists are staff members responsible for providing school library media services. These employees are responsible for evaluating, selecting, organizing, and managing media and technology resources, equipment, and related systems; facilitating access to information resources beyond the school; working with teachers to make resources available in the instructional programs; assisting teachers and students in media productions; and instructing students in the location and use of information resources.

(d) **Other instructional staff.**—Other instructional staff are staff members who are part of the instructional staff but are not classified in one of the categories specified in paragraphs (a)-(c). Included in this classification are primary specialists, learning resource specialists, instructional trainers, adjunct educators certified pursuant to s. [1012.57](#), and similar positions.

(e) **Education paraprofessionals.**—Education paraprofessionals are individuals 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, and other school-level paraprofessionals.

(3) **ADMINISTRATIVE PERSONNEL.**—“Administrative personnel” includes K-12 personnel who perform management activities such as developing broad policies for the school district and executing those policies through the direction of personnel at all levels within the district. Administrative personnel are generally high-level, responsible personnel who have been assigned the responsibilities of systemwide or schoolwide functions, such as district school superintendents, assistant superintendents, deputy superintendents, school principals,

assistant principals, career center directors, and others who perform management activities. Broad classifications of K-12 administrative personnel are as follows:

(a) *District-based instructional administrators.*—Included in this classification are persons with district-level administrative or policymaking duties who have broad authority for management policies and general school district operations related to the instructional program. Such personnel often report directly to the district school superintendent and supervise other administrative employees. This classification includes assistant, associate, or deputy superintendents and directors of major instructional areas, such as curriculum, federal programs such as Title I, specialized instructional program areas such as exceptional student education, career education, and similar areas.

(b) *District-based noninstructional administrators.*—Included in this classification are persons with district-level administrative or policymaking duties who have broad authority for management policies and general school district operations related to the noninstructional program. Such personnel often report directly to the district school superintendent and supervise other administrative employees. This classification includes assistant, associate, or deputy superintendents and directors of major noninstructional areas, such as personnel, construction, facilities, transportation, data processing, and finance.

(c) *School administrators.*—Included in this classification are:

1. School principals or school directors who are staff members performing the assigned activities as the administrative head of a school and to whom have been delegated responsibility for the coordination and administrative direction of the instructional and noninstructional activities of the school. This classification also includes career center directors.
2. Assistant principals who are staff members assisting the administrative head of the school. This classification also includes assistant principals for curriculum and administration.

(4) **YEAR OF SERVICE.**—The minimum time which may be recognized in administering K-12 education, not including retirement, as a year of service by a school employee shall be full-time actual service; and, beginning July 1963, such service shall also include sick leave and holidays for which compensation was received but shall exclude all other types of leave and holidays for a total of more than one-half of the number of days required for the normal contractual period of service for the position held, which shall be 196 days or longer, or the minimum required for the district to participate in the Florida Education Finance Program in the year service was rendered, or the equivalent for service performed on a daily or hourly basis; provided, further, that absence from duty after the date of beginning service shall be covered by leave duly authorized and granted; further, the school board shall have authority to establish a different minimum for local district school purposes.

(5) **SCHOOL VOLUNTEER.**—A K-12 school volunteer is any nonpaid person who may be appointed by a district school board or its designee. School volunteers may include, but may not be limited to, parents, senior citizens, students, and others who assist the teacher or other members of the school staff.

(6) **EDUCATIONAL SUPPORT EMPLOYEES.**—“Educational support employees” means K-12 employees whose job functions are neither administrative nor instructional, yet whose work supports the educational process.

(a) Other professional staff or nonadministrative/noninstructional employees are staff members who perform professional job functions which are nonadministrative/noninstructional in nature and who are not otherwise classified in this section. Included in this classification are employees such as doctors, nurses, attorneys, certified public accountants, and others appropriate to the classification.

(b) Technicians are individuals whose occupations require a combination of knowledge and manual skill which can be obtained through about 2 years of post-high school education, such as is offered in many career centers and Florida College System institutions, or through equivalent on-the-job training.

(c) Clerical/secretarial workers are individuals whose job requires skills and training in clerical-type work, including activities such as preparing, transcribing, systematizing, or preserving written communications and reports or operating equipment performing those functions. Included in this classification are secretaries, bookkeepers, messengers, and office machine operators.

(d) Skilled crafts workers are individuals who perform jobs which require special manual skill and a thorough and comprehensive knowledge of the processes involved in the work which is acquired through on-the-job training

and experience or through apprenticeship or other formal training programs. Lead workers for the various skilled crafts areas shall be included in this classification.

(e) Service workers are staff members performing a service for which there are no formal qualifications, including those responsible for: cleaning the buildings, school plants, or supporting facilities; maintenance and operation of such equipment as heating and ventilation systems; preserving the security of school property; and keeping the school plant safe for occupancy and use. Lead workers in the various service areas shall be included in this broad classification.

(7) **MANAGERS.**—"Managers" includes those K-12 staff members who perform managerial and supervisory functions while usually also performing general operations functions. Managers may be either instructional or noninstructional in their responsibility. They may direct employees' work, plan the work schedule, control the flow and distribution of work or materials, train employees, handle complaints, authorize payments, and appraise productivity and efficiency of employees. This classification includes coordinators and supervisors working under the general direction of those staff identified as district-based instructional or noninstructional administrators.

History.—s. 689, ch. 2002-387; s. 6, ch. 2004-295; ss. 6, 131, ch. 2004-357; s. 161, ch. 2007-217; s. 182, ch. 2011-5; s. 12, ch. 2013-89.

Select Year: 2019 ▾ Go

The 2019 Florida Statutes

[Title XLVIII](#)
K-20 EDUCATION CODE

[Chapter 1012](#)
PERSONNEL

[View Entire Chapter](#)

¹**1012.732 The Florida Best and Brightest Principal Program.—**

(1) The Legislature recognizes that the most effective school principals establish a safe and supportive school environment for students and faculty. Research shows that these principals increase student learning by providing opportunities for the professional growth, collaboration, and autonomy that classroom teachers need to become and remain highly effective educational professionals. Therefore, it is the intent of the Legislature to designate school principals whose schools make noticeable academic improvement as Florida's best and brightest principals.

(2) The Florida Best and Brightest Principal Program is created to provide awards to school principals, as defined in s. [1012.01\(3\)\(c\)1.](#), to be funded as provided in s. [1011.62\(18\)](#).

(3) A school principal is eligible to receive an award, as specified in the General Appropriations Act, under this section if he or she has served as school principal at his or her school for at least 4 consecutive school years, including the current school year, and the school has improved an average of 3 percentage points or more in the percentage of total possible points achieved for determining school grades over the prior 3 years.

History.—s. 47, ch. 2017-116; s. 20, ch. 2019-23.

¹**Note.**—Section 24, ch. 2019-23, provides that:

“(1) The Department of Revenue is authorized, and all conditions are deemed to be met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, for the purpose of administering the provisions of this act relating to the Hope Scholarship Program and Florida Tax Credit Scholarship Program.

“(2) Notwithstanding any other provision of law, emergency rules adopted pursuant to subsection (1) are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

“(3) This section shall take effect upon this act becoming a law and shall expire January 1, 2022.”