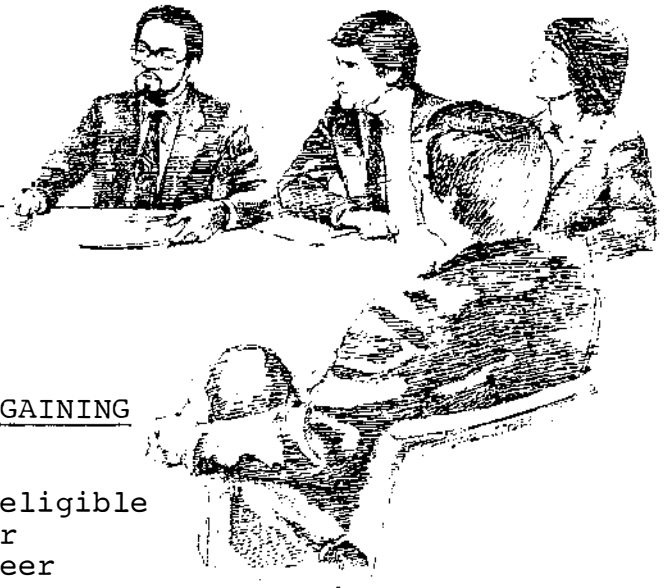


At The Table



A bargaining update from FEA/United

February 17, 1987

COLLECTIVE BARGAINING

As of this moment, 26 of 29 FEA/United eligible locals are anticipating preparing and/or negotiating various aspects of the "Career Achievement Program."

The "Career Achievement Program" is just that -- It was not intended as a tool for management to ask for trade offs with respect to a teacher's contractual rights in the master agreement. That does not mean it isn't permissible, however, it surely is not practical.

AT THE TABLE

1. Attached for your information are the Dade County proposed plan and those proposals being offered by the Duval Teachers United.

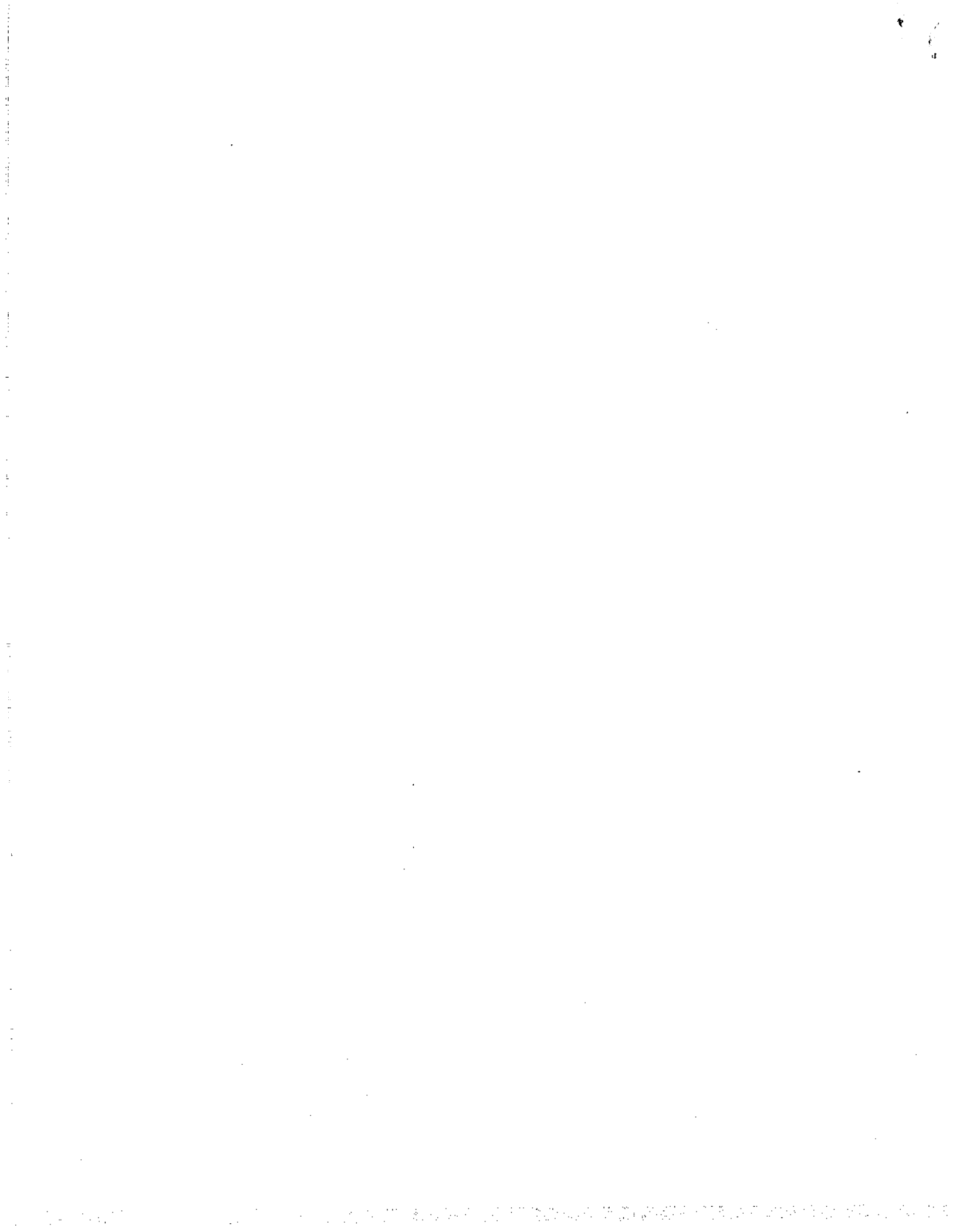
As other plans and/or proposals are received, they will be forwarded.

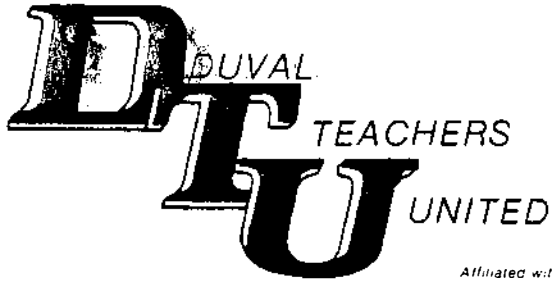
2. Those teachers who have taken the subject area test and received a score of 40th percentile or higher will not have to be re-tested. They will be grandfathered, and eligible for the evaluation step.
3. Any teacher who was evaluated under the defunct State Master Teacher Plan can utilize that score as part of his/her evaluation, however, they must still participate in the Peer and Supervisory evaluation.
4. Be absolutely sure that your monetary awards' language includes the word minimum, e.g., minimum of \$2,500, and is in addition to any other supplement and does not include Social Security, retirement, etc. BE SPECIFIC!

The infamous March 31, 1987, deadline will not require ratification, only the tentative agreement must be received by DOE by March 31. However, the agreement must be ratified, and the DOE notified accordingly within a yet to be determined time frame to be established by the DOE.



Florida Education Association/United
208 West Pensacola Street • Tallahassee, Florida 32301 • (904) 224-1161





1601 ATLANTIC BLVD • JACKSONVILLE, FLORIDA 32207
(904) 396-4063

Affiliated with the Florida Education Association United and American Federation of Teachers. Local 3326 AFL-CIO

February 3, 1987

MEMO

TO: FEA/United Folks
FROM: Luann Bennett, DTU President
RE: Career Ladder Meeting

Our Board has, apparently, only a few priorities:

- 1) keep it brief, skeleton form only, details negotiated "later";
- 2) keep FPMS, regardless of mutually-agreed problems, because of the existing investment in training of staff.

Only one agreement as of 2/2/87

Table scheduled 2/3, 2/5, 2/10, 2/12

LB:bt

1174

INDEX

I.	Title Page	1
II.	Index	2
III.	Official Statement of Ratification	4
IV.	General Requirements	5
	A Program Goals	
	B Voluntary Participation	
	C Current Teachers' Rights	
	Master Teachers	
	D "Direct Work" Requirement	
	Monitoring and Review Process	
	E Classroom Teachers Qualification Requirement	
	F Requirements for	
	1. Level I	
	2. Level II	
	3. Level III	
	G Non-monetary incentives	
	H Amendment Procedures	
	I Monetary Incentive	
	J Additional/Alternative Responsibilities	
V.	Performance Evaluation Requirements and Procedures	
	A Procedures	
	1. Level I	
	2. Level II	
	3. Level III	
	B Assistance Program	
VI.	Examination Requirements and Procedures	
	A Choosing Examination	
	B Level II Determination Formulae	
	C Level III Determination Formulae	
	D Validation Procedures	
VII.	Funding Summary - Administrative Costs	
	A Evaluation	
	B Examination	
	C Training	
	D Non-Monetary Incentives	
	E Maximum Teachers	
	F Projected Teachers Qualifying	
	G Distribution Dates	
	H Other Costs	
VIII.	Record-keeping Procedures	
	A Reporting Current and Prior Test Scores	
	B Reporting Current and Prior Evaluation Scores	
	C Compilation Procedures	
	D Confidentiality	
IX.	Program Evaluation and Reporting Plan	
X.	Appeals Process	
XI.	Appendices	

III. Official Statement of Ratification

DTU

The parties undersigned have agreed to the enclosed Career Ladder Plan as negotiated, subject to later amendment as specified herein, and, by their authorized signatures, do so acknowledge.

The dates indicated reference the date of the formal ratification of the plan as initially submitted.

This plan, as ratified and as may be later amended, will have as its effective date, July 1 of the year it is funded at \$90 million, statewide, and the participation caps are removed.

DTU

IV. A Program Goals

The goals of the Duval County School Board and its teachers, as represented by the Duval Teachers United, are to attract and retain superior teachers by providing career opportunities and economic and other incentives to achieve excellence.

Further, by participation in this Plan and in conjunction with the incentives, both monetary and non-monetary, and the additional or alternate responsibilities, it is our intent to improve the level of student learning and enhance the professionalization of teaching.

DTU

IV. B. Voluntary Participation

Participation in this Plan shall be voluntary for all current teachers and for those who are , under the rules of this Plan, determined to be Level I teachers.

Continued participation in this Plan shall be at the option of the teacher at Level II and III.

The desire to participate for the following year shall be indicated annually in writing during the month of June on a form approved for that purpose, directed to the Career Ladder Supervisory Committee, or such other agency as may be developed and advertised.

Participation in this Program shall be limited to members of the teacher bargaining unit.

Du

IV. C. Current Teachers' Rights

1. Current Teachers

a. Current teachers (Level I) shall have the right to apply as Career Level II teachers.

b. Level II teachers shall have the right to reapply for Level II, apply for Level III, or return to Level I within the rules of the Plan.

c. Teachers shall be paid according to the salary schedule (B.A./B.S., M.A., Ed.S., or Ph.D.), as it is annually increased through negotiation. The Career Ladder monies shall be paid in addition.

objects

d. Current teachers, regardless of Level, shall retain all rights under contract, School Board Policies, law, and tenure which they now hold, except as they may be changed, in the future, by specific legal authority of an appropriate body.

2. Master Teachers and Applicants for Master Teacher

a. Any teacher who applied for Master Teacher whose test score exceeds the requirement for Level II of this Plan may use this score for application to Level II.

*no
to
in this
section
read*

b. Any teacher who applied for Master Teacher whose Evaluation score equals or exceeds the requirement for Level II of this Plan may use this score for the "Normed Evaluation" component. That score will then be in combination with the two additional evaluation scores required.

c. Teachers who achieved Master Teacher status, by taking a test and completing the evaluation, may, at the individual's option, use one or both relative scores in attempting qualification for Level II.

d. Teachers who achieved Master Teacher status without taking a test shall be required to take a test, and meet the qualifying score, as soon as a test is created for that certification area, in order to achieve or continue designation as Level II teacher.

e. The above permission to use existing scores will expire five years from the initial qualifying date(s)--June, 1984, or 1985--of the applicant.

Du

IV. D. "Direct Work" Requirement

1. The law establishing the Plan requires that each applicant for Level II, or III, must be a member of the bargaining unit and have "direct student contact" for at least 50% of the work day or work week.

"(a) Direct instructional services to students. Instruction provided to students by classroom-based teachers who are employed to teach a given subject area or field of study.

"(b) Classroom. Any area used to provide direct instructional services to students.

"(c) Direct work with students. Services provided through direct contact with students by instructional personnel."

a. Full-time classroom personnel assigned to regular teaching responsibilities (at least 3 periods/hours per day) shall qualify for application to participate in the Plan (except that Stanton and Anderson teachers must teach 4 periods per day).

b. Full-time resource classroom personnel (art, music, p.e., Chapter I, Ex. Ed.) assigned to regular teaching responsibilities (at least 3 periods/hours per day) shall qualify for application to participate.

c. School-assigned media personnel who are assigned to library centers in which students are taught in groups and/or are accepted as individuals shall qualify for application to participate in the Plan.

2. Other school-assigned members of the bargaining unit may qualify after review of their assigned responsibilities. (It is the hope of the parties to this Plan that such personnel as guidance, Primary Resource Teacher (non-classroom), Teacher Instructional Support, and others, shall be able to document the 50% rule spent in direct instructional contact with students to qualify as participants by arrangement of their responsibilities and/or hiring of additional support staff beginning with the start of the 1987-88 school year.)

a. Employees who want to participate and who are required to document "direct student contact" shall notify the Supervisory Committee annually on the form due in June of each year. Documentation of responsibilities and schedules shall be the responsibility of the applicant, and shall be supplied to the Committee by September 1 of each year. Review of the documentation shall be made within 25 days and the employee notified by the Supervisory Committee of its decision by September 30 of each year.

DTU

b. Employees who qualify by documentation shall be subject to audit at any time by the Career Ladder Supervisory Committee or its designee's. Those who are not meeting the "direct student contact" requirement weekly shall not be considered for final awards in the current year.

c. Employees may appeal this decision to the Supervisory Committee as specified elsewhere, and have the right of appeal through the State Appeals Process.

3. Members of the bargaining unit whose primary place of work is a non-school site may qualify only by appropriate documentation as indicated above.

DTU

IV. E. Qualification for Awards

1. The law establishing the Plan requires that classroom teaching personnel represent at least 90% of the total personnel receiving awards as Level II, and Level III teachers.

2. Non-classroom-based personnel meeting the 50% direct student contact qualification shall represent no more than 10% of the total personnel receiving awards.

3. The Supervisory Committee shall assure: a) that minimum scores on the test and evaluation components shall equal or exceed the minimum requirements for Level II and Level III, respectively, and, b) that the personnel finally recognized as Level II and Level III teachers shall be the personnel with the highest scores, and, c) thereafter, no less than 90% shall be classroom personnel, and no more than 10% shall be non-classroom-based personnel.

4. In the event that no classroom personnel score in the top of those qualifying, no more than 10% of the awards available shall be paid.

5. In the event that no non-classroom-based personnel score in the top of those qualifying, all awards shall be to classroom personnel.

6. In any event, unless and until the Plan is fully funded by the Legislature, no more than 45% of those exceeding the 40%ile score on the test shall receive awards as Level II, nor more than 25% of those exceeding the 70%ile score as Level III.

DTU

IV: F.. Career Achievement Levels and Requirements--

Shall provide for voluntary participation of eligible public school personnel in three career achievement levels: Level I, Level II, and Level III. The classification of current teacher may be retained or advancement may be made to other levels upon fulfillment of the requirements of this section. A current teacher shall be compensated according to the regular teacher salary schedule.

1. Level I.--

- a. To qualify for Level I, the applicant shall:
 - (1) Have earned a bachelor's degree at an accredited institution of higher learning or possess valid Florida teaching credentials or be authorized to teach in Florida public schools pursuant to applicable law and State Board of Education rule.
 - (2) Meet the local school district requirements for employment.
- b. After the first year as a Level I teacher, the individual shall document 1) successful completion of the beginning teacher program, or 2) the State Board of Education approved instructional personnel performance evaluation system for teachers with at least 1 year of prior teaching experience.
- c. Upon submitting the appropriate application, the Level I teacher may advance to Level II after the fourth year as a Level I teacher, provided that requirements for Level II are met. However, a teacher may elect not to apply for advancement to Level II, and continue to teach as a Level I teacher.
- d. The Level I teacher shall be compensated according to the regular teacher salary schedule commensurate with educational attainment and prior experience.

2. Level II.--

- a. To qualify for Level II, the applicant shall:
 - (1) Have successfully completed at least 4 years as a Level I teacher or the equivalent as determined by State Board of Education rule. Application may be made during year four, *and,*
 - (2) Possess a local tenure contract, *and,*
 - (3) Document a minimum score at the 40th percentile on a subject area examination, as related to certification area, as defined in this section or developed by the district and approved by the State Board of Education. In the event that the State Board of Education determines there is no appropriate examination for a subject area, the State Board of Education shall establish an equivalent measure of subject matter knowledge. Only

IVF

DTU

those applicants who achieve the acceptable minimum performance percentile score on a subject area examination or equivalent measure as specified in this section shall be eligible to undergo the performance evaluation, supervisor's evaluation, and peer teacher's evaluation, *and,*

- (4) Document a composite evaluation which shall be an average of at least the 50th percentile on the evaluation measures listed below:
 - (a) A performance evaluation which shall consist of a minimum of 40th percentile score on T.A.D.S.
 - (b) A supervisor's evaluation which shall consist of a minimum score at the 40th percentile on T.A.D.S.
 - (c) A peer teacher's evaluation which shall consist of a minimum score at the 40th percentile on T.A.D.S.
- (5) or, have earned the title Career Level II from another county in Florida, and met notification and documentation rules for Duval County.

b ——— (a) The Level II designation shall be for a 3-year term contingent upon successful performance of assigned responsibilities. This designation may be renewed for additional 3-year terms if the applicant successfully meets all requirements for this designation during the third year of each 3-year term. After the second 3-year designation term, the Level II teacher may apply for advancement to Level III.

c ——— (b) From the pool of applicants who scored at or above the 40th percentile on a subject area examination, no more than 45 percent shall be designated as Level II teachers in any district, until caps are lifted. An individual who is designated as a Level II teacher pursuant to the provisions of this section shall receive an annual incentive award to the extent such award is funded and specified in the General Appropriations Act.

d ——— (c) Teachers who qualify as Level II Teachers who fail to requalify under existing Ladder rules shall be returned to Level I status, without penalty, the following year.

e ——— (d) Tenured teachers who qualify as Level II teachers who fail to receive a satisfactory annual evaluation during their 3 year qualification period shall be reviewed by the Supervisory Committee and may lose their qualification and compen-

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DTA

f.

(e)

sation for the following year.
Level II teachers may be required to undertake additional or alternative responsibilities as specified in IV. J., below.

3. Level III.--

a. To qualify for Level III, the applicant shall:

- (1) Have successfully completed at least 6 years as a Level II teacher or the equivalent as determined by State Board of Education rule. Application may be made during year six.
- (2) Possess a local tenure contract.
- (3) Have earned at least a master's degree in the field in which the applicant teaches from an institution accredited by an agency holding membership in the Council on Postsecondary Accreditation. If the applicant possesses a degree in a subject which is out-of-field on the effective date of this section, he must successfully complete 15 semester hours or the equivalent at the graduate level in-field, as specified by rule of the State Board of Education, in order to be eligible for Level III, and must complete the work by June 1 of the qualifying year.
- (4) Document a minimum score at the 70th percentile on a subject area examination, as related to certification, as defined in this section or equivalent measure of subject matter knowledge as developed by the district and approved by the State Board of Education. In the event that the State Board of Education determines there is no appropriate examination for a subject area, the State Board of Education shall establish an equivalent measure of subject matter knowledge. Only those applicants who achieve the acceptable minimum performance percentile score on a subject area examination or equivalent measure as specified in this section shall be eligible to undergo the performance evaluation, supervisor's evaluation, and peer teacher's evaluation.
- (5) Document a composite evaluation which shall be an average of the 90th percentile on the applicable measures listed below:
 - (a) A performance evaluation which shall consist of a minimum of a 70th percentile score on T.A.D.S.
 - (b) A supervisor's evaluation which shall consist of a minimum score at the 70th percentile on T.A.D.S.
 - (c) A peer teacher's evaluation which shall consist of a minimum score at the 70th percentile on T.A.D.S.

- DTM
IVF
- a — b. The Level III teacher designation shall be for a 3-year term contingent upon successful performance of assigned responsibilities and appropriate professional services. This designation may be renewed for additional 3-year terms if the applicant successfully meets all required evaluations and other State Board of Education requirements for this designation during the third year of each 3-year term.
 - b — c. From the pool of applicants who scored at or above the 70th percentile on a subject area examination, no more than 25 percent shall be designated as Level III teachers in any district, until the caps are lifted. An individual who is designated as a Level III teacher pursuant to the provisions of this section shall receive an annual incentive award to the extent such award is funded and specified in the General Appropriations Act.
 - c — d. Teachers who qualify as Level III teachers who fail to requalify under existing Ladder rules shall be returned to Level II status, without penalty, the following year
 - d — e. Tenured teachers who qualify as Level III teachers who fail to receive a satisfactory annual evaluation during their 3 year qualification period shall be reviewed by the Supervisory Committee and may lose their qualification and compensation for the following year.
 - e — f. Level III teachers may be required to undertake additional or alternative responsibilities as specified in IV. J., below.

DTM
IV. G. Non-Monetary Incentives

- 1. Teachers who achieve Career Ladder II status shall:
 - a. receive a framed certificate noting the achievement and the years of the term, and have a copy placed in their Personnel files;
 - b. attend their subject-area State Convention, or other appropriate convention, at the expense of the District;
 - c. meet with the Superintendent twice each year (October and May) during the work day to discuss an agenda prepared by the teachers; and
 - d. be released from student supervisory duties outside the classroom (bus, cafeteria, hall, etc.).
- 2. Teachers who achieve Career Ladder III status shall:
 - a. receive a., b., c., and d. above;
 - b. meet with the School Board annually (April) during the work day to discuss an agenda prepared by the teachers; and
 - c. have their names placed on a permanent plaque located in the District office, grouped by year.

not yet discussed

IV. H. Amendment Procedures

The Parties agree to meet to negotiate for any of the following reasons, or at least annually, by June 30, to review the Plan and revise it as seems necessary:

1. when funding is approved/allocated
2. address unresolved initial issues
3. resolve unanticipated procedural or policy questions by either Party
4. address changes in law, rule, or funding or their impact
5. Plan rejection by either body on D.O.E.

Negotiations shall commence within two weeks of request by either party.

If the Plan submitted on or before March 31, 1987, is incomplete, the additional changes shall be submitted to the bargaining unit for ratification no later than August 5, 1987.

Amendments made by the bargaining team subsequent to final ratification, may be approved by the Boards, at the option of either Party.

Alternative Responsibilities

1/30

IKJ
Not Presented
D. U.
Team
is
discussing

1. At each school, Level II and III teachers shall meet in a Faculty Senate charged with responsibility for the following:
 - a. screening and hiring of new employees
 - b. budget approval
 - c. consultation, coordinated planning for improving targeted students who have learning or discipline problems
 - d. consultation, coordinated planning for improving performance of teachers in consultation with district program
 - e. scheduling of teachers, resource personnel, and support staff
 - f. assigning mainstreamed students and students awaiting exceptional placement
 - g. approving requests and establishing policies for activities and extra-curricular programs during and after the school day, including, but not limited to all food sales, holiday recognition, auditorium events, and contests
 - h. approving all curriculum amendments to meet school-site needs
 - i. review of use of Career Ladder and other categorical program funding personnel and for appropriateness and legality
 - j. participate as leaders or instructors in the in-service program
 - k. keep minutes of their activities and actions

2. Level III, and then Level II, teachers shall be employed for an additional six weeks each year, at their option, to plan and coordinate county curriculum and to execute the writing of those planned changes.

3. The Faculty Senate shall annually elect, at the school level, one representative to participate in the county-level Faculty Congress. Members of the Faculty Congress shall have the right, as a whole or by committees appointed from and by the Congress, to:
 - a. resolve school budget disputes;
 - b. resolve school curriculum disputes;
 - c. review and make recommendations to the School Board on budget and staffing;
 - d. approve out-of-field assignments by Personnel (3 periods or more)
 - e. establish, in conjunction with Personnel, standards for hiring and incentives and programs for recruiting

Major Fed in Resolutions

12. Teachers seeking employment without appropriate certification for areas of need, who meet quality standards established by the Faculty Congress, shall be employed and assigned coursework to achieve certification at the County's expense. The Congress shall review these employees' educational progress quarterly.

13. To facilitate other programs as presented here, the Board shall fund a permanent pool of qualified substitutes who are willing to work at least three days each week. Priority for assignment of these substitutes shall be released time for Faculty Senate members, troubled teachers, renewing teachers, and beginning teachers participating in an element of this program.

Break

Application Form for Career Ladder

Deadline June 30.

*Don't
not
received*

1. Name _____ 2. School(s) Name# _____

3. Address _____

4. City _____ Zip _____ 5. Home Phone _____

6. My current teaching assignment(s):

Elementary

Grade/Subject(s) _____

Self-Contained _____ Resource _____ Departmentalized _____

Secondary (all periods)

Grade/Subject(s) _____

7. Number years Florida public school training experience _____

8. Contract: Annual _____ Tenure _____

(or for transfers in: Continuing _____ Professional Service _____

earned in _____ County, Florida.)

9. Certificate Status: Temp. _____ Provis. _____ Reg. _____

10. Active Certificate Areas: (include subject, and check grade levels)*

1 _____ K-3 _____ 1-6 _____ Jr _____ Sr _____ Middle _____

2 _____ K-3 _____ 1-6 _____ Jr _____ Sr _____ Middle _____

3 _____ K-3 _____ 1-6 _____ Jr _____ Sr _____ Middle _____

4 _____ K-3 _____ 1-6 _____ Jr _____ Sr _____ Middle _____

(*Star any Area in which you are not now certified, but will be certified by 12/31/87.)

11. Master Teacher Participation (check all that apply)

_____ I qualified in 19____ as a Master Teacher.

_____ I took the M.T. test.

_____ I was evaluated on F.P.M.S.

12. Statement of Application: (continued on next page)

12. Statement of Application:

I hereby apply to participate in the Career Ladder Program and declare myself as intending to achieve Level II status. I am willing to take a subject area test, as the rules apply to me, and be observed on normed, peer, and supervisor's evaluations, as the rules apply to me, in order to qualify.

I recognize that I do not lose any employment rights, but may be required to accept additional or alternate responsibilities for the next school year, if I qualify.

Signature

Date

13. Principal's Statement:

This teacher will probalby be assigned, next year, to:

_____ substantially the same assignment _____; or,

_____ different area(s) of responsibility(_____)

Signature

Date

DTU

*no. call
1/26/88*

CALENDAR

- 3/31 Agreement mailed
- 4/1-6/10 Advertise rules
- 6/1-6/30 Accept Applications
- 6/15 Meet to address funding. Go/no go decisions.
Approval received from D.O.E.?
- 6/20 Initial Meeting Supervisory Committee

- 7/1-30 Arrange training program

- 9/1-20 Review 50% time appeals
- 9/14-18 Initial training of trainers
- 9/28-10/30 Norming of evaluation instrument

- 10/5-10/23 Training of observers/evaluators

- 11/3 Tests scheduled
- 11/1 Evaluation of Master Teachers begins for Peer, Supervisor (or Normed)

- 1/5/88 Results from tests arrive(?)
- 1/20 Inform qualifiers
- 1/27-3/30 Evaluations conducted

- 4/4-4/29 Data reviewed, assembled

- 5/15 Qualifiers notified
- 5/30 Appeals reviewed

- 6/30 Money disbursed

A. PROGRAM GOAL

II CS 13
4/29 3:44

The purpose of the Duval County Public Schools Career Achievement Program is to attract and retain superior teachers by providing career opportunities and economic and other incentives to achieve excellence.

B. VOLUNTARY PARTICIPATION

Participation in the Duval County Career Achievement Program shall be voluntary.

Continued participation in this Plan shall be at the option of teacher at Level II and III.
The _____ Signed off

*DCSB
3:55 4/29*

D. Applicants for level II and III shall in accordance with F.S. 231.5335 spend at least fifty percent (50%) of their employment time in direct work with students as defined in State Board Rule 6A-4.0047.

- a. Fifty percent of a teacher's employment time will be defined as one half of the established work day (220 minutes).
- b. This determination will be made by an analysis of each applicants' daily schedule at the time of application.
- c. At any time the total time spent in direct work with students becomes less than 220 minutes per day the teacher will become ineligible for participation in the program.

(page is missing)

C — Current teachers shall be paid on the regular teacher's salary schedule

Agreed to change "current", and add more clarity from our agreement.

p1
F. Career Achievement Levels and Requirements.

The Duval County Public Schools Career Achievement Program shall provide for three achievement levels: I, II, and III.

The classification of current teacher may be retained or advancement be made to other levels upon fulfillment of the requirements of this section.

Level I.

1. To qualify for Level I, the applicant shall:
 - a. Have earned a bachelor's degree at an accredited institution of higher learning or possess valid Florida teaching credentials or be authorized to teach in Florida public schools pursuant to applicable law and State Board of Education rule.
 - b. Meet the Duval County School Board requirements for employment.
2. After the first year as a Level I teacher, the individual shall document successful completion of the beginning teacher program or the State Board of Education approved instructional personnel performance evaluation system for teachers with at least 1 year of prior teaching experience.
3. Upon submitting the appropriate application, the Level I teacher may advance to Level II after the fourth year as a Level I teacher, provided that requirements for Level II are met. However, a teacher may elect not to apply for advancement to Level II, and continue to teach as a Level I teacher.
4. The Level I teacher shall be compensated according to the regular teacher salary schedule commensurate with educational attainment and prior experience.

Level II.

1. To qualify for Level II, the applicant shall:
 - a. Have successfully completed at least 4 years as a Level I teacher or the equivalent as determined by State Board of Education rule.
 - b. Possess a tenure contract.
 - c. Document a minimum score at the 40th percentile on a subject area examination as defined by F.S. 231.5335 or equivalent measure of subject matter knowledge as developed by the district and approved by the state

IVK P

DC-6 7/1

Board of Education. In the event that the State Board of Education determines there is no appropriate examination for a subject area, the State Board of Education shall establish an equivalent measure of subject matter knowledge. Only those applicants who achieve the acceptable minimum performance percentile score on a subject area examination or equivalent measure as specified in this section shall be eligible to undergo the performance evaluation, supervisor's evaluation, and peer teacher's evaluation.

- d. Document a composite evaluation which shall be an average of at least the 50th percentile on applicable measures listed below:
 - (I) A performance evaluation which shall consist of a minimum of a 40th percentile score on a performance evaluation tool as defined by F.S. 231.5335
 - (II) A supervisor's evaluation which shall consist of a minimum score at the 40th percentile.
 - (III) A peer teacher's evaluation which shall consist of a minimum score at the 40th percentile.
2. The Level II designation shall be for a 3-year term contingent upon successful performance of assigned responsibilities. This designation may be renewed for additional 3-year terms if the applicant successfully meets all required evaluations and other State Board of Education requirements for this designation during the third year of each 3-year term. After the second 3-year designation term, the Level II teacher may apply for advancement to Level III.
3. From the pool of applicants who scored at or above the 40th percentile on a subject area examination, no more than 45 percent shall be designated as Level II teachers. An individual who is designated as a Level II teacher pursuant to the law shall receive an annual incentive award to the extent such award is funded and specified in the General Appropriations Act.
4. The district may require that Level II teachers undertake additional instructional leadership responsibilities.

Level III.

1. To qualify for Level III, the applicant shall:
 - a. Have successfully completed at least 6 years as a Level II teacher or the equivalent as determined by State Board of Education rule.

IV F p3

- b. Possess a professional service contract, a continuing contract, or a local tenure contract.
 - c. Have earned at least a master's degree in the field in which the applicant teaches from an institution accredited by an agency holding membership in the Council on Postsecondary Accreditation. If the applicant possesses a degree in a subject which is out-of-field on the effective date of this section, he must successfully complete 15 semester hours or the equivalent at the graduate level in-field, as specified by rule of the State Board of Education, in order to be eligible for Level III.
 - d. Document a minimum score at the 70th percentile on a subject area examination as defined by F.S. 231.5335 or equivalent measure of subject matter knowledge as developed by the district and approved by the State Board of Education. In the event that the State Board of Education determines there is no appropriate examination for a subject area, the State Board of Education shall establish an equivalent measure of subject matter knowledge. Only those applicants who achieve the acceptable minimum performance percentile score on a subject area examination or equivalent measure as specified in this section shall be eligible to undergo the performance evaluation, supervisor's evaluation, and peer teacher's evaluation.
 - e. Document a composite evaluation which shall be an average of the 90th percentile on the applicable measures listed below:
 - (I) A performance evaluation which shall consist of a minimum of a 70th percentile score on a performance evaluation tool as defined by F.S. 231.5335.
 - (II) A supervisor's evaluation which shall consist of a minimum score at the 70th percentile.
 - (III) A peer teacher's evaluation which shall consist of a minimum score at the 70th percentile.
2. The Level III teacher designation shall be for a 3-year term contingent upon successful performance of assigned responsibilities and appropriate professional services. This designation may be renewed for additional 3-year terms if the applicant successfully meets all required evaluations and other State Board of Education requirements for this designation during the third year of each 3-year term.

IVF p4

DCSB

3. From the pool of applicants who scored at or above the 70th percentile on a subject area examination, no more than 25 percent shall be designated as Level III teachers. An individual who is designated as a Level III teacher pursuant to the law shall receive an annual incentive award to the extent such award is funded and specified in the General Appropriations Act.
4. The district may require that Level III teachers undertake additional instructional leadership responsibilities.

DCSB 1/29/87
5:44

G. Non-Monetary Incentives.

The Duval County Public Schools Career Achievement Program will, based on available resources, include non-monetary incentives at Levels II and III. Incentives may include but not be limited to the following:

1. Staff recognition plans,
2. Media recognition of outstanding individuals in schools,
3. Certificates of recognition,
4. Teacher of the Month programs, and
5. Other similar recognitions that may be added later by amendment.

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H. Amendment Procedures.

The Duval County School Board and Duval Teachers United agree to meet to consider amendments to this plan at times when both parties are in mutual agreement.

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APPENDIX E -- RULES AND REGULATIONS GOVERNING SALARY SCHEDULES, SUPPLEMENTS, AND VARSITY ATHLETICS

Section 13. Raymond B. Stewart Career Achievement Program for Teachers

The Board and Union agree to implement, for the 1987-88 school year only, the Raymond B. Stewart Career Achievement Program for Teachers, pursuant to Florida Statutes, Chapter 231.5335, contingent upon all of the following:

1. Ratification of the program by both the Board and Union, pursuant to Florida Statutes, Chapter 447.309, prior to March 31, 1987;
2. Receipt by the school district of a certificate of compliance indicating formal Florida Department of Education approval; and,
3. Receipt by the school district of allocated or re-allocated funds for this program from the State.

The Dade County Public Schools/United Teachers of Dade Career Achievement Program rules and procedures shall be specified in a plan document developed jointly by the parties and shall become Appendix L of this contract.

APPENDIX L -- RAYMOND B. STEWART CAREER ACHIEVEMENT
PROGRAM FOR TEACHERS
... IMPLEMENTING F.S., CHAPTER 231.5335

The Dade County Public Schools (DCPS) and the United Teachers of Dade (UTD) reaffirm their commitment to educational excellence and, therefore, enter into the following agreement which is designed to improve the overall quality of instruction by attracting and retaining superior teachers through establishment of a comprehensive system of career advancement based upon superior performance, professional growth and development, and economic incentives.

Section 1. Career Achievement Levels and Requirements

A. Voluntary Participation

1. Participation in the program shall be voluntary for eligible bargaining unit members.
2. Participation or non-participation shall have no effect on the individual employee's contractual rights or contractual status; nor shall it be considered a factor in the assessment of an employee's performance.
3. There shall be no action taken by DCPS against any employee because of participation or non-participation in the program.
4. The classification of current teacher, as defined herein, may be retained, or advancement may be made to other levels upon fulfillment of the requirements of this section.
5. A current teacher shall be compensated in accordance with the regular AO/CO salary schedules for certificated employees.

B. Career Achievement - Level I

1. To qualify for Level I, the applicant shall:
 - a. Have earned a bachelor's degree at an accredited institution of higher learning or possess valid Florida teaching credentials or be authorized to teach in Florida public schools pursuant to applicable law and State Board of Education rule.
 - b. Meet DCPS district requirements for employment.
 - * c. Spend at least 50% of employment time in direct work with students.

2. After the first year as a Level I teacher, the individual shall document successful completion of the Beginning Teacher Program or the State Board of Education approved instructional personnel performance evaluation system for teachers with at least one year of prior teaching experience.
3. Upon submitting the appropriate application, the Level I teacher may advance to Level II after the fourth year as a Level I teacher, provided that requirements for Level II are met. However, a teacher may elect not to apply for advancement to Level II, and continue to teach as a Level I teacher.
4. The Level I teacher shall be compensated according to the regular AO/CO salary schedules for certificated employees.

C. Career Achievement - Level II

1. To qualify for Level II, the applicant shall:
 - a. Have successfully completed at least four years as a Level I teacher or the equivalent as determined by State Board of Education rule.
 - b. Possess a professional service contract or a continuing contract.
 - c. Spend at least 50% of employment time in direct work with students.
 - d. Document a minimum score at the 40th percentile on a subject area examination as defined herein or equivalent measure of subject matter knowledge as developed by DCPS and approved by the State Board of Education. In the event that the State Board of Education determines there is no appropriate examination for a subject area, the State Board of Education shall establish an equivalent measure of subject matter knowledge. Only those applicants who achieve the acceptable minimum performance percentile score on a subject area examination or equivalent measure as specified herein shall be eligible to undergo the performance evaluation, supervisor's evaluation, and peer teacher's evaluation.
 - e. Document a composite evaluation which shall be an average of at least the 50th percentile on applicable measures listed below:
 - (1) A performance evaluation which shall consist of a minimum of a 40th percentile score on a performance evaluation tool as defined herein which has been approved by the parties.
 - (2) A supervisor's evaluation which shall consist of a minimum score at the 40th percentile.

- (3) A peer teacher's evaluation which shall consist of a minimum score at the 40th percentile.
2. At least 90% of all designees for Level II shall be classroom-based teachers, as defined herein.
3. The Level II designation shall be for a three-year term contingent upon successful performance of assigned responsibilities. This designation may be renewed for additional three-year terms if the applicant successfully meets all required evaluations and other State Board of Education requirements for this designation during the third year of each 3-year term. After the second three-year designation term, the Level II teacher may apply for advancement to Level III.
4. From the pool of applicants who scored at or above the 40th percentile on a subject area examination, no more than 45 percent shall be designated as Level II teachers.
5. Procedures for designating Level II teachers:
 - a.
 - b.
 - c.
 - d.
 - e.
6. An individual who is designated as a Level II teacher, pursuant to the provisions of this section, shall receive an annual incentive award to the extent such award is funded and specified in the General Appropriations Act.
7. An individual who is designated as a Level II teacher, pursuant to the provisions herein, shall receive the following non-monetary incentives:
 - a.
 - b.
 - c.
8. Level II teachers are required to undertake the following additional instructional leadership responsibilities:
 - a.
 - b.
 - c.

d.

e.

D. Career Achievement - Level III

1. To qualify for Level III, the applicant shall:

- a. Have successfully completed at least six years as a Level II teacher or the equivalent as determined by State Board of Education rule.
- b. Possess a professional service contract or a continuing contract.
- c. Spend at least 50% of employment time in direct work with students.
- d. Have earned at least a master's degree in the field in which the applicant teaches from an institution accredited by an agency holding membership in the Council on Post-secondary Accreditation. If the applicant possesses a degree in a subject which is out-of-field on the effective date of this section, he/she must successfully complete 15 semester hours or the equivalent at the graduate level in-field, as specified by rule of the State Board of Education, in order to be eligible for Level III.
- e. Document a minimum score at the 70th percentile on a subject area examination as defined in this section or equivalent measure of subject matter knowledge as developed by the district and approved by the State Board of Education. In the event that the State Board of Education determines there is no appropriate examination for a subject area, the State Board of Education shall establish an equivalent measure of subject matter knowledge. Only those applicants who achieve the acceptable minimum performance percentile score on a subject area examination or equivalent measure as specified herein shall be eligible to undergo the performance evaluation, supervisor's evaluation, and peer teacher's evaluation.
- f. Document a composite evaluation which shall be an average of the 90th percentile on the applicable measure listed below:
 - (1) A performance evaluation which shall consist of a minimum of a 70th percentile score on a performance evaluation tool as defined herein which has been approved by the parties.
 - (2) A supervisor's evaluation which shall consist of a minimum score at the 70th percentile.

- (3) A peer teacher's evaluation which shall consist of a minimum score at the 70th percentile.
2. At least 90% of all designees for Level III shall be classroom-based teachers, as defined herein.
 3. The Level III teacher designation shall be for a three-year term contingent upon successful performance of assigned responsibilities and appropriate professional services. This designation may be renewed for additional three-year terms if the applicant successfully meets all required evaluations and other State Board of Education requirements for this designation during the third year of each three-year term.
 4. From the pool of applicants who scored at or above the 70th percentile on a subject area examination, no more than 25 percent shall be designated as Level III teachers.
 5. Procedures for designating Level III teachers:
 - a.
 - b.
 - c.
 - d.
 - e.
 6. An individual who is designated as a Level III teacher, pursuant to the provisions of this section, shall receive an annual incentive award to the extent such award is funded and specified in the General Appropriations Act.
 7. An individual who is designated as a Level III teacher, pursuant to the provisions herein, shall receive the following non-monetary incentives:
 - a.
 - b.
 - c.
 8. Level III teachers are required to undertake the following additional instructional leadership responsibilities:
 - a.
 - b.
 - c.

d.

e.

Section 2. Career Achievement Program Committee

- A. There shall be established a DCPS/UTD Career Achievement Program (CAP) Committee which shall serve to assure the orderly and equitable implementation of the Raymond B. Stewart Career Achievement Program for Teachers and to establish additional guidelines and definitions as may be necessary.
- B. The CAP Committee shall consist of six persons: three persons appointed by the Superintendent of Schools and three persons appointed by the Executive Vice President of UTD.
- C. The CAP Committee shall review all facets of the administration and implementation of this program to assure compliance with applicable provisions of the DCPS/UTD labor contract, F.S., Chapter 231.5335, and State Board of Education Rules.
- D. The CAP Committee shall respond to inquiries from bargaining unit members related to the program and shall receive and adjudicate any appeals related to its implementation. This procedure shall be utilized in lieu of the grievance procedures specified in Appendix A of the DCPS/UTD labor contract.

Section 3. Definitions

- A. "Career Achievement Program" means a career progression and compensation system which provides for upward mobility within the teaching profession based upon superior performance and professional achievement and which is developed in accordance with the provisions herein.
- B. "Classroom-Based Teacher" means an instructional staff member who provides direct instructional services to students pursuant to State Board of Education rule.
- C. "Composite Evaluation" means the average of the percentile scores of the performance evaluation, the supervisor's evaluation, and the peer teacher's evaluation.
- D. "Current Teacher" means a teacher employed on a full-time basis who has elected not to participate in the career achievement program.
- E. "Department" means the Department of Education.
- F. "Instructional Leadership Responsibilities" means professional school-related activities which contribute to the educational improvement of children or colleagues but which are not required by the school district.

- G. "Non-monetary Incentives" means supportive district programs to encourage superior teachers to continue in public school instruction.
- H. "Peer Teacher's Evaluation" means a questionnaire developed at the school district level, for use by a teacher's colleagues, which is designed to assess the individual's level of superior performance in the classroom in relation to other teachers in the district and which is approved by the Department of Education for use in this program.
- I. "Performance Evaluation" means assessment of an individual's instructional competence and teaching skills as measured by a performance evaluation tool as defined herein.
- J. "Performance Evaluation Tool" means a reliable and valid instrument, normed at the district level and designed to assess teaching skills. Such tool may be developed by the school district and shall be approved by the State Board of Education for use in this program.
- K. "Program" means the Career Achievement Program for Teachers.
- L. "Subject Area Examination" means a statewide standardized assessment test developed pursuant to the provisions of F.S., Chapter 231.534 that is normed at the state level and measures an individual's knowledge of a given subject area. Such examination shall be approved by the State Board of Education for use in this program.
- M. "Supervisor's Evaluation" means a questionnaire developed at the school district level, for use by the school principal, which is designed to assess the individual's level of superior performance in the classroom in relation to other teachers in the district and which is approved by the Department of Education for use in this program.

Section 4. Evaluation of Classroom Performance

- a. Goal(s)
- b. Procedures
- c. Follow-up Components

Section 5. Program Amendments

The parties stipulate that, by mutual agreement, this program may be amended to comply with state law or State Board of Education rules, regulations, and guidelines.

Section 6. Program Funding Proposal and Budget Summary

Section 7. Program Evaluation and Reporting Plan

Section 8. Non-Supplanting

The parties stipulate that incentives paid from funds appropriated by the Florida Legislature and allocated or re-allocated from the General Appropriations Act or any other source shall not supplant any portion of any employee's salary, pursuant to F.S., Chapter 231.5335.

Section 9. Severability/Conflicts with Law or Rule

The provisions herein are subject to the severability and conflicts with law or rule clauses of this contract (Article I -- General Purposes, Sections 4 and 9).



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APPENDIX E -- RULES AND REGULATIONS GOVERNING SALARY SCHEDULES, SUPPLEMENTS, AND VARSITY ATHLETICS

Section 13. Raymond B. Stewart Career Achievement Program for Teachers

The Board and Union agree to implement, for the 1987-88 school year only, the Raymond B. Stewart Career Achievement Program for Teachers, pursuant to Florida Statutes, Chapter 231.5335, contingent upon all of the following:

1. Ratification of the program by both the Board and Union, pursuant to Florida Statutes, Chapter 447.309, prior to March 31, 1987;
2. Receipt by the school district of a certificate of compliance indicating formal Florida Department of Education approval; and,
3. Receipt by the school district of allocated or re-allocated funds for this program from the State.

The Dade County Public Schools/United Teachers of Dade Career Achievement Program rules and procedures shall be specified in a plan document developed jointly by the parties and shall become Appendix L of this contract.

2. After the first year as a Level I teacher, the individual shall document successful completion of the Beginning Teacher Program or the State Board of Education approved instructional personnel performance evaluation system for teachers with at least one year of prior teaching experience.
3. The designation term for a Level I teacher shall be three years with one year optional extension.
4. The Level I teacher shall be compensated according to the regular AO/CO salary schedules for certificated employees.
5. For purposes of improving the quality of instruction and enhancing the probability of retaining superior teachers, a portion of the annual appropriation to this program may provide funds to support the staff development of intern teachers including providing for released time to participate in such activities. Funding shall be awarded on the basis of the number of teachers in a district who are currently at Level I.

C. Career Achievement - Level II -- Teacher

1. To qualify for Level II, the applicant shall:
 - a. Have successfully completed at least three years as a Level I teacher or the equivalent as determined by State Board of Education rule.
 - b. Possess valid Florida teaching credentials or be authorized to teach in Florida public schools, pursuant to applicable law or State Board of Education rules.
2. The Level II teacher shall be compensated in accordance with the regular AO/CO salary schedule for certificated employees.

D. Career Achievement - Level III -- Professional Teacher

1. To qualify for Level III, the applicant shall:
 - a. Have successfully completed at a total of five years as a Level I and/or Level II teacher or the equivalent as determined by State Board of Education rule.
 - b. Possess a professional service contract or a continuing contract.
 - c. Have successfully passed a subject matter examination as defined in this section at the level required pursuant to State Board of Education Rule provided that such standard be set at a level at least equivalent to the 40th percentile of those taking such examination or their equivalent over a

2. After the first year as a Level I teacher, the individual shall document successful completion of the Beginning Teacher Program or the State Board of Education approved instructional personnel performance evaluation system for teachers with at least one year of prior teaching experience.
3. The designation term for a Level I teacher shall be three years with one year optional extension.
4. The Level I teacher shall be compensated according to the regular AO/CO salary schedules for certificated employees.
5. For purposes of improving the quality of instruction and enhancing the probability of retaining superior teachers, a portion of the annual appropriation to this program may provide funds to support the staff development of intern teachers including providing for released time to participate in such activities. Funding shall be awarded on the basis of the number of teachers in a district who are currently at Level I.

C. Career Achievement - Level II -- Teacher

1. To qualify for Level II, the applicant shall:
 - a. Have successfully completed at least three years as a Level I teacher or the equivalent as determined by State Board of Education rule.
 - b. Possess valid Florida teaching credentials or be authorized to teach in Florida public schools, pursuant to applicable law or State Board of Education rules.
2. The Level II teacher shall be compensated in accordance with the regular AO/CO salary schedule for certificated employees.

D. Career Achievement - Level III -- Professional Teacher

1. To qualify for Level III, the applicant shall:
 - a. Have successfully completed at a total of five years as a Level I and/or Level II teacher or the equivalent as determined by State Board of Education rule.
 - b. Possess a professional service contract or a continuing contract.
 - c. Have successfully passed a subject matter examination as defined in this section at the level required pursuant to State Board of Education Rule provided that such standard be set at a level at least equivalent to the 40th percentile of those taking such examination or their equivalent over a

three year period. In the event that the State Board of Education determines there is no appropriate examination for a subject area, the State Board of Education shall establish an equivalent measure of subject matter knowledge. Only those applicants who achieve the acceptable minimum performance percentile score on a subject area examination or equivalent measure as specified herein shall be eligible to undergo the performance evaluation, supervisor's evaluation, and peer teacher's evaluation.

- d. Have achieved scores at the requisite acceptable standard as determined by the district pursuant to the provisions herein on a:
 1. Series of performance observations conducted by a qualified observer using a performance observation evaluation tool as specified in this section.
 2. Peer evaluation.
 3. Principal evaluation. The principal evaluation shall contribute at least one-third of the total score required for designation at this level.
2. The establishment of the requisite acceptable scores shall reflect the intent of the Legislature to recognize superior teaching. To that end, the Department of Education shall issue guidelines specifying criteria for setting such standards. In issuing such guidelines and reviewing district standards, the department shall be advised by a panel of measurement experts drawn from business, industrial, and educational settings.
3. The Level III teacher designation shall be for a three-year term contingent upon successful performance of assigned responsibilities and appropriate professional services. This designation may be renewed for additional three-year terms if the applicant successfully meets all required evaluations and other State Board of Education requirements for this designation during the third year of each three-year term, except that the subject matter test shall be required every third renewal. After the second three-year designation term, the Level III teacher may apply for advancement to Level IV.
4. An individual who is designated as a Level III teacher, pursuant to the provisions herein shall be compensated in accordance with the regular AO/CO salary schedules for certificated employees, and shall receive an additional annual salary incentive award of not less than \$2,500 plus social security and retirement to the extent such award is funded and specified in the General Appropriations Act.

5. Level III teachers are required to undertake the following additional instructional leadership responsibilities:
 - a.
 - b.
 - c.
 - d.
 - e.

E. Career Achievement - Level IV -- Senior Professional Teacher

An applicant may qualify for designation as a Level IV - Senior Professional Teacher-in one of three categories: Professional Teacher Consultant, Professional Teacher Mentor, or Professional Demonstration Teacher.

1. To qualify for Level IV - Senior Professional Teacher-in a specific category, the applicant shall:
 - a. Have served a total of three years as a Level III teacher or the equivalent as determined by the State Board of Education rule.
 - b. Have earned at least a Master's degree in the field in which the applicant teaches from an institution accredited by an agency holding membership in the Council on Post-secondary Accreditation. If the applicant possesses a degree in a subject which is out-of-field on the effective date of this section, he must successfully complete 15 semester hours or the equivalent at the graduate level in-field, as specified by rule of the State Board of Education, in order to be eligible for Level IV.
 - c. Document the following for the category of Level IV in which the applicant seeks designation:
 - (1) Professional Teacher Consultant -- The applicant shall achieve a score on a subject matter test as specified in this section at least equivalent to the 70th percentile of those taking the examination in the past three years.
 - (2) Professional Teacher Mentor -- The applicant shall achieve a score on a performance observation tool as specified in this section at least equivalent to the 70th percentile of those undergoing such observations at local, regional, or state levels during the previous year.

- (3) Professional Demonstration Teacher -- The applicant shall achieve a 70th percentile score on a performance observation tool or subject matter test as specified in this section.
2. The Level IV designation shall be for a three year term. The designation term shall be renewed every three years upon meeting the requirements for initial designation at this level.
3. School districts may require that Level IV teachers undertake additional instructional leadership responsibilities.
4. An individual who is designated as Level IV teacher in a specific category shall be compensated according to the regular CO salary schedule for certificated personnel and shall receive the incentive award specified in Florida Statutes; however, those individuals who are both designated and employed as Level IV teachers with additional instructional leadership responsibilities to meet specific, identified educational needs shall receive an additional salary incentive award of not less than \$5,000 plus social security and retirement from the district to the extent such award is funded and specified in the General Appropriations Act. No more than 15% of the district's teachers shall be employed in such positions.

Section 2. Career Achievement Program Committee

- A. There shall be established a DCPS/UTD Career Achievement Program (CAP) Committee which shall serve to assure the orderly and equitable implementation of the Raymond B. Stewart Career Achievement Program for Teachers and to establish additional guidelines and definitions as may be necessary.
- B. The CAP Committee shall consist of six persons: three persons appointed by the Superintendent of Schools and three persons appointed by the Executive Vice President of UTD.
- C. The CAP Committee shall review all facets of the administration and implementation of this program to assure compliance with applicable provisions of the DCPS/UTD labor contract, F.S., Chapter 231.5335, and State Board of Education Rules.
- D. The CAP Committee shall respond to inquiries from bargaining unit members related to the program and shall receive and adjudicate any appeals related to its implementation. This procedure shall be utilized in lieu of the grievance procedures specified in Appendix A of the DCPS/UTD labor contract.

Section 3. Definitions

- A. "Career Achievement Program" means a career progression and compensation system which provides for upward mobility within the teaching profession based upon superior performance and professional achievement and which is developed in accordance with the provisions herein.

- B. "Classroom-Based Teacher" means an instructional staff member who provides direct instructional services to students pursuant to State Board of Education rule;
- C. "Current Teacher" means a teacher employed on a full-time basis who has elected not to participate in the career achievement program.
- D. "Department" means the Department of Education.
- E. "Instructional Leadership Responsibilities" means professional school-related activities which contribute to the educational improvement of children or colleagues but which are not required by the school district.
- F. "Non-monetary Incentives" means supportive district programs to encourage superior teachers to continue in public school instruction.
- G. "Peer Teacher's Evaluation" means a questionnaire developed at the school district level, for use by a teacher's colleagues, which is designed to assess the individual's level of performance in relation to other teachers in the district and which is approved by the Department of Education for use in this program.
- H. "Performance Evaluation" means assessment of an individual's instructional competence and teaching skills as measured by a performance evaluation tool as defined herein.
- I. "Performance Observation Evaluation Tool" means a reliable and valid observation instrument designed to assess teaching skills. Such tool may be developed by the school district and shall be approved by the State Board of Education for use in this program.
- J. "Program" means the Career Achievement Program for Teachers.
- K. "Subject Area Examination" means a statewide standardized assessment test developed pursuant to the provisions of F.S., Chapter 231.534 that is normed at the state level and measures an individual's knowledge of a given subject area. Such examination shall be approved by the State Board of Education for use in this program.
- L. "Supervisor's Evaluation" means a questionnaire developed at the school district level, for use by the school principal, or his/her designee which is designed to assess the individual's level of performance in relation to other teachers in the district and which is approved by the Department of Education for use in this program.

Section 4. Evaluation of Classroom Performance

- a. Goal(s)
- b. Procedures
- c. Follow-up Components

Section 5. Program Amendments

The parties stipulate that, by mutual agreement, this program may be amended to comply with state law or State Board of Education rules, regulations, and guidelines.

Section 6. Program Funding Requirements

Section 7. Program Evaluation and Reporting Plan

Section 8. Non-Supplanting

The parties stipulate that incentives paid from funds appropriated by the Florida Legislature and allocated or re-allocated from the General Appropriations Act or any other source shall not supplant any portion of any employee's salary, pursuant to F.S., Chapter 231.5335.

Section 9. Severability/Conflicts with Law or Rule

The provisions herein are subject to the severability and conflicts with law or rule clauses of this contract (Article I -- General Purposes, Sections 4 and 9).