



Race to the Top for Student Success Act – SB 736

How SB 736 impacts you and your profession

Race to the Top for Student Success Act – SB 736

- Reforms teacher evaluations
- Ends Professional Service Contracts for new teachers hired after July 1, 2011
- Creates 2 pay schedules after July 1, 2014: “Performance” and “Grandfathered” Pay Schedules
- Eliminates pay supplements for advanced degrees out of certification area
- Ends “last-in-first-out” for reduction in force decisions

Evaluations

- The bill requires school districts to set up new evaluation systems that rate ALL teachers as “highly effective,” “effective,” “needs improvement” or “unsatisfactory” beginning with the 2011-12 school year. By 2014, at least 50% of the new evaluation must be based on student learning gains.
- EVERY teacher will now be evaluated using the new evaluation criteria. Teachers who are rated unsatisfactory two consecutive or two out of three years will be placed on an *annual contract*, then terminated if there is no improvement.

Teacher contracts

- Teachers with Continuing or Professional Service Contracts will keep their contractual status ***unless*** they:
 - *Take a job outside the district where they currently teach*
 - *Take an unapproved leave*
 - *Have 2 consecutive years of unsatisfactory ratings, 2 unsatisfactory ratings within a 3-year period, or 3 consecutive ratings of needs improvement or combination of needs improvement and unsatisfactory.*
 - *Move from the “grandfathered pay schedule” to the “performance pay schedule”*

Teacher contracts

- **Positions, qualifications and nominations:** A principal may refuse the placement or transfer of instructional personnel in filling a vacancy unless the instructional personnel has a performance rating of “effective” or “highly effective”.
- **Reduction in Force (RiF):** Decisions to retain will be based on performance with primary consideration given to those employees within the affected area whose students’ growth in learning is greater
- **Local tenure laws;** Repeals any special act or general law of local application (Duval, Hillsborough and Volusia)

Teacher contracts

Teachers hired after July 1, 2011

- *Will be placed on a probationary annual contract for the first year – under which they can be let go without cause*
- *Will be evaluated at least twice in the first year*
- *Will only be eligible for an annual contract, even after successful completion of probationary period*
- *Will not be eligible for Professional Service Contracts*

Pay schedules after 2014

Grandfathered salary schedule- The current schedule(s) adopted before July 1, 2014

- *Development of the grandfathered salary schedule is subject to collective bargaining*
- *It will establish the basis for paying all school employees hired before July 1, 2014*
- *Employees hired before July 1, 2014 can choose to stay on grandfathered salary schedule or may choose, at any time, to opt into the performance salary schedule but may **not** return to the grandfathered salary schedule*
- *Choosing to move to the performance salary schedule also means exchanging your continuing contract (CC) or professional services contract (PSC) for an annual contract for the duration of your employment*

Pay Schedules after 2014

Performance salary schedule - Effective July 1, 2014

- *Districts must adopt a performance salary schedule which provides adjustments based on performance*
- *Instructional personnel new to the district, returning to the district after a break in service without authorized leave of absence, or appointed for the first time as instructional personnel shall be placed on the performance salary schedule*
- *Instructional personnel on annual contract shall be placed on the performance salary schedule*
- *The performance pay salary increase must be greater than the highest annual salary adjustment available to that individual through any other salary schedule adopted by the school district*

Advanced degrees

On or after July 1, 2011:

School districts may not use advanced degrees in setting a salary schedule unless the advanced degree is held in the instructional personnel's area of certification.

Reduction in force (RIF)

The decision to retain a teacher will be based on performance with primary consideration given to those employees within the affected area whose students' growth in learning is greater – NOT seniority.

Teacher Certification

- **SB 736 does not contain language that affects a teacher's certificate**
- Issues and circumstances that impact certification are found in Florida Statutes 1012.315, 1012.56 and 1012.795
- For more information, please contact your local union office or FEA at (888)807-8007

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