

The School District of Osceola County Salaries and Benefits Package

between the
School Board of Osceola County, Florida, (OCSB)
and the
Osceola County Education Association (OCEA),

for

Instructional Employees



Date: October 27, 2020

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Osceola County School Board Salary and Benefits Negotiations Proposal for the 2020-21 School Year for the *Instructional Employees Bargaining Unit*

Recognizing the need to reward employees for their hard work despite very limited resources during unprecedented circumstances, the School Board commits to provide Osceola County instructional employees the following firm offer of enumerated incentives that are contingent upon each other as a single package.

1. Salary Negotiations

On June 24, 2020, Governor DeSantis signed into law *House Bill 641 – Funds for the Operations of Schools*, which amends *Section 1011.61 – Definitions, Florida Statutes*, and creates a new categorical entitled the “Teacher Salary Increase Allocation.”

Each school district shall receive an allocation based on the school district's proportionate share of the base FEFP allocation. Each school district shall provide each charter school within its district its proportionate share calculated pursuant to *Section 1002.33(17)(b) – Charter Schools, Florida Statutes*.

The allocation of funds is restricted as follows:

- Each school district and charter school shall use its share of the allocation to increase the minimum base salary for full-time classroom teachers, as defined in *Section 1012.01(2)(a) – Definitions, Florida Statutes*, (see Statutory Definitions section below) plus certified prekindergarten teachers funded in the Florida Education Finance Program (FEFP), to at least \$47,500, or to the maximum amount achievable based on the allocation and as specified in the General Appropriations Act. The term "minimum base salary" means the lowest annual base salary reported on the salary schedule for a full-time classroom teacher. No full-time classroom teacher shall receive a salary less than the minimum base salary as adjusted by this subparagraph. This requirement does not apply to substitute teachers.
- In addition, each school district or charter school shall use its share of the allocation to provide salary increases, as funding permits, for the following personnel:
 - Full-time classroom teachers, as defined in *Section 1012.01(2)(a) – Definitions, Florida Statutes*, (see Statutory Definitions section below) plus certified prekindergarten teachers funded in the Florida Education Finance Program, who did not receive an increase or who received an increase of less than two percent under 1 above or as specified in the General Appropriations Act. This requirement does not apply to substitute teachers.
 - *Further, the proviso language in House Bill 5001 – General Appropriations Act, signed by the Governor on June 29, 2020, stipulates that eighty percent (80%) of the total allocation is provided to increase the minimum base salary for full-time classroom teachers as defined in Section 1012.01(2)(a) – Definitions, Florida Statutes, plus*

certified prekindergarten teachers funded in the FEFP, but not including substitute teachers, to at least \$47,500, or to the maximum amount achievable based on the school district's or charter school's allocation.

- Other full-time instructional personnel as defined in *Section 1012.01(2)(b)-(d) – Definitions, Florida Statutes* (see *Statutory Definitions* section below).
- *Further, the proviso language in House Bill 5001 – General Appropriations Act, signed by the Governor on June 29, 2020, stipulates that twenty percent (20%) of the total allocation, plus any remaining funds from the district's share of the 80% allocation, shall be used by school districts and charter schools as specified in Section 1011.62 – Funds for operation of schools, Florida Statutes.*
- A school district or charter school may use funds available after requirements of 1 above are met to provide salary increases pursuant to 2 above.
- A school district or charter school shall maintain the minimum base salary achieved for classroom teachers provided under 1 above and may not reduce the salary increases provided under 2 above in any subsequent fiscal year, unless specifically authorized in the General Appropriations Act.
- Before distributing the funds, each school district and each charter school must develop a salary distribution plan that clearly delineates the planned distribution of funds in accordance with modified salary schedules, as necessary, for the implementation of this provision.
- Each school district superintendent and each charter school administrator must submit its proposed salary distribution plan to the district school board or the charter school governing body, as appropriate, for approval.
- Each school district must submit the approved district salary distribution plan, along with the approved salary distribution plan for each charter school in the district, to the Florida Department of Education by October 1 of each fiscal year.
- By December 1, each school district must provide a preliminary report to the Florida Department of Education of Education that includes a detailed summary explaining the school district's planned expenditure of the entire allocation received by the district, the amount of the increase to the minimum base salary for classroom teachers, and the school district's salary schedule for the prior fiscal year and the fiscal year in which the base salary is increased. Each charter school governing board must submit the information required under this subparagraph to the district school board for inclusion in the school district's preliminary report to the Florida Department of Education.

- By August 1, each school district must provide a final report to the Florida Department of Education with the information relating to the increase in the minimum base salary for full-time classroom teachers for the prior fiscal year. Each charter school governing board must submit the required information to the district school board for inclusion in the school district's final report to the Florida Department of Education.
- Although district school boards and charter school governing boards are not precluded from bargaining over wages, the teacher salary increase allocation must be used solely to comply with the requirements of this section. A district school board or charter school governing board that is unable to meet the reporting requirements specified above due to a collective bargaining impasse must provide written notification to Florida Department of Education or district school board, as applicable, detailing the reasons for the impasse with a proposed timeline and details for a resolution.
- **Statutory Definitions**

Per Section 1012.01(2)(a)-(d) – Definition, Florida Statutes, the following terms shall have the following meanings, as used in this chapter of state law:

(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.

- **The above statutory requirements and resulting allocation from the Florida Legislature direct the School District of Osceola County as follows:**
 - **2021 Teacher’s Salary Increase Allocation (TSIA), Osceola County = \$ 12,106,414.00**
 - **School District Share = \$ 9,518,411.76**
 - **Charter School Share = \$ 2,588,002.24**
 - **Part 1, Eighty (80%) of TSIA = \$46,100 per eligible full-time classroom teacher (e.g., 2,127 teachers)**
 - **Part 2, Twenty (20%) of TSIA =**
 - **Non-classroom instructional employees shall make no less than \$46,100 (e.g., 259 teachers).**
 - **Per state law, instructional employees who are not eligible to receive a salary increase in Part 1 or who receive an increase of less than two percent (2%) in Part 1 shall also be eligible in Part 2.**
 - **\$650 per eligible full-time instructional employee at \$46,100 to \$50,000 (e.g., 636 teachers)**
 - **\$750 per eligible full-time instructional employee at \$50,001 to \$55,000 (e.g., 307 teachers)**
 - **\$1000 per eligible full-time instructional employee over \$55,000 (e.g., 345 teachers)**
- **The above numbers of eligible teachers used in the School District’s calculations of related salary increases may vary depending upon teachers employed at the time of this proposal.**
- **Any funds remaining from Part 1 shall be used toward Part 2 per state law.**
- **The recurrence of these 2020-21 salary increases for eligible instructional employees are subject to and dependent upon the renewal of the Teacher Salary Increase Allocation or its designated equivalent as appropriated by the Florida Legislature each subsequent school/ fiscal year per state law.**

2. Design changes to our School District's major medical Health Insurance Plan that:

- continue to provide our employees with health insurance coverage options, including a no-cost option for the individual employee;
- implement innovations and enhancements to provide cost-savings and new choices for our employees and their families; and
- ensure our Health Benefits Trust Fund remains fiscally solvent to serve our employees during uncertain economic times (e.g., pages 06 – 07 of this document);

3. Flexible Spending Account Match where the School Board shall match the employee's FSA savings of \$750 or more with a contribution of \$250 in order to assist the employee toward the employee's deductible;

4. Continued commitment to our School District's *Center for Employee Health*;

5. Flexibility for Certification Requirements for Affected Teachers; and the

- The Superintendent agrees to exercise her authority granted per *State Board of Education Rules*, on behalf of affected teachers who cannot complete specific certification requirements as a result of the global Coronavirus/ COVID-19 Pandemic, to provide to the Florida Department of Education:
 - a statement certifying to extenuating circumstances beyond the control of the affected teacher to earn such required college course or equivalent in-service credit during the prescribed time [6A-1.0503 *Definition of Qualified Instructional Personnel*; e.g., college credit or equivalent in-service course requirements for Exceptional Student Education (ESE), English Speakers of Other Languages (ESOL), and Reading]; and
 - a request for a one-time extension of the affected teacher's temporary certificate for one (1) additional year based on evidence that during the validity of the temporary certificate that the affected teacher experienced extenuating circumstances resulting in unexpected hardship that prevented the affected teacher from satisfying all requirements for the professional certificate [6A-4.004 *Florida Educator's Certificates with Academic, Administrative, Degreed Career and Technical, and Specialty Class Coverages*; e.g., testing requirements]

6. Employee Recognition Committee

Both parties agree to convene an Employee Recognition Committee to discuss recommendations related to the recognition of outstanding employee work efforts during the 2020-21 school year.

7. Evaluation Committee

Both parties agree to convene an Evaluation Committee to discuss recommendations related to the evaluations of instructional employees who have provided digital instruction or simultaneous face-to-face and digital instruction during the 2020-21 school year.

8. Revised 2020-21 Contract that includes tentatively approved Memoranda of Understanding and contract language:

- **Memoranda of Understanding**

1. *Additional Earning Opportunities for Non-FTE Generating Programs*
2. *Additional Pre-Planning Day*
3. *Cost-Saving Innovations to the Health Insurance Benefits Plan*
4. *Flex Day*
5. *Florida Best and Brightest Teacher Program*
6. *Guiding Principles for Lesson Plans*
7. *Health Insurance Benefits Plan Design*
8. *Internal Transfers*
9. ***Safe Return to School***
10. *SIG4 Grant Impact*
11. *State Requirements for School Improvement*

- **Contract Language**

1. *Article I: Recognition and Definitions [Inclusion of JROTC Instructors, Occupational Therapists, Physical Therapists, and Social Workers]*
2. *Article 2.01 [Negotiations Procedure]*
3. *Article 2.05 [Typographical Correction]*
4. ***Article 5.08 [Planning]***
5. *Article 7.05-7 [Technical Clarification of Contract Types]*
6. *Article 15.07 [Telephone Bills Collection]*
7. *Article 16.02 [Salary Schedule Placement of JROTC Instructors, Occupational Therapists, and Social Workers]*
8. *Article 16.08 [Required Payroll Direct Deposit]*

While these documents were negotiated separately on different dates throughout the 2019-2020 and 2020-21 school years, the Memoranda of Understanding and contract language documents shall be considered as part of this salary and benefits proposal for the purposes of clarity for their ratification.

TENTATIVE APPROVAL

**OSCEOLA COUNTY SCHOOL BOARD
(OCSB)**

**OSCEOLA COUNTY EDUCATION
ASSOCIATION (OCEA)**

CHIEF NEGOTIATOR FOR OCSB
John Boyd

OCEA PRESIDENT
Lare Allen

CHIEF NEGOTIATOR FOR OCEA
Apryle Jackson

Date: October 27, 2020