

POLICY 2.63

5-H I recommend the Board approve the proposed revised Policy 2.63, to be entitled "Superintendent's Efficiency and Effectiveness Awards."

[Contacts: Joe Moore, 434-8584; and Jon Goodman, 434-7368.]

Development

CONSENT ITEM

- This proposed Policy is needed in accordance with Fla. Stat. § 1012.22(1)(g).
- Financial Management coordinated the development of this draft, with the assistance of a committee that included representatives from the bargaining units and District administrative staff.
- All four collective bargaining organizations have provided written signoffs expressing their concurrence with this proposed Policy.
- The proposed draft draws upon useful elements in a similar policy for state universities.
- Implementation of the proposed Policy may result in financial savings and increased operational efficiency.

POLICY 2.63

SUPERINTENDENT'S EFFICIENCY & EFFECTIVENESS AWARDS

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3 **1. Goal.--** The goal of the Superintendent's Efficiency and Effective Awards ("SEEA")
4 program is to improve the quality of the school district through the reduction or
5 elimination of school board expenditures or improvement of school district or
6 school center operations. The SEEA program provides incentives or awards
7 pursuant to Fla. Stat. § 1012.22(1)(g) for "outstanding and meritorious service . . .
8 and procedures or ideas adopted by the board which will result in eliminating or
9 reducing district school board expenditures or improving district or school center
10 operations" without reducing the quality of essential services.

- 11 **2. Eligible Participants.--** As required by Fla. Stat. § 1012.22(1)(g), the persons
12 eligible for awards under this Policy are "district employees, students, school
13 volunteers, and advisory committee members who have contributed outstanding
14 and meritorious service in their fields or service areas" through the Board's
15 adoption of that person's suggestions for increasing the efficiency and
16 effectiveness of the District or a school. Two or more eligible persons may submit a
17 joint suggestion.
 - 18 **a. For purposes of this Policy, the term "advisory committee member" shall refer**
19 **to the Board's and Superintendent's advisory committees, and does not**
20 **include school advisory councils.**

 - 21 **b. The term "school volunteers" shall refer to volunteers properly registered and**
22 **currently active pursuant to Policy 2.53.**

 - 23 **c. A member of the steering committee appointed under subsection (3)(b) shall**
24 **not vote on, or participate in the discussion of, any suggestion submitted by**
25 **that member. Committee members shall not engage in ex part communication**
26 **about a suggestion with the person submitting it; however, the committee is**
27 **authorized to invite the person to address the committee.**

- 28 **3. Program Administration.--** The SEEA shall be operated efficiently, as required
29 by Fla. Stat. § 1012.22(1)(g).
 - 30 **a. The Board may allocate funds specifically for the support and operation of the**
31 **SEEA program.**

32 b. The superintendent shall appoint a SEEA program steering committee and
33 program coordinator to be responsible for the SEEA. The program coordinator
34 shall be an employee of the District. The members of the committee should
35 include representation from the groups eligible to receive awards under Fla.
36 Stat. § 1012.22(1)(g) and Section (2) of this Policy. The members shall serve
37 voluntarily and may be replaced at any time by action of the Superintendent.
38 The duties of the SEEA program committee and coordinator may include, but
39 will not be limited to, recommending and administering procedures, ensuring
40 appropriate evaluations, following up on recommendations to adopt or not
41 adopt a suggestion, and promoting the program.

42 4. **Eligible Suggestions.**-- To be eligible, a suggestion must have been submitted in
43 writing and then adopted by the School Board within two (2) years. For purposes
44 of this Policy, the terms "adopt" or "adopted" shall refer to approval of the idea or
45 procedure either by Policy, resolution, simple agenda item vote, consent agenda
46 approval, or consensus of the Board. The following shall not be eligible for
47 monetary awards through the program:

48 a. Suggestions that are duplicate of, or substantially the same as, issues which
49 are already being pursued as a personal grievance or lawsuit, or that deal with
50 the compensation and classification of positions.

51 b. Suggestions which the committee deems to be within the specific job
52 description of the person, if the person is a District employee; provided that
53 this subsection shall not be construed to disqualify awards for suggestions
54 within an employee's general area of responsibility.

55 c. Suggestions which are a duplicate of, or significantly similar to, a suggestion
56 already adopted by, or pending adoption by the Board or already under
57 consideration by the SEEA committee or the Superintendent.

58 5. **Suggestion Processing.**-- The processing and evaluation of submitted
59 suggestions shall be accomplished in an expeditious manner. A suggestion which
60 is not recommended by the committee or Superintendent or adopted by the Board,
61 will be kept on file for two (2) years from the date it was originally received by the
62 program coordinator or the steering committee, whichever is earlier. The original
63 proposer will be eligible for an award as provided in this policy if the suggestion is
64 later adopted during this two-year period. Thereafter, an eligible person must

65 resubmit the suggestion in writing before it can be reconsidered as a suggestion
66 under this program.

67 **6. Awards.-- Suggestions will be recognized through monetary or nonmonetary**
68 **awards or incentives.**

69 a. Nonmonetary awards shall include, but not be limited to, certificates, plaques,
70 medals, ribbons, and photographs. The Board's expenditure for any
71 nonmonetary award shall not exceed seventy-five dollars (\$75).

72 b. Monetary awards, as required by Fla. Stat. § 1012.22(1)(g), "shall be limited to
73 persons who propose procedures or ideas adopted by the Board which will
74 result in eliminating or reducing district school board expenditures or improving
75 district or school center operations."

76 i. Pursuant to § 1012.22(1)(g), "no award granted under this [Policy] shall
77 exceed \$2,000 or 10 percent of the first year's gross savings, whichever
78 is greater," provided, however, that there shall be no obligation or
79 expectation that the Board provide awards at those statutory maximums.

80 ii. The term "gross savings," as used herein, shall mean the estimated
81 permanent savings in the first year of full implementation of a suggestion
82 for reducing expenditures.

83 **7. Disclaimer.-- The SEEA committee, program coordinator, Superintendent, and/or**
84 **School Board shall have no liability whatsoever regarding the recommendation or**
85 **non-recommendation, acceptance or non-acceptance, approval or non-approval,**
86 **and/or adoption or non-adoption of any suggestion submitted under the SEEA**
87 **program.**

88 a. As provided by Fla. Stat. § 1012.22(1)(g), "an award or incentive granted
89 under this [Policy] may not be considered in determining the salary schedules
90 required by paragraph [1012.22(1)](c)."

91 b. The acceptance of an award for any suggestion implemented through this
92 program shall constitute an agreement by the recipient that the recipient
93 waives all claims, immediate and future, on the School Board of Palm Beach
94 County or the State of Florida, regardless of the use of the suggestion.

95 c. The entry of a suggestion shall constitute the employee's agreement that the
96 employee does not acquire any contractual or property rights by entering a
97 suggestion, nor by the adoption or implementation of the suggestion. All
98 suggestions shall be public records and the property of the School Board. The
99 employee further agrees that there shall be no cause of action at law or in
100 equity, nor any basis for an administrative petition or grievance based on:

101 i. the amount of any award;

102 ii. the board's lack of implementing any suggestion;

103 iii. the law of awarding a bonus; or

104 iv. any other action or inaction of the Board, Superintendent, SEEA
105 committee, or program coordinator, related to the SEEA program.

106 8. Implementation Plan.-- The Superintendent shall develop procedures, to be
107 appended to this Policy upon the Superintendent's recommendation, to implement
108 the SEEA program. The implementation procedures may provide for, but not be
109 limited to:

110 a. Promotion of the program;

111 b. Appropriate safeguards regarding conflict of interest in decisions leading to
112 cash awards;

113 c. A procedure for appeal of decisions made by the SEEA steering committee.

114 d. Procedures for allocating savings along with appropriate safeguards to assure
115 that the quality of essential services are maintained and/or improved as a
116 result of such allocations.

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118 STATUTORY AUTHORITY: §§ 1001.41(2); 1012.22(1)(g), Fla. Stat.

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120 LAW IMPLEMENTED: §§ 1001.41(1), (3); 1012.22(1)(g), Fla. Stat.

121
122 HISTORY: _____ / ____ / 03

Legal Signoff:

The Legal Department has reviewed proposed Policy 2.63 and finds it legally sufficient for development by the Board.

Attorney

Date