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MEMORANDUM

DATE: November 6, 2006
TO: District School Superintendents
FROM: John L. Winn, Commissioner
SUBJECT: Teachers Lead Program Stipend

This memorandum is in response to recent questions on the Teachers Lead Program Stipend (Stipend). The Stipend is distributed directly to each teacher to purchase classroom materials and supplies. The Stipend has been provided since 1998 and the amount for each teacher was increased from \$100.00 to \$250.00 for the current fiscal year. The following information provides clarification on the distribution of the Stipend and the responsibilities of the recipient. Section 1012.71, F.S., directs the administration of the Florida Teachers Lead Program Stipend. This law provides the following:

- 1) Districts are to determine the amount of the Stipend by dividing the district's total allocation by the number of eligible teachers. All of the district's allocation should be distributed.

Eligible teachers – All certified teachers employed on or before September 1 of each year whose full-time job responsibility is the classroom instruction of students in kindergarten through grade 12, and full-time media specialists and guidance counselors who serve students in kindergarten through grade 12.

District school boards shall disburse the funds no later than September 30 of each year directly to each teacher as a stipend to purchase classroom materials and supplies to be used in the instruction of students assigned to that teacher. Teachers have sole discretion regarding which classroom materials and supplies best meet the needs of their students. For the purpose of this program, purchases of classroom equipment that fall below the district's capitalization threshold should be considered purchases of materials and supplies. Because the Teachers Lead allocation per teacher is less than this threshold, all purchases of classroom equipment from these funds would be considered materials and supplies.

Disbursement of these funds directly to each teacher shall complete the school district's expenditure of these funds.

- 3) Recipients are required to sign a statement that includes the following language found in Section 1012.71(3), F.S.

I, (Name of teacher), am employed by the _____ County District School Board as a full-time classroom teacher. I acknowledge that Florida Teachers Lead Program Stipend funds are appropriated by the Legislature for the sole purpose of purchasing classroom materials and supplies to be used in the instruction of students assigned to me. In accepting custody of these funds, I agree to keep receipts for all expenditures. I understand that if I do not keep receipts showing these funds were spent to purchase classroom materials and supplies for use with my students, it will be my personal responsibility to pay any federal taxes due on these funds. I also agree to return any unused funds to the district school board at the end of the regular school year for deposit into the School Advisory Council account of the school at which I was employed at the time of the receipt of the funds.

As noted in the statute, it is the teacher's acknowledged obligation to comply with the law. Although school districts are not authorized to require that teachers turn in receipts for their purchases, they may wish to provide a year-end reminder to teachers regarding the return of unused funds. However, school districts are not authorized to impose additional conditions upon teachers for the receipt of funds. Inappropriate additional conditions include:

Directing what items teachers should purchase with the funds or withholding supplies that would regularly be provided to the teacher in order to require the teacher to purchase replacements.

Limiting what types of materials and supplies may be purchased.

Reviewing teacher purchases or requiring teachers to turn in receipts for review.

Imposing time limits and deadlines for purchases within the school year.

Requiring teachers to agree to have unspent funds deducted from their payroll if they do not provide receipts to the district.

- 4) The Florida Teachers Lead Program Stipend funds are to be provided to each teacher in addition to any other funds appropriated for public school operations. These funds should not be used to supplant any other operational funds used to purchase classroom materials and supplies.

LC:tj

cc: Finance Officers