

Office of Superintendent of Schools
Board Meeting of June 23, 1999

June 9, 1999

Personnel Management and Services
Nelson E. Diaz, Deputy Superintendent

**SUBJECT: PROPOSED AMENDMENT OF BOARD RULE: INITIAL READING 6Gx13-
4A-1.21, RESPONSIBILITIES AND DUTIES**

This item is submitted for consideration by the Board to amend School Board Rule 6Gx13-
4A-1.21, Responsibilities and Duties, to conform with the State Board of Education Self-
Reporting Rule .

Attached are the Notice of Intended Action and the rule proposed for amendment.
Changes from the current rule are indicated by underscoring words to be added and
~~striking through~~ words to be deleted.

Authorization of the Board is requested for the Superintendent to initiate rulemaking
proceedings in accordance with the Administrative Procedure Act for the amendment of
School Board Rule 6Gx13- 4A-1.21, Responsibilities and Duties.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize the
Superintendent to initiate rulemaking proceedings in accordance with
the Administrative Procedures Act to amend Board Rule 6Gx13- 4A-
1.21, Responsibilities and Duties.

NED/vh

K-28

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on June 23, 1999, its intention to amend Board Rule 6Gx13- 4A-1.21, Responsibilities and Duties, at its meeting of August 25, 1999.

PURPOSE AND EFFECT: To revise the Board Rule to comport with the Self-Reporting Rule passed by the State Board of Education.

SUMMARY: The revision requires instructional employees who hold Department of Education teacher certificates to self-report within 48 hours to appropriate authorities any arrest and final dispositions of such arrests other than minor traffic violations.

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: 230.22(2); 230.23 (5); 230.23 (17) F.S.

LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC: 230.23005 (11); 231.001; 231.045; 231.09; 231.3605 (2)(b) F.S.

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING OF August 25, 1999, which begins at 1:00 p.m., in the School Board Auditorium, 1450 N.E. Second Avenue, Miami, Florida 33132. Persons requesting such a hearing, or who wish to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative as provided by Section 120.541(1), F.S., must do so in writing by July 19, 1999, to the Superintendent of Schools, Room 912, at the same address.

ANY PERSON WHO DECIDES TO APPEAL THE DECISION made by The School Board of Miami-Dade County, Florida, with respect to this action will need to ensure the preparation of a verbatim record of the proceedings, including the testimony and evidence upon which the appeal is to be based. (Section 286.0105, Florida Statutes)

A COPY OF THE PROPOSED AMENDED RULE is available for inspection and copying at cost by the public in the Citizen Information Center, Room 158, 1450 N.E. Second Avenue, Miami, Florida 33132.

Originator: Dr. Joyce Annunziata
Supervisor: Mr. Nelson E. Diaz
Date: June 9, 1999

Permanent Personnel

RESPONSIBILITIES AND DUTIES

I. Employee Conduct

All persons employed by The School Board of Miami-Dade County, Florida are representatives of the Miami-Dade County Public Schools. As such, they are expected to conduct themselves, both in their employment and in the community, in a manner that will reflect credit upon themselves and the school system.

Unseemly conduct or the use of abusive and/or profane language in the workplace is expressly prohibited.

II. Records and Reports

All personnel shall maintain, prepare, and submit promptly all reports that may be required by State Law, State Department of Education Rules, School Board Rules, and administrative directives.

III. Reporting Crime, Disruptive, and Inappropriate Behavior, and Self-Reporting of Arrest and Convictions/Dispositions

It shall be the responsibility of the Superintendent of Schools to develop, and distribute periodically, procedures relating to the reporting of criminal acts, disruptive and/or inappropriate behavior.

All employees are under an affirmative duty to report any criminal act, and/or disruptive, and/or inappropriate behavior, including but not limited to those delineated in School Board Rules 6Gx13-4-1.09, Employee-Student Relationships, and 6Gx13-5D-1.07, Corporal Punishment- -Prohibited, to the administrator or designee to whom the employee is responsible. The responsible administrator has the obligation to conduct an immediate investigation of the allegation in a manner consistent with procedures established by the Superintendent of Schools.

Instructional employees who hold Department of Education teacher certificates are **required** to self-report within 48 hours to appropriate authorities any arrests and final dispositions of such arrest other than minor traffic violations. (DUI is not considered a minor traffic violation.)

IV Failure to Report

All violations of law and incidents of disruptive and/or inappropriate behavior are to be reported in accordance with administrative procedures established by the Superintendent of Schools.

Personnel willfully failing to report such occurrences to the responsible administrator and/or appropriate police agency will be subject to disciplinary action.

V. Instructional Personnel

Members of the instructional staff, subject to the rules of the State and District Rules, shall teach efficiently and faithfully, using the books and materials required, following the prescribed courses of study, and employing approved methods of instruction as provided by law and by the rules of the State Department of Education.

Members of the instructional staff shall keep abreast of development in their subject area through attendance at professional meetings, acquaintance with professional publications, and participation in inservices activities.

II Non-Instructional Personnel

Members of the non-instructional staff shall maintain all certifications, licenses and job requirements as a condition of employment. Failure to do so shall warrant disciplinary action up to and including dismissal from all employment.

Any loss of certification, license or other job requirement shall immediately be reported by the non-instructional staff member to his/her site supervisor. Failure to do so shall constitute a violation of this rule.

Specific Authority: 230.22(2); 230.23(5); 230.23 (17) F.S.

Law Implemented, Interpreted, or Made Specific: 230.23005 (11); 231.001; 231.045; 231.09; 231.3605(2)(b) F.S.

F.S.

History

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA

Repromulgated: 12-11-74

Amended: 1-30-77; 2-18-98