

Merrett R. Stierheim, Superintendent of Schools

**SUBJECT: PROPOSED AMENDMENT OF BOARD RULE: REVISED INITIAL READING  
6Gx13-4D-1.022, MANUAL OF PROCEDURES FOR MANAGERIAL EXEMPT  
PERSONNEL**

On November 14, 2001, the School Board directed the Superintendent to revise School Board Rule 6Gx13- 4D-1.022, Manual of Procedures for Managerial Exempt Personnel, by revising Section B-5, Compensation Increases, of the document, Manual of Procedures for Managerial Exempt Personnel (MEP), which is incorporated by reference and is a part of this rule, to reflect a change in paragraph G, which are procedures for annual legislative supplements, with amended language to require Board approval on the Superintendent's recommendations for annual legislative supplements.

Attached are the Notice of Intended Action, the rule, Section B -5 Compensation Increases, pages 8, 9, and 10; Section G-6 Leaves, pages 64, 65, and 66; and Section G-10 Terminal Pay, page 79, of the document, Manual of Procedures for Managerial Exempt Personnel (MEP), 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 Board Rule 6Gx13- 4D-1.022, Manual of Procedures for Managerial Exempt Personnel.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize the Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedure Act to amend School Board Rule 6Gx13- 4D-1.022, Manual of Procedures for Managerial Exempt Personnel by amending the document, Manual of Procedures for Managerial Exempt Personnel (MEP), which is incorporated by reference and is a part of this rule.

NED/mu

## NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on November 14, 2001, its intention to amend Board Rule 6Gx13- 4D-1.022, Manual of Procedures for Managerial Exempt Personnel, and to revise pages of the document, Manual of Procedures for Managerial Exempt Personnel (MEP), which is incorporated by reference and is a part of this rule, at its meeting of January 16, 2002.

**PURPOSE AND EFFECT:** To amend the rule and revise Section B-5, Compensation Increases, to reflect the change in language in paragraph G, which are procedures for annual legislative supplements which will now require Board approval and, Section G-6, Leaves, and Section G-10, Terminal Pay, of the document, Manual of Procedures for Managerial Personnel (MEP), to comport with current Florida Statute and Board direction.

Revised  
Pursuant  
to Board  
Direction  
on 11/14/01

**SUMMARY:** The document, Manual of Procedures for Managerial Exempt Personnel (MEP), delineates procedures for managerial exempt personnel including employment policies, guidelines, and provisions for classification, compensation, and performance appraisal for the aforementioned employee group.

**SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED:** 230.22(2); 230.23(22) F.S.

**LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC:** 231.02; 231.0861; 231.087(1); 231.29; 231.36(1)(b); 231.40(3)(e); 236.0811 F.S.; 6A-4.0083; 6A-4.0084 FAC

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING OF January 16, 2002, 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 January 7, 2002, to the Superintendent of Schools, Room 912, at the same address.

Revised  
Pursuant  
to Board  
Direction  
on 11/14/01

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: Mr. Nelson E. Diaz  
Supervisor: Mr. Merrett R. Stierheim  
Date: November 28, 2001

Revised  
Pursuant  
to Board  
Direction  
on 11/14/01

Compensation and Related Benefits**MANUAL OF PROCEDURES FOR MANAGERIAL EXEMPT PERSONNEL****I. Statement of Policy-Relations with Professional Associations of School District Administrators**

Administrators employed by the District and designated as managerial exempt have joined together in professional associations to further both the interests of public education and of the administrators themselves. Such associations can contribute to the orderly and proper operation of the District by presenting the concerns of the District's administrators to the Superintendent and to the School Board. Concerns of administrators which pertain to wages, benefits, and other terms and conditions of employment can most efficiently be presented to and considered by the Superintendent working with a single professional association. While individual administrators will always be free to present their personal views to the Superintendent and/or the Board, it has been determined that, as a matter of policy, the common concerns of managerial exempt administrators on matters pertaining to wages, benefits and other terms and conditions of employment should be presented to the Board through the Superintendent working with a single professional association.

Therefore, providing that a professional association can show that it represents a majority of the managerial exempt employees, the Superintendent shall recognize that association to represent all managerial exempt employees on common issues regarding wages, benefits, and other terms and conditions of employment. The Superintendent shall designate and inform the Board of the appropriate association to meet and confer with the Superintendent pursuant to this rule.

**II. Manual of Procedures for Managerial Exempt Personnel (MEP)**

The wages, benefits, and terms and conditions of employment of the District's managerial exempt employees shall be delineated in the Manual of Procedures for Managerial Exempt Personnel (MEP), which shall be incorporated into and be a part of this Board rule. Except when required by state or federal law, regulations, or when recommended by the Superintendent, the MEP will be amended annually, as necessary, subsequent to the completion of the "meet and confer" process.

The MEP will include, but not be limited to the following topics:

- A. Wages
- B. Classification of managerial exempt positions

- C. Compensatory benefits, e.g., health and life insurance, retirement, holidays, vacation, sick leave, disability leave, supplemental worker's compensation payments, tax-deferred annuity or salary deferment programs, and cafeteria plans
- D. Working conditions, e.g., travel reimbursement, continuing education, professional development, personal liability protection, leave policies (professional, military, personal leave of absence and parental), employee assistance programs
- E. Evaluation procedures
- F. Job assignment procedures
- G. Statement of human rights
- H. Investigation procedures
- I. Reappointment procedures
- J. Reduction in force/surplus/reorganization procedures
- K. Impartial District administrative review and hearing procedure for appeals of disciplinary actions
- L. Impartial District administrative review for resolution of non-disciplinary disputes, e.g., disputes over whether salary schedule, benefits or other working conditions are granted in accordance with the MEP or whether procedures in the MEP were followed.

**Note:** In the dispute resolution procedures set forth above in K and L, the association shall be permitted to represent and assist its members. All managerial exempt employees shall be permitted to utilize these procedures to resolve their disputes without the assistance or representation of the association; however, no precedent shall be established nor implied in any dispute resolution formulated without the participation of the association.

### III. Amendment of the MEP

- A. The Superintendent shall prepare proposed amendments and forward such to the association.
- B. The association shall notify the Superintendent in writing whether it concurs with the amendments as proposed or wishes to meet and confer with the Superintendent concerning proposals or to offer

additional proposals.

- C. Should the association indicate its desire to meet and confer, the Superintendent or his designee(s) shall meet and confer with the association on a regular basis in an attempt to agree upon the proposed amendments to be presented to the Board; however, nothing herein shall preclude the Superintendent from recommending such amendments to the Board in the event an agreement is not reached on such amendments.
- D. When the association and the Superintendent agree upon the proposed amendments to the MEP, it shall be presented to the Board by the Superintendent. The association shall, prior to consideration by the Board, transmit to the Board the association's support of the proposed MEP.

#### IV. Association Rights

The following rights shall be provided to the association:

- A. Payroll deductions
- B. Inclusion in E-Mail subject to applicable laws and regulations
- C. Access to school facilities for the association's staff and officers to meet with managerial exempt employees at reasonable times which will not interfere with the employee's assigned duties, after giving notice to the supervising administrator at each facility
- D. Regularly scheduled meetings with the Superintendent, except when extenuating circumstances prevent such scheduled meetings from occurring
- E. Incorporation of this rule and the MEP into the contracts between managerial exempt personnel and the School Board as follows:

School Board Rule number 6Gx13- 4D-1.022 entitled "MANUAL OF PROCEDURES FOR MANAGERIAL EXEMPT PERSONNEL (MEP)" is hereby incorporated into this Contract and hereby made a part thereof, binding on both parties. This Contract is subject to the amendments to said rule.

Specific Authority: 230.22(2); 230.23 (22) F.S.

Law Implemented, Interpreted or Made Specific: 231.02;231.0861;231.087(1); 231.29;  
231.36(1)(b); 231.40(3)(e);236.0811 F.S.;  
6A-4.0083;6A-4.0084 FAC

History

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA

New: 1-8-86

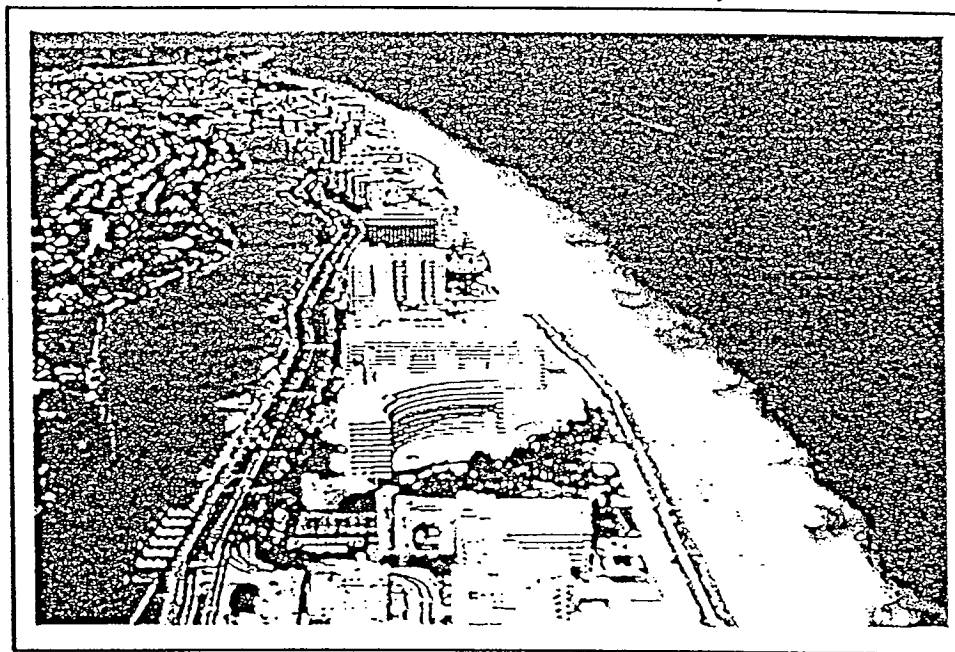
Amended: 6-25-86; 10-15-86; 12-17-86; 9-30-87; 7-27-88; 10-18-89; 9-26-90; 8-21-91;  
6-24-92; 1-20-93; 12-14-94; 10-25-95; 3-5-97; 11-5-97; 6-10-98; 10-21-98; 8-25-99; 3-15-00;  
9-13-00; 4-18-01

Manual of Procedures for

Managerial

Exempt

Personnel



Miami-Dade County Public Schools  
*giving our students the world*

Personnel Management and Services

Revised Initial Reading: December 12, 2001

Board Rule 6Gx13-4D-1.022

**The School Board of Miami-Dade County, Florida**

Ms. Perla Tabares Hantman, *Chair*

Dr. Michael M. Krop, *Vice Chair*

Mr. Frank J. Bolaños

Mr. Frank J. Cobo

Dr. Robert B. Ingram

Ms. Betsy H. Kaplan

Mrs. Manty Sabatés Morse

~~Ms. Jacqueline V. Pepper~~

~~Mr. Demetrio Pérez, Jr., M.S.~~

Dr. Marta Pérez

Dr. Solomon C. Stinson

~~Ms. Marylynne Kristy Hunt-Dorta, Student Advisor~~

Mr. Evan B. Rosen, Student Advisor

~~Mr. Roger C. Cuevas~~

Mr. Merrett R. Stierheim  
*Superintendent of Schools*

Mr. Nelson E. Diaz, Deputy Superintendent  
*Personnel Management and Services*



## INTRODUCTION

The Manual of Procedures for Managerial Exempt Personnel (MEP) addresses all Public Employees Relations Commission (PERC) approved managerial exempt positions. This plan includes employment policies, guidelines, provisions and regulations governing the classification, compensation and performance appraisal system for managerial exempt personnel.

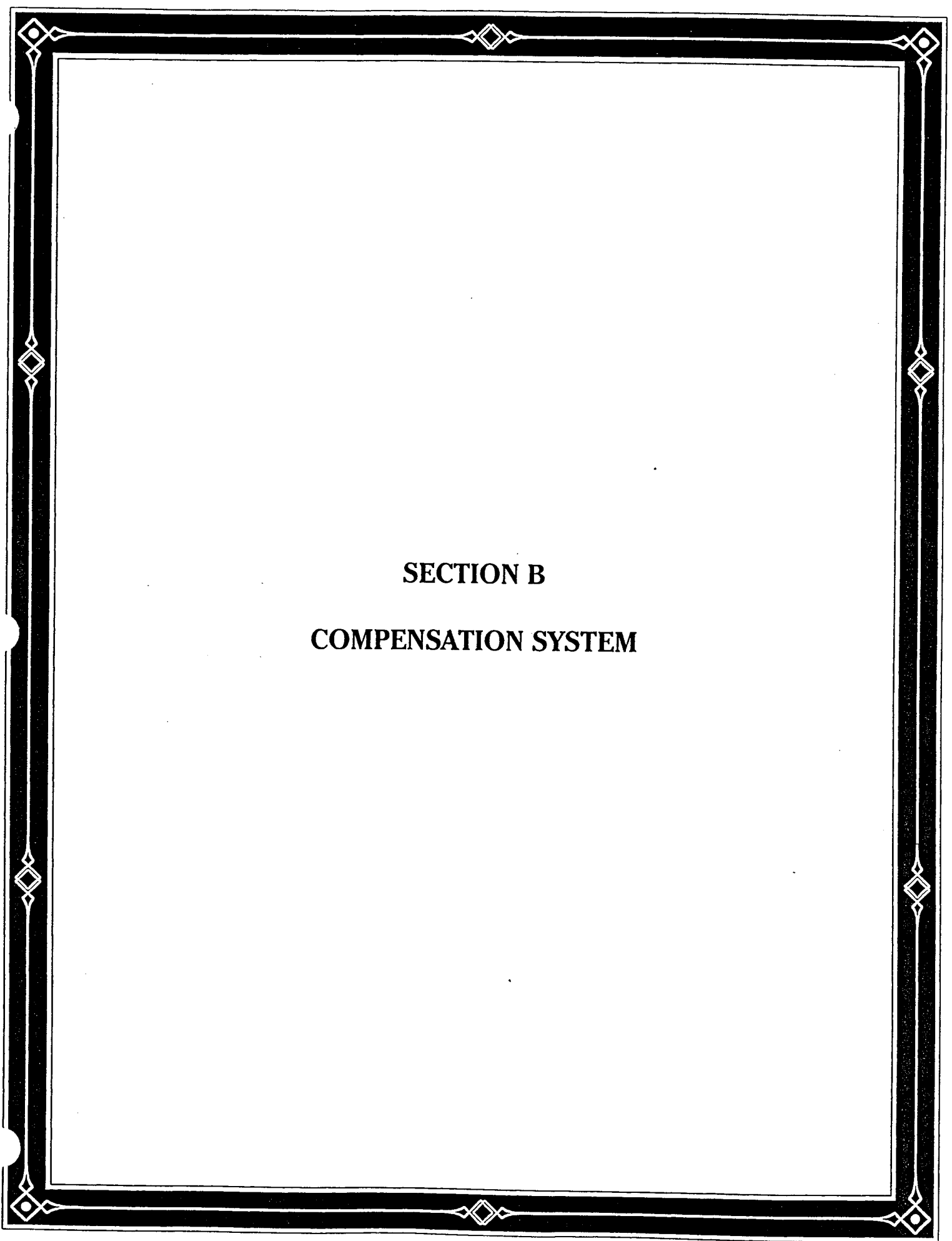
Intrinsic to this plan is the acknowledgement that administrative personnel are the designated leaders of the Miami-Dade County Public Schools (M-DCPS) workforce. As such, it is essential and expected that their efforts will serve to assist all other stakeholders in the School Board's central mission of enhancing the quality of our instructional program by providing the best possible programs and services to our students.

## Table of Contents

Introduction		i
<b>Section A</b>	<b>Classification System</b>	
A-1	Scope and Purpose	1
A-2	Statement of Policy	1
A-3	Administration of the Plan	1
A-4	Job Descriptions	2
A-5	Classification of New Positions	3
A-6	Job Classification Review	4
A-7	Reclassification of Positions	4
A-8	Assignment of Administrator on Special Assignment	5
A-9	Use of Position Title	5
A-10	Position of Authorization Control	5
<b>Section B</b>	<b>Compensation System</b>	
B-1	Scope and Purpose	6
B-2	Statement of Policy	6
B-3	Method of Payment	6
B-4	Initial Appointment Compensation	7
B-5	Compensation Increases	8
B-6	Compensation Upon Downward Adjustment	9
B-7	Compensation Upon Transfer or Lateral Reassignment	10
B-8	Compensation for Part Time/Hourly Employment	10
B-9	Effective Date of Salary Changes	10
B-10	Reduction in Force Procedures	11
B-11	Flexible Work Schedules	11
B-12	School Board Vehicles	11
B-13	Emergency Closing of Schools	12
<b>Section C</b>	<b>School Site Administrator Performance Planning and Assessment System - Effective Beginning with the 1998-99 School Year</b>	
C-1	Scope and Purpose	13
C-2	Statement of Policy	13
C-3	Performance Review Elements	15
C-4	Assessment Definitions	15
C-5	Assessment Procedures	16
C-6	Required Forms and Timelines	22
C-7	Performance Criteria	24
C-8	Florida Principal Competencies	24
C-9	Miami-Dade County Public Schools Technical Skills	34
C-10	Performance Related to Job Targets	35
C-11	Professional Growth	36

<b>Section D</b>	<b>Non-School Site Administrator Performance Planning and Assessment System - Effective Beginning with the 1998-99 School Year</b>	
D-1	Scope and Purpose .....	37
D-2	Statement of Policy .....	37
D-3	Performance Review Elements .....	38
D-4	Assessment Definitions .....	38
D-5	Assessment Procedures .....	40
D-6	Required Forms and Timelines .....	45
D-7	Performance Criteria .....	47
D-8	Administrative Competencies .....	47
D-9	Technical Skills .....	51
D-10	Performance Related to Job Targets .....	52
D-11	Professional Growth .....	52
<b>Section E</b>	<b>Professional Rights</b>	
E-1	Probationary Period .....	53
E-2	Due Process .....	53
E-3	Investigations .....	54
E-4	Administrative Appointments .....	55
<b>Section F</b>	<b>Professionalization</b>	
F-1	Scope and Purpose .....	57
F-2	Activities .....	57
F-3	Administrator Design Team .....	57
F-4	Tuition Reimbursement for Administrators .....	57
<b>Section G</b>	<b>Managerial Exempt Personnel Employee Benefits</b>	
G-1	Employee Assistance Program .....	59
G-2	Physical and Psychological Examinations and Tests .....	59
G-3	Personnel Files .....	60
G-4	Chemicals .....	63
G-5	Holidays .....	63
G-6	Leaves .....	64
G-7	Legal Services .....	76
G-8	Insurance and Other Benefits .....	77
G-9	Retirement Incentive Program .....	78
G-10	Terminal Pay .....	79
G-11	Sick Leave Bank .....	80
<b>Appendices</b>		
Appendix A	Classification Review Form .....	84
Appendix B	School Site Administrator Performance Planning and Assessment System Forms Effective Beginning with the 1998-99 School Year .....	85

Appendix C	Non-School Site Administrator Performance Planning and Assessment System Forms Effective Beginning with the 1998-99 School Year	103
Appendix D	Managerial Exempt Job Codes, Titles and Pay Grades	119



**SECTION B**  
**COMPENSATION SYSTEM**

- B. The applicant is a Miami-Dade County Public Schools employee appointed from another non-managerial M-DCPS position; in this case the employee shall be placed in the salary range that provides a 9% increase in salary above the incumbent's current base pay not to exceed Masters pay level.

### **B-5 Compensation Increases**

An employee shall be eligible to receive a compensation advancement only when one of the following conditions exists:

- A. Salary schedules and increments shall be approved annually by The School Board. July 1 shall be considered the anniversary date for all employees covered under this system provided that service was initiated on or before March 31 of that year. If eligible, a salary increment, as defined herein, shall be awarded prior to the compensation increase upon promotion, if recommended by the Superintendent and approved by The School Board.
- B. Employees may be eligible for salary increments, established annually by The School Board, unless evaluated at Below Expectations on Performance Standards, evidenced by their official annual evaluation, pursuant to the performance planning and appraisal system. Furthermore, in addition to being ineligible for a salary increment, employees evaluated at Below Expectations on Performance Standards shall be ineligible to receive any salary increase which is a result of The School Board's authorized improvement to the salary schedule. Salary increments shall be implemented effective upon the conclusion of successfully completed prescriptions.
- C. When The School Board approves the reclassification of a position to a higher pay grade, the incumbent's salary shall be improved 2% on the effective date as recommended by the Superintendent to The School Board, unless the Superintendent, due to unusual circumstances, recommends and The School Board approves non-implementation of this provision.
- D. An employee who is promoted from a position covered under this system shall move to the higher pay grade at a rate which provides a 9% increase provided such increase will not exceed the maximum, unless the Superintendent, due to unusual circumstances, recommends and The School Board approves non-implementation of this provision.
- E. If unusual circumstances exist which justify compensation increases not otherwise provided for in this section, the Superintendent of Schools may authorize a special compensation increase for any managerial exempt employee at any time. The Board shall be notified of such action by the Superintendent.
- F. Employees assigned to rotating shifts may receive salary supplements, if approved by the Superintendent. The amount of the supplement shall be equivalent to a 4% increment for the second shift and a 8% increment for the third shift at the assigned pay grades.

- G. The Superintendent is authorized to grant annual legislative supplements shall submit to the School Board for the Board's approval, at the beginning of each fiscal year, the list with the names and the amount of annual legislative supplements recommended to individual staff members who are required to travel out-of-county regularly and/or on an extended basis for assignments associated with state and federal legislative-related responsibilities. In establishing the amount of each legislative supplement, the Superintendent will include among the factors considered the amount and length of time to be away from Miami-Dade County, the types of expenses to be incurred, and the location(s) where the staff member will be assigned. Such supplements will be established annually for each eligible person on an individual basis by the Superintendent up to a maximum of \$12,000 per individual or up to a maximum of \$15,000 per individual if he/she was on temporary duty in excess of 30 days during the prior fiscal year, and anticipates the same amount of travel during the current year.

### **B-6 Compensation Upon Downward Adjustment**

An employee may have his/her position adjusted downward with or without a reduction in pay, subject to the following provisions:

- A. Upon demotion for unsatisfactory performance, an employee's salary shall be reduced to the same position-in-range in the lower pay grade. If a managerial exempt employee who has been demoted moves outside the managerial exempt group, the employee's new salary shall be the published rate for the new assignment which is the closest to but less than the current salary. If the current rate is less than the new minimum salary, the employee's rate shall be frozen for one year.
- B. When a position is reclassified to a lower pay grade or when the minimum or maximum rates for a pay grade are decreased, the pay of an incumbent employee may remain unchanged for a period not to exceed one year from the effective date of the downward adjustment of reclassification. If the employee's salary is below the maximum of the lower pay grade, the salary will be increased by the annual increment of the lower pay grade until the employee reaches the maximum. If the employee's salary is above the maximum rate for the lower classification, the salary will be reduced to the maximum of the lower pay grade after one year.
- C. Career redirection is the result of a decision made by an employee to pursue a different career path, e.g., move from a non-school site administrative position to a school site administrative position. Such a decision may be lateral in nature or may be a request for assignment to a lower pay grade. Such a request may result from a career development conference between an employee and supervising administrator, or may be initiated by the employee upon careful consideration of career opportunities. A request for career redirection, whether resulting in a lateral move or a downward adjustment in pay grade, shall be made by the affected employee in writing to the employee's supervisor for consideration and forwarded to the appropriate office. Final disposition of the request shall rest with the Deputy Superintendent, Personnel Management and

Services, who shall forward a recommendation for the Superintendent's consideration.

- D. When a reassignment to a lower pay grade is at the request of the employee, the pay shall remain unchanged for the balance of the fiscal year, provided that the resultant rate of compensation does not exceed the maximum for the lower pay grade. If the employee's salary is above the maximum, it shall be reduced to the maximum for the lower pay grade. If the employee's salary is below the maximum for the lower pay grade, the employee will be placed on the salary equal to or less than the current salary. The salary will be increased by the authorized increment of the lower pay grade until the employee reaches the maximum.
- E. When a shortage of funds or reorganization results in a reduction-in-force, a change in staffing patterns, or reclassifications of positions initiated by the Superintendent in the course of reorganization, it shall be accomplished by placing an administrator in a position based upon the procedures specified in B-10(A) and (B). If the employee's salary is below the maximum for the lower pay grade, the employee will be placed on the salary schedule at their current salary. If the employee's current salary is above the maximum of the new pay grade, he/she shall be frozen at his/her salary level for the balance of the fiscal year. Effective July 1 of the new fiscal year, the employee's salary shall be adjusted to the maximum salary of the previous fiscal year at the lower pay grade. Employee's adjudicated pursuant to this procedure (B-6, E.) shall be eligible for subsequent salary enhancements provided such enhancement will not exceed maximum.

#### **B-7 Compensation Upon Transfer or Lateral Reassignment**

An employee who is transferred or reassigned to a position at the same pay grade shall not be granted a compensation increase as a result of being transferred.

The expectation shall be communicated that any administrator, particularly administrators in multi-incumbent positions, e.g., school principals, may be laterally transferred at any time to another position and/or another work location, when it is deemed to be in the best interest of the school system.

#### **B-8 Compensation for Part-Time/Hourly Employment**

Employees filling a position on a part-time basis shall be compensated at the minimum hourly rate of the pay grade assigned to the position being filled, unless otherwise approved by the Deputy Superintendent, Personnel Management and Services.

#### **B-9 Effective Date of Salary Changes**

The effective date of all salary changes provided for in this section shall be established by The School Board.



**SECTION G**

**MANAGERIAL EXEMPT PERSONNEL**

**EMPLOYEE BENEFITS**

D. Eligibility for Pay

An administrator who is not returning after a holiday is to be terminated on his/her last working day prior to the holiday and is not eligible for holiday pay.

**G-6 LEAVES**

**Leave With Pay**

A. Vacation (Annual Leave) -- Twelve-Month Administrators

1. Accrual Provisions

- a. A year of employment is defined as a year of service with the Miami-Dade County Public School System which is creditable for a contract year, which is more than one-half the contractual period (six months for 12-month employees and five months for 10-month employees).
- b. A month for annual leave purpose is defined as each two consecutive pay periods, commencing with the first pay period of each fiscal year, as outlined in the annual payroll processing schedule.
- c. A month for inclusion of credit toward accrual is defined as eligible for pay for 11 days or more during any month (as defined in (b) above).
- d. The effective date of accrual rate changes shall be determined, as of July 1, following the fiscal year during which the employee completes three years of creditable service.
- e. During leaves of absence with pay, an administrator shall continue to earn annual leave days except in the case of annual leave granted in conjunction with resignation or termination of employment. In such cases, terminal vacation leave for which an employee is paid upon termination shall not be used for accrual of additional annual leave days.

- f. Supervisors should make every effort to insure that earned annual leave is used on a current yearly basis in order to provide proper rest and relaxation.
- g. Twelve-month administrators shall accrue annual leave at the following rates:
  - (1) First three years of employment, -- 15 days per fiscal year
  - (2) Fourth year of employment and thereafter -- 24 days per fiscal year
- ~~h. Managerial exempt employees hired in any full-time position (excluding part-time and substitutes) before July 1, 1995, whose employment has been continuous, shall be permitted to accumulate annual leave up to a maximum of 62.5 days. Upon termination, death or retirement, payment in excess of 62.5 days is not permitted.~~
- i.h. Effective July 1, 2001 Pursuant to Florida Statute, managerial exempt employees initially hired, or rehired after a break in service, on or after July 1, 1995, shall be permitted to accumulate annual leave up to a maximum of 60 days. Upon termination, death or retirement, payment in excess of 60 days is not permitted.
- ji. Use of annual leave shall not be authorized prior to the time it is earned and shall be used only with the approval of supervising administrator.
- k.j. Annual leave shall be scheduled so that there will be minimum disruption of the operation of the school system.

B. Sick Leave

- 1. Each administrator employed on a full-time basis shall be credited with four days of sick leave at the end of the first month of employment of each contract year and shall thereafter be credited for one day of sick leave for each month of employment, which shall be credited at the end of the month and which shall not be used prior to the time it is earned and credited. However, each administrator shall be entitled to earn no more than one day of sick leave times the number of months of employment during the year of employment. If the administrator terminates his/her

employment and has not accrued the four sick days available to him/her, the School Board may withhold the average daily amount for the sick days utilized but unearned. Such sick leave shall be cumulative from year to year and there shall be no limit on the number of days of sick leave an administrator may accrue.

2. Sick leave shall be approved in the following categories:

Illness of Self or illness and/or death of:

Mother	Husband	Foster Children
Father	Wife	Step-parents
Sister	Child	Step-children
Brother	Foster Parents	Grandchild
Mother-in-law	Son-in-law	Uncle
Father-in-law	Daughter-in-law	Aunt
Brother-in-law	Grandmother	Niece
Sister-in-law	Grandfather	Nephew

3. Medical and Dental Examination Leave

An administrator shall be eligible to use sick leave for the purpose of medical and/or dental care. Such leave shall be deducted from accrued sick leave in half or full day units, provided that no administrator shall be compelled to utilize more sick leave than is required.

4. Use by Family Member

Pursuant to Florida Statute 231.40(3)(e), a managerial exempt employee may authorize his or her spouse, child, parent, or sibling who is also a district employee to use sick leave that has accrued to the authorizing employee. The recipient may not use the donated sick leave until all of his or her sick leave has been depleted, excluding sick leave from a sick leave pool, if the recipient participates in a sick leave pool. Donated sick leave shall have no terminal value.

### C. Hardship Leave

An administrator eligible for sick leave may receive hardship leave time for his/her own illness up to a maximum of 30 additional working days for the same illness per fiscal year, provided that:

1. Documentary evidence is presented by a Board-approved physician to the School Board proving that this particular illness necessitated confinement, either at home or hospital, which prevented the employee from reporting to work. The employee must be confined for 10 working days or more, without available sick leave, in order to receive this benefit.
2. The word "confinement" means medical restriction requiring isolation from the work place, not physical enclosure.

The amount of reimbursement will be prorated by the complete calendar months of coverage, but limited to no more than \$1,200 annually.

## G-10 TERMINAL PAY

To encourage and reward managerial exempt personnel who exercise particular care in the maintenance of their personal health and job attendance, the School Board will provide terminal pay at resignation, normal retirement, or to their beneficiaries if services are terminated by death. For managerial exempt employees hired in any full time position before July 1, 1995, whose employment has been continuous, terminal pay shall not exceed an amount determined as follows:

1. During the first three years of service, the daily rate of pay multiplied by 35 percent times the number of days of accumulated sick leave;
2. During the next three years of service, the daily rate of pay multiplied by 40 percent times the number of days of accumulated sick leave;
3. During the next three years of service, the daily rate of pay multiplied by 45 percent times the number of days of accumulated sick leave;
4. During the next three years of service, the daily rate of pay multiplied by 50 percent times the number of days of accumulated sick leave;
5. During and after the 13th year of service and until when first eligible for normal retirement, the daily rate of pay multiplied by 100% times the number of days of accumulated sick leave. Thereafter, the daily rate will remain frozen in the rate when first eligible for normal retirement. In no case, however, shall an employee whose daily rate has been frozen pursuant to this provision receive less than the amount determined in #4 above.

~~For managerial exempt employees, initially hired, or rehired after a break in service, on or after July 1, 1995, terminal pay shall not exceed the daily rate of pay multiplied by 25 percent times the number of days of accumulated one-fourth of all unused sick leave accumulated on or after July 1, 2001, up to a maximum payment of 60 days (requiring an accrued balance of at least 240 days). Any sick leave accumulated during a prior period of employment, before to July 1, 1995 2001, will be paid in accordance with numbers one (1) through five (5) above. If a managerial exempt employee has an accumulated sick leave balance of 60 days or more prior to July 1, 2001, sick leave earned after that date may not be accumulated for terminal pay purposes until the accumulated leave balance for leave earned before July 1, 2001 is less than 60 days.~~

Provisions for terminal pay at resignation apply only to those sick leave days accrued after July 1, 1982.

Payment for the resignation and retirement benefit will be made on or before September 1 of the following fiscal year.

The School Board of Miami-Dade County, Florida, adheres to a policy of nondiscrimination in employment and educational programs/activities and strives affirmatively to provide equal opportunity for all as required by:

**Title VI of the Civil Rights Act of 1964** - prohibits discrimination on the basis of race, color, religion, or national origin.

**Title VII of the Civil Rights Act of 1964**, as amended - prohibits discrimination in employment on the basis of race, color, religion, gender, or national origin.

**Title IX of the Education Amendments of 1972** - prohibits discrimination on the basis of gender.

**Age Discrimination in Employment Act of 1967 (ADEA)**, as amended - prohibits discrimination on the basis of age with respect to individuals who are at least 40.

**The Equal Pay Act of 1963**, as amended - prohibits sex discrimination in payment of wages to women and men performing substantially equal work in the same establishment.

**Section 504 of the Rehabilitation Act of 1973** - prohibits discrimination against the disabled.

**Americans with Disabilities Act of 1990 (ADA)** - prohibits discrimination against individuals with disabilities in employment, public service, public accommodations, and telecommunications.

**The Family and Medical Leave Act of 1993 (FMLA)** - requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons.

**The Pregnancy Discrimination Act of 1978** - prohibits discrimination in employment on the basis of pregnancy, childbirth, or related medical conditions.

**Florida Educational Equity Act (FEEA)** - prohibits discrimination on the basis of race, gender, national origin, marital status, or handicap against a student or employee.

**Florida Civil Rights Act of 1992** - secures for all individuals within the state freedom from discrimination because of race, color, religion, sex, national origin, age, handicap, or marital status.

**School Board Rules 6Gx13- 4A-1.01, 6Gx13- 4A-1.32, and 6Gx13- 5D-1.10** - prohibit harassment and/or discrimination against a student or employee on the basis of gender, race, color, religion, ethnic or national origin, political beliefs, marital status, age, sexual orientation, social and family background, linguistic preference, pregnancy, or disability.

*Veterans are provided re-employment rights in accordance with P.L. 93-508 (Federal Law) and Section 295.07 (Florida Statutes), which stipulate categorical preferences for employment.*

REVISED 8/1/01