

Office of Human Resources
Marjorie H. Adler, Chief Personnel Officer

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

COMMITTEE: LEGISLATIVE RELATIONS, PUBLIC RELATIONS AND PERSONNEL SERVICES

This item is submitted for consideration to amend School Board Rule 6Gx13- 4D-1.022, Manual of Procedures for Managerial Exempt Personnel, and Section G-6, Leaves, of the document, Manual of Procedures for Managerial Exempt Personnel (MEP), which is incorporated by reference and is a part of this rule. This proposed amendment is presented to comport with changes previously made to other School Board Rules and to clarify some technical documentation requirements.

Attached are the Notice of Intended Action, the proposed amended rule, and Section G-6, Leaves, of the document, Manual of Procedures for Managerial Exempt Personnel. Changes from the current rule are indicated by underscoring words to be added and ~~striking through~~ words to be deleted.

Authorization of the School 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- 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, and to amend Section G-6, Leaves, of the document, Manual of Procedures for Managerial Exempt Personnel, which is incorporated by reference and a part of this Board rule.

MHA:am

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on July 9, 2003, its intention to amend Board Rule, 6Gx13- 4D-1.022, Manual of Procedures for Managerial Exempt Personnel, and the document, Manual of Procedures for Managerial Exempt Personnel, which is incorporated by reference and a part of this rule, at its meeting of August 20, 2003.

PURPOSE AND EFFECT: The purpose of the proposed amendment is to incorporate changes previously made to School Board Rules 6Gx13- 4E-1.12, Hardship or Dire Emergency Leave, 6Gx13- 4E-1.11, Military Leave, and 6Gx13- 4E-1.09, Professional Leave, by amending Section G-6, Leaves, of the document, Manual of Procedures for Managerial Exempt Personnel, which is incorporated by reference and a part of this rule.

SUMMARY: The proposed amendment will comport with changes previously made to other School Board Rules and clarify some technical documentation requirements.

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING AUTHORITY IS AUTHORIZED: 1001.41(1)(2); 1001.42(22); 1001.43(10) F.S.

LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC: 115.09; 115.14; 1012.22(1)(c)(4); 1012.61(2)(a)(4); 1012.65; 1012.66 F.S.; 6A-4.0083; 6A-4.0084 FAC; Section 401(a) Internal Revenue Code

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING OF August 20, 2003, 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), Florida Statutes, must do so in writing by August 4, 2003, to the Superintendent of Schools, Room 912, at the same address.

ANY PERSON WHO WISHES 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. Rafael E. Urrutia
Supervisor: Ms. Marjorie H. Adler
Date: June 25, 2003

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: 1001.41(1)(2); 1001.42(22); 1001.43(10); F.S.
Law Implemented, Interpreted or Made Specific: 1012.22(1)(c)(4) F.S.; 6A-4.0083;
6A-4.0084 FAC

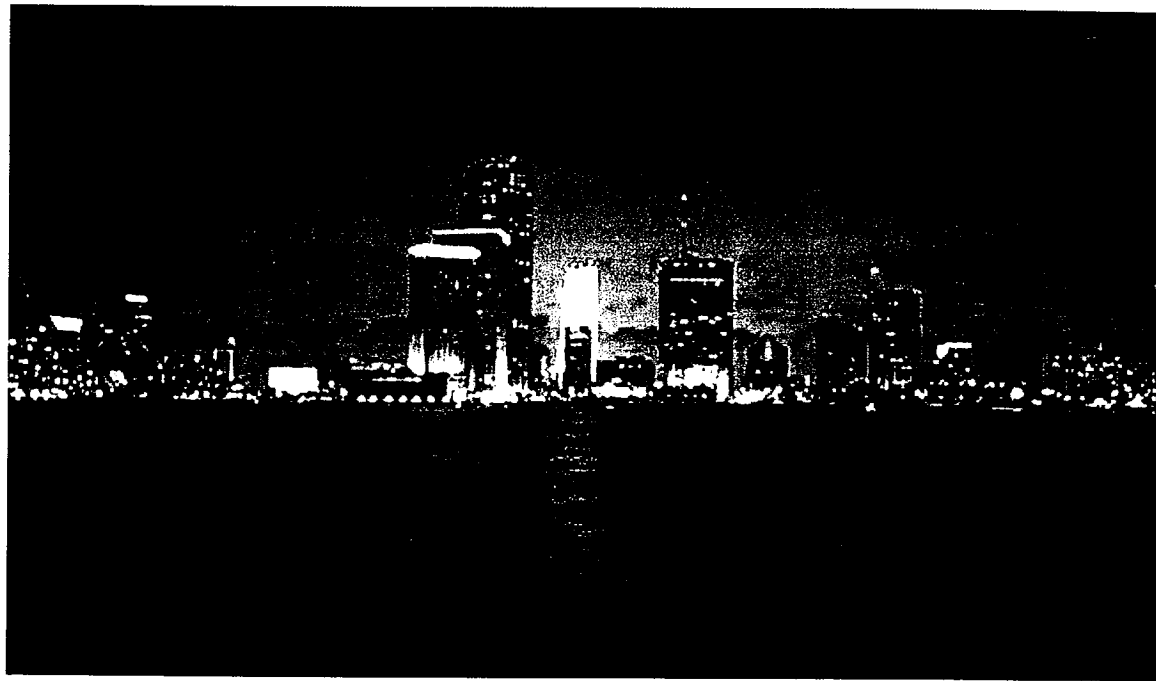
History

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; 1-16-02; 5-14-03; 6-18-03

Manual of Procedures for Managerial Exempt Personnel



*Miami-Dade County Public Schools
Office of Human Resources*



Miami-Dade County Public Schools
giving our students the world

June 18, 2003

Initial Reading: July 9, 2003

Board Rule 6Gx13- 4D-1.022

THE SCHOOL BOARD OF
MIAMI-DADE COUNTY, FLORIDA

Dr. Michael M. Krop, Chair
Dr. Robert B. Ingram, Vice Chair
Mr. Agustin J. Barrera
Mr. Frank J. Bolaños
Mr. Frank J. Cobo
Ms. Perla Tabares Hantman
Ms. Betsy H. Kaplan
Dr. Marta Pérez
Dr. Solomon C. Stinson

~~Student Advisor~~

Mr. Merrett R. Stierheim
Superintendent of Schools

Ms. Marjorie H. Adler
Chief Personnel Officer
Office of Human Resources

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.

THIS PAGE INTENTIONALLY LEFT BLANK

Table of Contents

Introduction		i
Section A	Classification System	
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
Section B	Compensation System	
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	Performance-based Pay for School Administrators	10
B-9	Compensation for Part Time/Hourly Employment	13
B-10	Effective Date of Salary Changes	13
B-11	Reduction in Force Procedures	13
B-12	Flexible Work Schedules	14
B-13	School Board Vehicles	14
B-14	Emergency Closing of Schools	14
Section C	School Site Administrator Performance Planning and Assessment System - Effective Beginning with the 1998-99 School Year	
C-1	Scope and Purpose	15
C-2	Statement of Policy	15
C-3	Performance Review Elements	17
C-4	Assessment Definitions	17

C-5	Assessment Procedures -----	18
C-6	Required Forms and Timelines -----	24
C-7	Performance Criteria -----	26
C-8	Florida Principal Competencies -----	26
C-9	Miami-Dade County Public Schools Technical Skills -----	36
C-10	Performance Related to Job Targets -----	37
C-11	Professional Growth -----	38
Section D	Non-School Site Administrator Performance Planning and Assessment System - Effective Beginning with the 1998-99 School Year	
D-1	Scope and Purpose -----	39
D-2	Statement of Policy -----	39
D-3	Performance Review Elements -----	40
D-4	Assessment Definitions -----	40
D-5	Assessment Procedures -----	42
D-6	Required Forms and Timelines -----	47
D-7	Performance Criteria -----	49
D-8	Administrative Competencies -----	49
D-9	Technical Skills -----	53
D-10	Performance Related to Job Targets -----	54
D-11	Professional Growth -----	54
Section E	Professional Rights	
E-1	Probationary Period -----	55
E-2	Due Process -----	56
E-3	Investigations -----	56
E-4	Administrative Appointments -----	57
Section F	Professionalization	
F-1	Scope and Purpose -----	59
F-2	Activities -----	59
F-3	Administrator Design Team -----	59
F-4	Tuition Reimbursement for Administrators -----	59
Section G	Managerial Exempt Personnel Employee Benefits	
G-1	Employee Assistance Program -----	61
G-2	Physical and Psychological Examinations and Tests -----	61
G-3	Personnel Files -----	62
G-4	Chemicals -----	65
G-5	Holidays -----	65
G-6	Leaves -----	66
G-7	Legal Services -----	78
G-8	Insurance and Other Benefits -----	78
G-9	Retirement Incentive Program -----	79
G-10	Terminal Pay -----	80

G-11 Sick Leave Bank ----- 81

Appendices

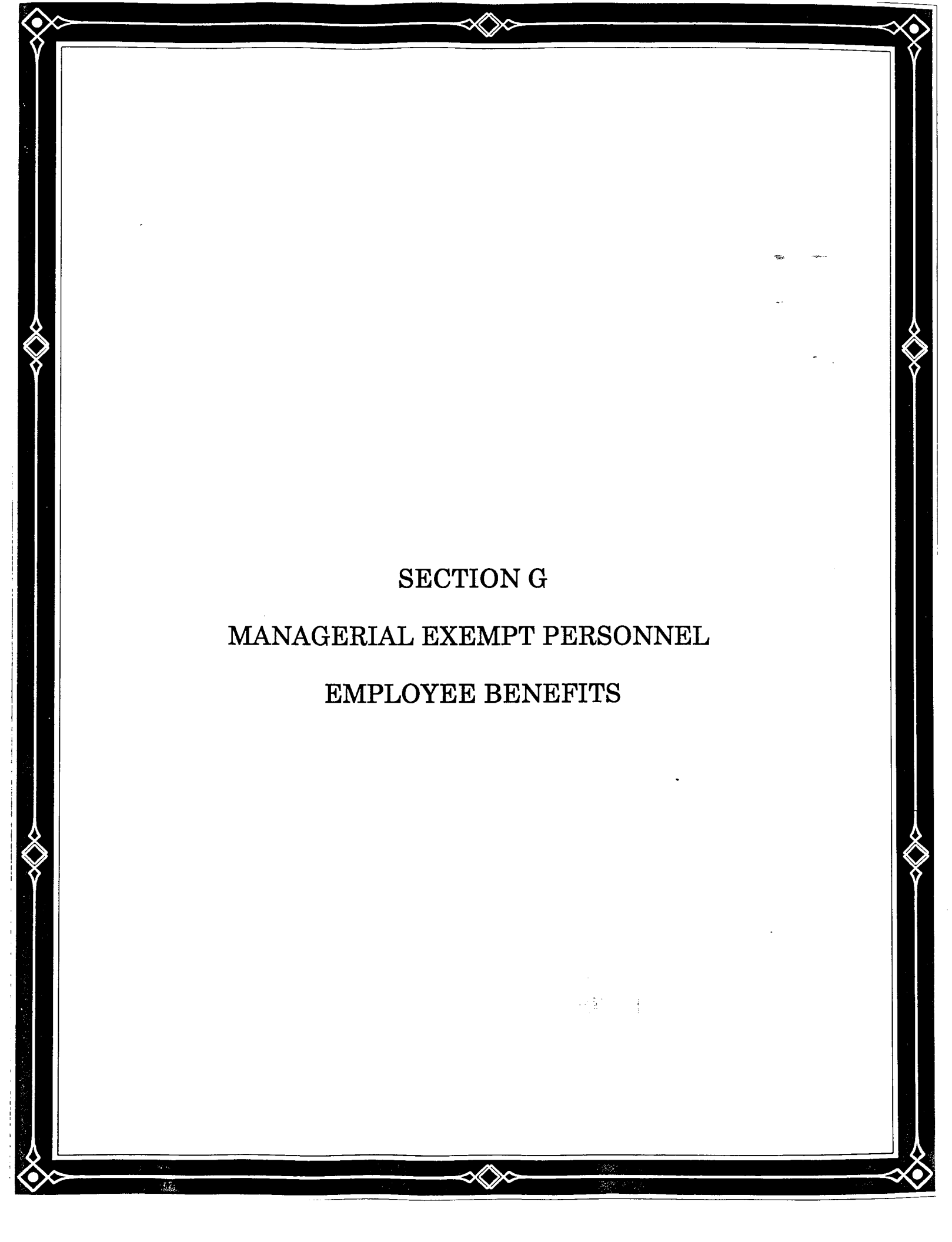
Appendix A Classification Review Form ----- 85

Appendix B School Site Administrator Performance Planning and
Assessment System Forms Effective Beginning with
the 1998-99 School Year ----- 86

Appendix C Non-School Site Administrator Performance
Planning and Assessment System Forms
Effective Beginning with the 1998-99 School Year ----- 104

Appendix D Managerial Exempt Job Listing, Codes, Titles and
Pay Grades----- 119

THIS PAGE INTENTIONALLY LEFT BLANK



SECTION G
MANAGERIAL EXEMPT PERSONNEL
EMPLOYEE BENEFITS

THIS PAGE INTENTIONALLY LEFT BLANK

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. Effective July 1, 2001, managerial exempt employees 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.
- i. 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.
- 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) Section 1012.61(5)(e) Florida Statute, 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.~~
- ~~3. The time granted for hardship leave will be on the basis of one day for each two days of confinement (30 working days is the maximum allowed any fiscal year for any and all hardship leave).~~
- ~~4. Hardship leave may be granted an employee while on leave from the School Board if illness is the same one for which he/she was granted a leave of absence.~~
- ~~5. Application for hardship leave must be submitted to the Leave Department no later than one year after the conclusion of the confinement period.~~

~~D. Dire Emergency Leave~~

~~Dire emergency leave may be granted to an administrator following a hardship leave if the illness is the same one for which he/she was granted a hardship leave of absence. Documentary evidence from a Board-approved physician must be submitted, confirming that confinement, either at home or hospital, further prevented the administrator 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. Dire emergency leave will be computed on the basis of one day for each two days of confinement. This leave cannot exceed 30 working days. Application for dire emergency leave must be submitted to the Leave Department no later than one year after the conclusion of the confinement period.~~

E C. Injury-In-Line-Of-Duty Leave

1. Whenever an administrator is absent from his/her duties as a result of injury caused by an accident or an assault occurring in the course of his/her employment for Miami-Dade County Public Schools, upon verification of injury by a Board-approved licensed physician, and at the discretion of the School Board, payment for sick leave granted for illness-in-line-of-duty leave School Board benefits shall be combined with the employee's workers' compensation temporary total disability (TTD) benefits to keep injured employee in a pre-injury, full salary status, while eligible for temporary total disability benefits, pursuant to Florida Statute 440, for a term not to exceed thirteen (13) weeks following the date of injury. If an injured employee continued to be eligible for TTD benefits, pursuant to Florida Statute 440, beyond the 13 weeks, TTD benefits will be paid and the employee may use his/her accrued sick time, if any, to supplement TTD benefits, not to exceed pre-injury earnings. If the employee does not have any accrued sick time, he/she will be eligible to be paid for leave-without-pay to supplement TTD benefits, not to exceed pre-injury earnings. Any accrued sick days used to supplement TTD benefits, or leave-without-pay benefits, will be eligible for reimbursement or payment up to six months from the date of injury, as a result of formal School Board action.
2. To comply with Florida Statute Chapter 440, the School Board's Workers' Education and Rehabilitation Compensation (WERC) Plan will be utilized to support the placement of those eligible administrators into retraining classes or reassignment to other duties commensurate with the compensation doctor's diagnosis.

F D. Illness-In-Line-Of-Duty Leave

1. Administrators shall be entitled to illness-in-line-of-duty leave when absent from their duties because of illness from any contagious or infectious disease contracted in the course of their employment.
2. Contagious or infectious disease as heretofore described shall include childhood diseases (measles, chicken pox, diphtheria, rubella), typhoid, meningitis, tuberculosis, hepatitis, mononucleosis, ringworm, head lice, when substantial proof is

provided that such illness resulted from contact with students or other employees.

3. The School Board shall not require any administrative personnel to work directly with students who have special contagious or infectious diseases. However, in the event an administrator volunteers to work with these students, the Superintendent is authorized to enter into a supplemental agreement with that administrator providing for, but not limited to, the following:
 - a. The period of time for which the administrator may be paid, pursuant to this section, shall be four years.
 - b. The School Board will provide medical examinations.
 - c. In the event the administrator contracts a special contagious or infectious disease in the line-of-duty, the School Board will pay for all reasonable and customary medical and related costs resulting from the illness, except for those costs paid for by the administrator's insurance or workers' compensation.
 - d. The administrator's identity shall remain confidential, except as required by law.
4. The Superintendent or designee may, when deemed in the best interest of the school system, involuntarily transfer administrators with contagious or infectious diseases. Before the administrator is involuntarily transferred, a conference shall be held with the Region ACCESS Center Assistant Superintendent or his/her designee or appropriate bureau/office head, except where such transfers are a result of a legal order.

G E. Personal Leave With Pay

Each full-time administrator who is eligible to accrue sick leave may use up to a maximum of six days personal days with pay per year provided that such days shall be charged against his/her currently accrued sick leave. This leave is noncumulative.

H E. Professional Sabbatical Leave

Periodically the School Board may approve Professional Sabbatical Leave for employees to pursue professional and personal growth activities that will be beneficial to the Miami-Dade County Public Schools. Such leave will be provided one time only for full-time managerial exempt personnel who are in an active pay status (not on leave) with an acceptable performance evaluation for the preceding school year and a

minimum of seven years of full-time M-DCPS experience including three years administrative experience.

While on Professional Sabbatical Leave, employees will receive monthly payments as approved by the School Board less FICA and withholding taxes. The School Board will pay the retirement contributions on such payments. Professional Sabbatical Leave recipients will continue to receive Board-paid insurance benefits.

Employees returning from Professional Sabbatical Leave will be assigned to a position as determined by the Superintendent of Schools.

† G. Temporary Duty

When an administrator is assigned to service away from his/her school or regular place of employment, he/she must complete a leave request for signature and approval by the principal, department head, or division head as appropriate. Administrators will receive regular pay and may be allowed expenses, as provided by law. Temporary duty may be granted to administrators for the following types of assignments:

1. To attend duly authorized conferences and conventions of national, regional and state organizations in the field in which the administrator is directly involved;
2. To attend conventions or conferences of recognized civic groups;
3. To attend state meetings of educational sororities and fraternities;
(In items 1 through 3 above, the administrator must be an officer, official delegate, or have a significant part on the program.)
4. To attend meetings and conferences as the representative of the Superintendent. Only the Superintendent or his designated representative(s) will approve this type of assignment;
5. To participate in a staff development program approved by The School Board;
6. To attend meetings of educational legislative committees.

J H. Jury Duty and Subpoena As A Witness

1. In case of jury summons, the administrator must report to the Court on the appointed day, as there is no statutory exemption from jury service.

Any full-time administrator who is summoned as a member of a jury panel shall be granted temporary duty, and any jury fees shall be retained by the administrator.

An administrator subpoenaed as a witness or defendant, except personal litigation, shall be given temporary duty, and any witness fees shall be retained by the employee.

In no case shall temporary duty be granted for court attendance when the employee is engaged in personal litigation; however, administrators who have accrued vacation or personal leave may be granted such leave for this purpose upon request.

2. Any administrator of the school system may be placed on temporary duty when he/she has been subpoenaed by a court as a result of incidents occurring which are related to his/her employment with The School Board of Miami-Dade County, Florida.

Any administrator who has in his/her custody official records of the school system and is subpoenaed by a court to produce such records may also be granted temporary duty.

K I. Temporary Military Leave

If obligation cannot be met during the time school is not in session, temporary leave for military service is granted with full pay (not to exceed 17 days compensation per calendar year), provided evidence is submitted from responsible military authority that such required training cannot be conducted at any other time.

Leave Without Pay (LWOP)

E J. General Provisions

All leaves (except military) are granted for no more than (1) year at a time with appropriate documentation, and MAY be extended subject to the following limits and documentation requirements:

TYPE OF LEAVE	TIME LIMITS	REQUIRED DOCUMENTATION
Personal	1 year	Letter giving reasons
Professional (Study)	2 years	Official transcript and letter from university verifying continued full-time status and planned coursework
*Professional (Other)	2 years	Letter explaining purpose(s); <u>full-time employment requires completion of Supplemental Information Form (FM-6445)</u>
Illness of Self	3 years	Statement from doctor indicating need <u>Leave of Absence Medical Documentation Form (FM-6030)</u>
Illness of Relative	3 years	Name and relationship of relative, statement from doctor indicating need <u>Leave of Absence Medical Documentation Form (FM-6030)</u>
Parental	1 year	Only one parental leave can be extended with personal leave
Military	No limit	Copy of military orders

**May only be taken one time during an administrator's career*

M K. Leave Limitations

The following overall limitations shall apply to any combination of leaves, regardless of category:

1. The number of calendar years granted for any single period of continuous leave of absence without pay, with the exception of extended military leave, shall not exceed the number of creditable years earned with M-DCPS immediately preceding the leave request, up to a maximum of four (4) years.
2. Exceptions to the above provision (A. 1.a.) will be made only for extenuating circumstances, as determined by the ~~Deputy Superintendent~~ for Chief Personnel Officer, Personnel Management and Services Office of Human Resources.

⌘ L. Additional/Extended Sick Leave

An administrator who has exhausted all of his/her sick leave or extra sick leave to which he/she is entitled shall be considered automatically on leave without pay (not to exceed 30 consecutive days) until such administrator returns to work. Leave without pay for illness is considered only a protection of one's employment rights.

1. Where such leave is in excess of ten days, an administrator is eligible for vacation or holiday pay (while absent) only for the number of days he/she has accrued.
1. The preceding paragraph shall not apply to administrators receiving compensation for illness or injury-in-line-of-duty.
3. Administrators whose own or family member's illness requires an absence of over 30 days without pay must file an application for extended sick leave indicating the anticipated length of such absence and supported by a statement from competent medical authority. Such leave may not extend beyond three consecutive years, approved one year at a time.

⊖ M. Extended Military Leave

A full-time administrator may be granted an extended military leave of absence provided that:

1. He/she is inducted into the Armed Services via Selective Service Act, or volunteers.
2. He/she enlists in the Armed Services during the period our forces are engaged in combat.
3. He/she is recalled to active service from a reserve status.

The first 30 calendar days of military service by full-time employees are compensable at full pay, upon verification that the employee has completed 30 days of service. Subsequent to the first 30 days of service, the Board will provide military pay supplements to full-time employees who are reservists or members of the National Guard, involuntarily called to active duty after September 11, 2001.

Employees who are either drafted or are already members of the active or retired reserves of the United States Armed Forces (but not enlistees) who are involuntarily called to active duty, shall have their health, life and flexible benefits coverage continued by the School Board for the period of their approved leave.

P N. Personal Leave Without Pay

Leave of absence without pay for personal reasons not to exceed 30 consecutive workdays may be granted to full-time administrators if approved by the Superintendent or designee. Extended personal leaves in excess of 30 consecutive workdays may be approved, subject to the following guidelines:

1. No wages or salaries shall be paid during such leave except as provided in other sections of School Board rules.
2. All such leaves shall be approved by the School Board, except for those granted in accordance with provision of the Workers' Compensation Law.
3. Such leave shall not exceed one year in duration.
4. Such leave may be granted for one of the following reasons:
 - To serve in the Peace Corps.
 - To accept a Fulbright Scholarship.
 - To continue no more than one parental leave.
 - Settlement of family estates.
 - Severe family hardships.
5. Personal leave for reasons other than those listed above may be approved by the School Board, upon recommendation of the Superintendent.
6. Administrators may not request personal leave without pay until they have completed at least three years of continuous full-time employment with the Miami-Dade County Public Schools.

Q Q. Parental Leave

A parental leave of absence without pay, shall be granted to an administrator for up to one year for the purpose of childbearing and/or parenting as follows:

1. An administrator who is pregnant shall be entitled upon request to a leave to begin at any time between the commencement of her pregnancy and one year after a child is born to her.

- The administrator shall notify her immediate supervisor, in writing, of her desire to take such leave and, except in a case of emergency, shall give such notice at least 30 days prior to the date on which her leave is to begin. She shall include with such notice either a health care provider's statement certifying her pregnancy or a copy of the birth certificate of her child, whichever is applicable.
 - An administrator who is pregnant may continue active employment as late in her pregnancy as she desires provided she is able to properly perform her required functions as certified by her health care provider.
 - All or any portion of a leave taken because of a medical disability connected with or resulting from pregnancy may, at the administrator's option, be charged to her available sick leave.
2. A male administrator shall notify his supervisor, in writing, of his desire to take parental leave to begin at any time between the birth of his child, and one year thereafter. Except in cases of emergency, such notice is to be given at least 30 days prior to the day on which the leave is to begin.
 3. An administrator adopting an infant child (i.e., one year of age or less) shall be entitled upon request to a leave to commence at any time during the first year after receiving de facto custody of said infant child, or prior to receiving such custody, if necessary, in order to fulfill the requirements for adoption.
 4. An administrator on parental leave may elect to use any accrued vacation (annual leave), personal leave with pay, and/or sick leave before entering leave-without-pay status.
 5. The School Board will continue appropriate contributions to the IRS Section 125 Cafeteria Plan. The administrator may continue to make contributions to those compensation or employment benefit plans which permit continuation of such contributions.
 6. Failure of an administrator to respond to the official ~~Personnel Management and Service's~~ Letter of Intent from the Office of Human Resources, or failure to return to work immediately following the expiration of leave shall constitute willful neglect of duty which shall subject the employee to termination.

R P. Extended Professional Leave

Full-time administrators may be granted extended professional leave to study without pay for up to two years. Such leaves will be applied for one year at a time with documentation showing that the administrator is a full-time student at a college or university.

An administrator may also be granted extended professional leave to engage in activities for which no college credit is granted provided it is determined by the Superintendent of Schools or designee that these activities will enhance the employee's professional competence and, thereby, benefit the school system once the employee returns. Extended professional leave for outside employment is prohibited, except for public sector employment or employment for a not-for-profit organization, when deemed by the Superintendent of Schools or designee to be in the best interest of the Miami-Dade County Public Schools system. Any employee on such leave who is approved for full-time employment will not be entitled to Board-paid fringe benefits. Further, such employee, who has been employed full-time while on leave, upon return, will be offered a position in the district to be determined by the Superintendent. Professional leave is not intended to subsidize extended or frequent employment outside of Miami-Dade County Public Schools (M-DCPS), or replace the opportunities for administrative experience which can be obtained within M-DCPS. Therefore, professional leave for full-time employment may only be taken one time during an administrator's career, for no longer than two years, one year at a time. An employee must complete three years of full-time administrative employment prior to requesting extended professional leave.

S Q. Employment Rights - Benefits

An administrator who is granted Parental, Illness of Self Leave, or Professional Leave to Study for one year or less shall have reemployment rights to the same position, if available. Administrators returning from other leaves shall be assigned to a like position, if available. While the administrator is on leave-without-pay status, except professional leave for full-time employment, the School Board will continue to provide liability, health, and life benefits on the same basis as would have been provided had the administrator remained at work.

The School Board complies with the requirements of the Family and Medical Leave Act (FMLA) of 1993.

The School Board of Miami-Dade County, Florida, adheres to a policy of nondiscrimination in employment and educational programs/activities and programs/activities receiving Federal financial assistance from the Department of Education, 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 5/9/03