

Freddie Woodson, Deputy Superintendent  
District/School Operations

Walter J. Harvey, Board Attorney  
Office of School Board Attorney

**SUBJECT:                   REQUEST THAT THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, APPROVE THE RECOMMENDED REVISIONS TO THE PERSONNEL INVESTIGATIVE MODEL (PIM)**

**COMMITTEE:               SCHOOL SUPPORT ACCOUNTABILITY**

**LINK TO STRATEGIC FRAMEWORK:               SCHOOL/DISTRICT LEADERSHIP**

At the Board meeting of September 9, 2009, the School Board approved Agenda Item H-14 proffered by Dr. Lawrence Feldman, Member, requesting that the Superintendent and the School Board Attorney conduct a review of the Personnel Investigative Model (PIM) and recommend any necessary changes.

### **HISTORY AND OVERVIEW**

At the School Board meeting of November 17, 2004, Agenda Item A-4, the PIM was approved by the Board. The PIM was designed to provide a consistent process for conducting investigations and established the Civilian Investigative Unit (CIU). The District also negotiated Memoranda of Understanding (MOU) with the United Teachers of Dade (UTD), the American Federation of State, County and Municipal Employees (AFSCME), and the Dade County Schools Maintenance Employee Committee (DCSMEC) bargaining units adopting the PIM.

### **RECOMMENDED REVISIONS**

As part of its review, District staff and the School Board Attorney have analyzed the impact of the PIM and are recommending changes to increase its effectiveness and streamline its processes. Revisions to the PIM do not supersede the requirement to report criminal incidents and/or child abuse incidents. These allegations will continue to be reported to 305-995-COPS and will generate a lead sheet and a Schools Police Automated Reporting (SPAR) number. The following are the major revisions:

- Completing an Incident Reporting Form instead of a lead sheet when an incident is reported. The Incident Reporting Form is transmitted to the Incident Review Team

(IRT), which is comprised of representatives from the Office of Professional Standards (OPS); Miami-Dade Schools Police Department (M-DSPD) General Investigative Unit (GIU); the Office of Civil Rights Compliance (CRC); CIU; the Office of Human Resources, Recruiting and Performance Management; Deputy Superintendent of Schools and District Operations or designee; and, the School Board Attorney's office. The IRT makes a determination as to which unit will conduct the investigation.

- Completing investigations, including recommending disciplinary action, within 60 business days, barring unusual circumstances. A SPAR number (in lieu of a lead sheet) will only be created after the investigation is completed and there is a finding of probable cause.
- Modifying the involvement of the Office of Civil Rights Compliance (CRC) in the PIM process. Complaints alleging discrimination, harassment and/or retaliation in employment or educational activities must be reported directly to the CRC on a CRC Employee or Student/Parent Complaint Form. A SPAR number will only be created after the investigation is completed and there is a finding of probable cause.
- Recommending that the Disciplinary Review Team (DRT), led by the responsible District Director of the Office of Professional Standards (OPS), include the Deputy Superintendent of Schools and District Operations, the School Board Attorney or their respective designee, a representative from the Office of Human Resources, Recruiting and Performance Management, the appropriate Region Superintendent/District office representative, and the worksite administrator, to determine a recommendation for disciplinary action. The addition of a representative from the School Board Attorney's Office to DRT is intended to help expedite the 60 day timeline for the disposition of cases.
- Implementing a professional development component for M-DCPS administrators, Union and Association representatives, and District staff to review the modifications/ changes to the PIM process.

### **ALTERNATE ASSIGNMENT PROCEDURES**

When an incident is serious enough in nature to warrant the removal of an employee from his/her work site, an alternate location is assigned, pending the outcome of a personnel investigation. Incidents involving student and employee health, safety or welfare may result in an alternate assignment. Barring unusual circumstances, placement in alternate assignment is not to exceed 60 business days. The External Review Group (ERG) comprised of the Chief Auditor, the School Board Attorney, and the Deputy Superintendent District/School Operations, or their respective designees, will make a determination as to the appropriateness of the continued alternate placement. Individuals on alternate assignment for issues which do not impact the health, safety, and welfare of students will be assigned other positions, with restrictions

as appropriate. Through its review of alternate assignments in the 2009-2010 school year, the ERG has reduced the cost of these placements by approximately \$2M.

This item is presented for the Board's review and acceptance of the revisions to the PIM. Copies of the revised PIM manual will be transmitted to School Board Members under separate cover and will be available for inspection, by the public, in the Office of Board Recording Secretary, Room 924, and in the Citizen Information Center, Room 158, 1450 NE Second Avenue, Miami, Florida, 33132.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida:

1. approve the recommended revisions to the Personnel Investigative Model (PIM) to be effective May 12, 2010, or as soon thereafter as can be facilitated;
2. authorize the Superintendent to obtain an agreement with the affected bargaining units; and
3. authorize the Superintendent to make minor revisions to the PIM (with agreement from bargaining units) and report in writing to the Board.

