

Ms. Maria Teresa Rojas, Board Member

**SUBJECT: ESTABLISHING, CLASSIFYING AND/OR RECLASSIFYING CONTRACTED POSITIONS**

**COMMITTEE: PERSONNEL, STUDENT, SCHOOL, & COMMUNITY SUPPORT**

**LINK TO STRATEGIC BLUEPRINT: EFFECTIVE AND SUSTAINABLE BUSINESS PRACTICES**

Section 1012.22, Florida statutes (*Public school personnel; powers and duties of the district school board*) states, in pertinent part that: "The district school board shall designate positions to be filled, prescribe qualifications for those positions, and provide for the appointment, compensation, promotion, suspension, and dismissal of employees..." Further, in accordance with state statute, School Board policy 1120, *Employment of Administrators*, provides that: "The Board shall approve the employment, determine the compensation, and establish the term of employment for each administrator employed by the Board." Additionally, School Board policy 1600, *Job Descriptions* further outlines the Board's responsibilities and states that: "The Board shall approve the broad purpose and functions of the position according to State laws and regulations and a statement of job descriptions as recommended by the Superintendent."

Contracted employees serve a distinct function in the school district and have served Miami-Dade County Public Schools (M-DCPS) for decades as duties and responsibilities increase and organizational structures are changed or realigned. The establishment of and/or reclassification of current positions into contracted positions [non-Managerial Exempt Personnel (MEP)] upon the recommendation of the Superintendent is accomplished pursuant to the authority of the Board. While contracted positions are a vital tool in ensuring that the mission of the District is fulfilled by qualified employees, it is also vital that relevant information regarding the terms (compensation, salary schedule, and job duties and responsibilities) of the contracted position are clearly identified in the item when the Board is authorizing, pursuant to its statutory authority, the deletion, establishment, or reclassification of existing positions to a contracted position.

In order to properly facilitate the review and approval by the Board of the appointment of personnel to contracted positions, it is important that the Board be provided with the relevant terms and conditions of said employment at the time the recommendation for the appointment is presented for the Board's approval. As such, authorization of the Board is requested to authorize the Superintendent to include and specify these terms in Board policy. In addition, whenever a recommendation to reclassify an existing MEP position to a contracted position is presented for the Board's approval, the recommended action should clearly identify the position(s) being reclassified, terms and conditions of employment, and the applicable salary range for the newly reclassified position(s).

This item has been reviewed and approved by the School Board Attorney's office as to form and legal sufficiency.

**ACTION PROPOSED BY  
MS. MARIA TERESA ROJAS:**

That The School Board of Miami-Dade County, Florida, authorize the Superintendent of Schools to initiate rulemaking proceedings in accordance with the Administrative Procedure Act by the November 20, 2018 Board meeting, to specify that whenever Board approval is sought for the establishment, classification, and/or reclassification of District personnel to contracted positions, relevant terms, compensation benefits, and applicable salary range of the contracted position be included in Board policy.