

Office of Superintendent of Schools
Board Meeting of July 14, 1999

June 30, 1999

Personnel Management and Services
Nelson E. Diaz, Deputy Superintendent

SUBJECT: PROPOSED REPEAL OF BOARD RULES: INITIAL READING
6Gx13- 4A-1.301 SEPARATION – DISMISSAL OR SUSPENSION
6Gx13- 4E-1.191 TEMPORARY DUTY – INSTRUCTIONAL EMPLOYEES
6Gx13- 4E-1.192 TEMPORARY DUTY – NON-INSTRUCTIONAL EMPLOYEES

PROPOSED AMENDMENT OF BOARD RULES: INITIAL READING
6GX13- 4C-1.032 COMPREHENSIVE HUMAN RESOURCE MANAGEMENT DEVELOPMENT PLAN
6Gx13- 4E-1.19 TEMPORARY DUTY

This item is submitted for consideration by the Board because several of the rules pertaining to personnel management and services are outdated by reason of change in Florida Statute, procedures, and/or delineated in current labor contracts.

Attached are the Notices of Intended Action and the rules proposed for repeal and amendment. Changes from the current rules being amended 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 repeal of Board Rules 6Gx13- 4A-1.301, Separation – Dismissal or Suspension, 6Gx13- 4E-1.191, Temporary Duty – Instructional Employees, 6Gx13- 4E-1.192, Temporary Duty – Non-Instructional Employees and for the amendment of Board Rules 6Gx13- 4C-1.032, Comprehensive Human Resource Management Development Plan and 6Gx13- 4E-1.19, Temporary Duty.

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:

1. repeal Board Rules 6Gx13- 4A-1.301, Separation – Dismissal or Suspension; 6Gx13- 4E-1.191, Temporary Duty – Instructional Employees; 6Gx13- 4E-1.192, Temporary Duty – Non-Instructional Employees; and
2. amend Board Rules 6Gx13- 4C-1.032, Comprehensive Human Resource Management Development Plan and 6Gx13- 4E-1.19, Temporary Duty.

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on July 14, 1999, its intention to repeal Board Rule 6Gx13- 4A-1.301, Separation – Dismissal or Suspension, at its meeting of August 25, 1999.

PURPOSE AND EFFECT: To eliminate a Board Rule because the matter addressed in the rule is incorporated in another Board Rule.

SUMMARY: Board Rule 6Gx13- 4A-1.301, Separation – Dismissal or Suspension, will be repealed because it is incorporated in Board Rule 6Gx13- 8C-1.064, Adjudicatory Proceedings.

SPECIFIC AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: 230.22(2) F.S.

LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC: 231.39 F.S.; 6A-1.84 FAC

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 low cost regulatory alternative as provided by Section 120.541(1) F.S., must do so in writing by August 9, 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 based. (Section 286.0105, Florida Statutes)

A COPY OF THE RULE PROPOSED FOR REPEAL 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: Mrs. Patricia Parham
Supervisor: Mr. Nelson E. Diaz
Date: June 30, 1999

Permanent Personnel

SEPARATION -- DISMISSAL OR SUSPENSION

The Rules of Procedure for Administrative Hearings are detailed in Board Rule 6Gx13-8C-1.062.

PREL

Specific Authority: 230.22 F. S.
Law Implemented, Interpreted, or Made Specific: 120-53(1); 120.57 F.S.
History THE SCHOOL BOARD OF DADE COUNTY, FLORIDA
Repromulgated: 12-11-74

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on July 14, 1999, its intention to repeal Board Rule 6Gx13- 4E-1.191, Temporary Duty – Instructional Employees, at its meeting of August 25, 1999.

PURPOSE AND EFFECT: To eliminate a Board Rule because the matter addressed in the rule is incorporated in another Board Rule.

SUMMARY: Board Rule 6Gx13- 4E-1.191, Temporary Duty – Instructional Employees, will be repealed because it is incorporated in Board Rule 6Gx13- 4E-1.19, Temporary Duty.

SPECIFIC AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: 230.22(2) F.S.

LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC: 231.39 F.S.; 6A-1.84 FAC

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 low cost regulatory alternative as provided by Section 120.541(1) F.S., must do so in writing by August 9, 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 based. (Section 286.0105, Florida Statutes)

A COPY OF THE RULE PROPOSED FOR REPEAL 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: Mrs. Patricia Parham
Supervisor: Mr. Nelson E. Diaz
Date: June 30, 1999

Absences, Leaves and Vacations**Temporary Duty – Instructional Employees**

When an employee is assigned to service away from the school or regular place of employment and that assignment requires (a) the employment of a substitute for which reimbursement is to be made from the central substitute account, or (b) the utilization of pool days as provided in negotiated agreements, the employee must complete a request for temporary duty form obtained from the Office of Personnel. The Superintendent of Schools shall authorize approval procedures for the administration of this provision.

Temporary duty may be granted educational employees for the following types of assignments:

1. To attend subject-area conferences and conventions.
2. To attend duly authorized conferences and conventions of national, regional, and state professional teacher organizations.
3. To attend PTARTSA regional and state conferences and conventions.
4. To attend conventions or conferences of recognized civic groups when the employee serves as an officer or official delegate of such group.
5. To attend state meetings of educational sororities and fraternities provided the person is an officer, official delegate or has a significant part on the program. No substitute may be provided.
6. To attend meetings and conferences as the representative of the Superintendent of Schools. Only the Superintendent of Schools or designated representative(s) will approve this type of assignment.
7. To participate in a staff development program approved by the Board.
8. To attend legislative committee meetings of which the employee is a member dealing with educational matters.

Conditions limiting temporary duty assignment:

1. One employee per building in addition to officers, delegates or persons with significant parts on the program. There will be no limit to the number assigned when school is not in session.
2. Provision of substitutes will be held to a minimum.
3. Substitutes will not be provided to cover absences of personnel granted temporary duty under item 8 above.

Specific Authority: 230.22 F. S.

Law Implemented, Interpreted, or Made Specific: 231.39 F.S.; 6A-1.84 FAC

History THE SCHOOL BOARD OF DADE COUNTY, FLORIDA

Repromulgated: 12-11-74

Amended: 8-1-76; 1-14-81

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on July 14, 1999, its intention to repeal Board Rule 6Gx13- 4E-1.192, Temporary Duty - Non-Instructional Employees, at its meeting of August 25, 1999.

PURPOSE AND EFFECT: To eliminate a Board Rule because the matter addressed in the rule is incorporated in another Board Rule.

SUMMARY: Board Rule 6Gx13- 4E-1.192, Temporary Duty – Non-Instructional Employees, will be repealed because it is incorporated in Board Rule 6Gx13- 4E-1.19, Temporary Duty.

SPECIFIC AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: 230.22(2) F.S.

LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC: 231.39 F.S.; 6A-1.84 FAC

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 low cost regulatory alternative as provided by Section 120.541(1) F.S., must do so in writing by August 9, 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 based. (Section 286.0105, Florida Statutes)

A COPY OF THE RULE PROPOSED FOR REPEAL 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: Mrs. Patricia Parham
Supervisor: Mr. Nelson E. Diaz
Date: June 30, 1999

Absences, Leaves and Vacations

Temporary Duty – Non-Instructional Employees

When an employee is assigned to service away from the school or regular place of employment and that assignment requires (a) the employment of a substitute, or (b) the utilization of pool days as provided in negotiated agreements, the employee must complete a request for temporary duty form obtained from the Office of Personnel. The Superintendent of Schools shall authorize approval procedures for the administration of this provision.

Temporary duty may be granted non-educational employees 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 employee is directly involved.
2. To attend PTA/PTSA regional and state conferences and conventions.
3. To attend conventions or conferences of recognized civic groups.
4. To attend state meetings of educational sororities and fraternities. No substitute may be provided.
5. To attend meetings and conferences as the representative of the Superintendent of Schools. Only the Superintendent of Schools or his designated representative(s) will approve this type of assignment.
6. To participate in a staff development program approved by the Board.
7. To attend legislative committee meetings of which the employee is a member dealing with educational matters.

Conditions limiting temporary duty assignment:

1. In items 1 through 4 above, the employee must be an officer, official delegate or have a significant part on the program.
2. Substitutes will not be provided to cover absences of personnel granted temporary duty under item 7 above.

6Gx13- 4E-1.192

Specific Authority: 230.22 F. S.
Law Implemented, Interpreted, or Made Specific: 231.39 F.S.; 6A-1.84 FAC
History THE SCHOOL BOARD OF DADE COUNTY, FLORIDA
Repromulgated: 12-11-74
Amended: 8-1-76; 1-14-81

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on July 14, 1999, its intention to amend Board Rule 6Gx13- 4C-1.032, Comprehensive Human Resource Development Plan, at its meeting of August 25, 1999.

PURPOSE AND EFFECT: To amend the Board Rule to comport with Florida Statute and current Board practice.

SUMMARY: This rule establishes the district's Human Resource Management Development Plan which describes guidelines, criteria and other requirements related to the selection, training and appraisal of administrative personnel.

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

LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC: 231.02; 231.0861; 231.087 (1); 236.0811 F.S.; 6A-4.0083; 6A-4.0084 FAC

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 low cost regulatory alternative as provided by Section 120.541(1) F.S., must do so in writing by August 9, 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 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: Mrs. Patricia Parham
Supervisor: Mr. Nelson E. Diaz
Date: June 30, 1999

Activities

COMPREHENSIVE HUMAN RESOURCE MANAGEMENT DEVELOPMENT PLAN

The School Board will adopt a Human Resource Management Development Plan to ensure:

- district compliance with Florida Council on Educational Management (FCEM) guidelines, criteria and other state requirements as they relate to the selection, training and appraisal of principals and assistant principals -
- administrative personnel compliance with state certification/recertification requirements
- developmental needs of district administrative personnel are identified and addressed
- inservice training programs are provided for interim and intern principals
- professional growth opportunities are provided for potential administrators
- professional growth opportunities are provided for all administrative personnel.

The **Human Resource Management Development Plan** is incorporated by reference in this rule and is a part hereof. The **Human Resource Management Development Plan** is on file in the ~~Board office~~ Office of Board Recording Secretary, in the Citizen Information Center, and the Office of the Clerk of the School Board.

Specific Authority: 230.22 (2); 230.23(17) F.S.
Law Implemented, Interpreted, or Made Specific: 231.02; 231.0861; 231.087(1); 236.0811 F.S.; ~~6A-4.083; 6A-4.084~~ 6A-4.0083; 6A-4.0084 FAC

History THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA
New: 6-25-86
Amended: 11-19-86; 7-13-88; 11-7-90

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on July 14, 1999, its intention to amend Board Rule 6Gx13- 4E-1.19, Temporary Duty, at its meeting of August 25, 1999.

PURPOSE AND EFFECT: To amend the Board Rule to clarify and to comport with current Board practice.

SUMMARY: This rule establishes the School Board's policy regarding temporary duty for all employees.

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

LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC: 231.39 F.S.; 6A-1.084 FAC

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 low cost regulatory alternative as provided by Section 120.541(1) F.S., must do so in writing by August 9, 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 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: Mrs. Patricia Parham
Supervisor: Mr. Nelson E. Diaz
Date: June 30, 1999

Absences, Leaves and Vacations

TEMPORARY DUTY

Any regular employee may be assigned to be temporarily absent from his/her the regular duties and place of employment for the purpose of performing other job related assignments, such as professional development programs, conferences, and non-work related duties, e.g., jury duty, selected military leave educational services, including participation in school surveys, professional meetings, study courses, workshops, etc . Such temporary assignment will ~~ordinarily~~ be initiated by the supervising administrator school administration. Employees will receive their regular pay, and may be allowed expenses, if applicable as provided by law and regulations of The School Board of Dade County, Florida. Such temporary duty shall be considered equal to the regular duties of the individual, and employees performing such assigned temporary duties shall not be considered to be on leave.

~~The Superintendent of Schools will develop regulations stating the conditions and limitations under which Temporary Duty assignment will be made.~~

Specific Authority: 230.22(2); 230.23(17) F.S.
Law Implemented, Interpreted, or Made Specific: 231.39 F.S.; 6A-1.084 FAC

History THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA
Repromulgated: 12-11-74
Amended: