

Personnel Management and Services  
Nelson E. Diaz, Deputy Superintendent

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

The School Board of Miami-Dade County, Florida, announced on February 14, 2001, its intention to amend School Board Rule 6Gx13- 4D-1.022, Manual of Procedures for Managerial Exempt Personnel and to revise sections of the document, Manual of Procedures for Managerial Exempt Personnel (MEP), which is incorporated by reference and is a part of this rule, at the meeting of April 18, 2001.

The Notice of Intended Action was published in the *Miami Daily Review* on February 20, 2001, and posted in various places for public information and mailed to various organizations representing persons affected by the amended rule and to individuals requesting notification.

The time to request a hearing or protest the adoption of this rule has elapsed.

In accordance with the provisions of the Administrative Procedures Act, this amended rule is presented to The School Board of Miami-Dade County, Florida, for adoption and authorization to file the rule in the official records of The School Board of Miami-Dade County, Florida.

Attached are the Notice of Intended Action, the rule, page (7), section B-4 (A), Initial Appointment Compensation, and page eight (8), section B-5 (E), Compensation Increases, of the document, Manual of Procedures for Managerial Exempt Personnel (MEP). Changes from the current rule are indicated by underscoring words to be added and ~~striking through~~ words to be deleted.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida, adopt amended Board Rule 6Gx13- 4D-1.022, Manual of Procedures for Managerial Exempt Personnel, and the document, Manual of Procedures for Managerial Exempt Personnel (MEP), which is incorporated by reference and is a part of this rule, and authorize the Superintendent to file the rule with The School Board of Miami-Dade County, Florida, to be effective April 18, 2001.

NED/mu

## NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on February 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 April 18, 2001.

**PURPOSE AND EFFECT:** To amend the rule and revise sections B-4, Initial Appointment Compensation, and B-5, Compensation Increases, of the document, Manual of Procedures for Managerial Exempt Personnel (MEP), to reflect changes by requiring notification to the Board on employees who are governed by the (MEP) plan when a salary is increased other than by regular salary scheduled increments.

**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.

Revised  
subsequent  
to Initial  
Reading on  
2/14/01

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

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING OF April 18, 2001, 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 March 13, 2001, 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 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. Roger C. Cuevas  
Date: January 29, 2001

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 deferral 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(~~20~~ 22) F.S.

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



Revised  
subsequent  
to Initial  
Reading on  
2/14/01

History

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA

New: 1-8-86

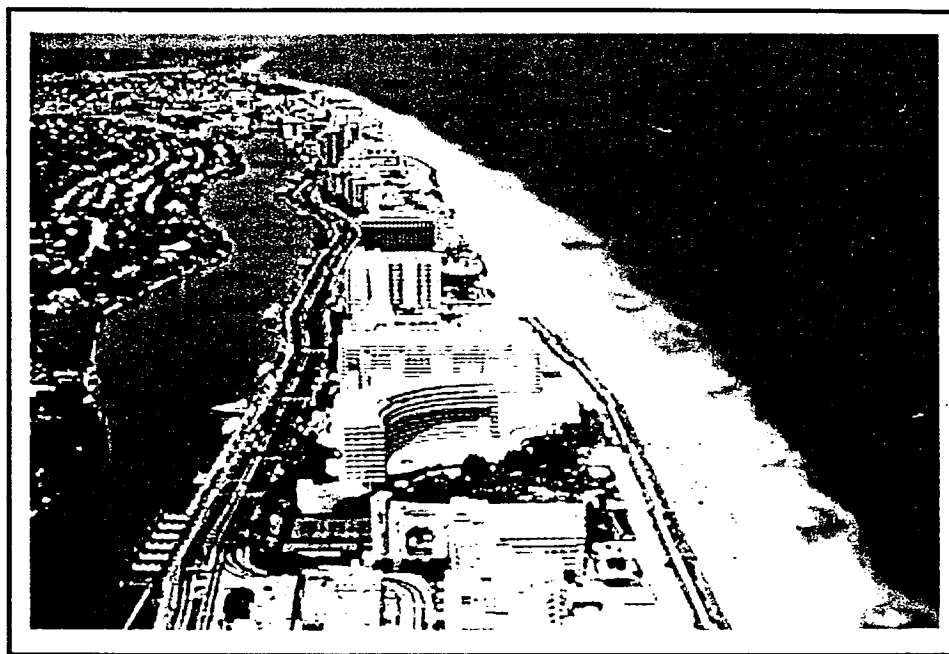
Amended: 6-25-86; 10-15-86; 12-17-86; 9-30-87; 7-27-88; 10-18-89; 9-26-90; 8-21-91;  
6-24-92; 1-20-93; 12-14-94; 10-25-95; 3-5-97; 11-5-97; 6-10-98; 10-21-98; 8-25-99;  
3-15-00; 9-13-00

Manual of Procedures for

Managerial

Exempt

Personnel



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

Personnel Management and Services

Final Reading: April 18, 2001

Board Rule 6Gx13-4D-1.022

**K-22**

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Dr. Marta Pérez

Dr. Solomon C. Stinson

Ms. Marylynne Kristy Hunt-Dorta, Student Advisor

Mr. Roger C. Cuevas  
*Superintendent of Schools*

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



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A. 230 Day Employee (12 Month)

1. Daily Rate = Annual salary divided by 260 days (actual work days plus the intervening holidays and yearly earned vacation days).\*
2. Biweekly Rate = Daily Rate x 10 days.
3. Hourly = Daily Rate divided by 8.
4. Actual Daily Rate = Annual salary divided by 230 days.

\*The Salary Schedule reflects an annual 260-day work year with each 12-month employee actually paid for 261 days, pursuant to the annual Board-adopted calendar.

B. 206 Day Employee (10 Month)

1. Daily Rate = Annual salary divided by 222 days (206 actual work days plus intervening holidays and school vacation days).\*
2. Bi-Weekly Rate = Daily Rate x 10 days.
3. Hourly = Daily Rate divided by 8.
4. Actual Daily Rate and Summer School Daily Rate = Annual salary divided by 206.

\*Lapsed time is subject to the annual calendar.

- C. The School Board will provide 10-month employees (Assistant Principals) the option of receiving payment of salary over 10 months or over 12 months. The employee will continue to be paid on the basis selected until he/she elects to change. The election to change salary basis may be made only from July through December of each year.

**B-4 Initial Appointment Compensation**

The rate of compensation upon initial appointment to a managerial position shall be the minimum of the pay grade of the classification involved, unless:

- A. The applicant is deemed to be exceptionally qualified for the position, and/or recruiting efforts have failed to fill a position at the entry level; in this case the Superintendent of Schools may authorize the initial compensation at a higher rate than the minimum for the classification. The Board shall be notified of such action by the Superintendent.

- 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.

The School Board of 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 an employee or student 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 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.*