

Office of Superintendent of Schools
Board Meeting of May 15, 2002

May 2, 2002

Personnel Management and Services
Magaly C. Abrahante, Chief Personnel Officer

**SUBJECT: PROPOSED AMENDMENT OF SCHOOL BOARD RULE: INITIAL
READING 6Gx13- 4A-1.12, ASSIGNMENT, TRANSFER, AND
APPOINTMENT**

Board Rule 6Gx13- 4A-1.12, Assignment, Transfer, and Appointment, sets forth policy and procedures for appointment and assignment of School Board employees, citing as authority federal court orders on desegregation. On June 21, 2001, Judge William P. Revised Dimitrouleas, United States District Court for the Southern District of Florida, granted unitary status to Miami-Dade County Public Schools, effective June 30, 2002. Consequently, this rule requires revisions to delete the reliance on desegregation orders. The revision is reflected on the proposed amended rule.

Attached are the Notice of Intended Action and the rule proposed for amendment. Changes from the current rule 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 amendment of School Board Rule 6Gx13- 4A-1.12, Assignment, Transfer, and Appointment.

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- 4A-1.12, Assignment, Transfer, and Appointment.

**REVISED
C-23**

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on May 15, 2002, its intention to amend School Board Rule 6Gx13- 4A-1.12, Assignment, Transfer, and Appointment, at its meeting of June 19, 2002.

PURPOSE AND EFFECT: To present the School Board's practice with reference to assignment, transfer, and appointment of employees, deleting the reliance on federal court desegregation orders.

SUMMARY: The rule provides policies and practices for the assignment, transfer and appointment of employees.

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: 230.22(2); 230.23(22) F.S.

LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC: 230.23(5)(c)(d) and (e); 230.23005(11); 230.33(7); 231.36(5) F.S.

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING OF June 19, 2002, 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 June 11, 2002, 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: Ms. Magaly C. Abrahante
Supervisor: Mr. Merrett R. Stierheim
Date: May 2, 2002

Permanent Personnel**ASSIGNMENT, TRANSFER, AND APPOINTMENT**

Under provisions of the State and Federal laws ~~and/or Federal Court orders pertaining to racial integration of faculties and administrative staffs~~, the Board acts on the recommendation of the Superintendent of Schools concerning the terms of contract, assignment, transfer, and appointment of all employees.

The Superintendent of Schools is also empowered by State law to transfer any employees during emergencies and report such action to the Board at its next regular meeting for approval.

In the adjustment of school organization, it is the intent of the Board that all personnel be continued as employees of the Board. In so far as possible, employees affected by consolidation will be assigned in the areas of work and at the same levels in which they are engaged, and employees shall not be separated from employment or receive a reduction in base salary because of such consolidation.

No involuntary transfer shall result in a demotion. Loss of a supplement for teachers for duties beyond the regular teaching assignment, as designated in the **Salary Handbook**, shall not be considered a demotion.

Reference: ~~Board Minutes, 11-18-64 #32,856, 12-1-65 #35,016~~

Specific Authority: 230.22(2); 230.23(22) F.S.

Law Implemented, Interpreted, or Made Specific: ~~230.23(5)(c)(d) and (e);~~
230.23005(11); 230.33(7); 231.36(5)
 F.S.

History

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA

Repromulgated: 12-11-74

Amended: