

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

**SUBJECT: PROPOSED AMENDMENT OF SCHOOL BOARD RULE: INITIAL
READING 6Gx13- 4E-1.09, PROFESSIONAL LEAVE**

Board Rule 6Gx13- 4E-1.09, Professional Leave, sets forth policy and procedures for granting professional leave to School Board employees. At its meeting of May 15, 2002, the School Board directed that extended professional leave be prohibited for outside employment, except for public sector employment or employment for a not-for-profit organization, when deemed by the Superintendent of Schools or designee to be in the best interest of the District. Additionally, language is included to permit employees granted professional leave to work at a charter school to extend their leave beyond the two-year maximum. This is in accordance with the provisions in the charter school legislation. A final change is the discontinuance of paid professional leave for employees elected to public office.

Revised

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- 4E-1.09, Professional Leave. Subsequent to the revision to the Board Rule, changes to the affected labor contracts will be addressed through the collective bargaining process.

Revised

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- 4E-1.09, Professional Leave.

REVISED ²
C-23

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on July 10, 2002, its intention to amend School Board Rule 6Gx13- 4E-1.09, Professional Leave, at its meeting of August 21, 2002.

PURPOSE AND EFFECT: To prohibit professional leave for outside employment, except for public sector employment or employment for a not-for-profit organization, when deemed by the Superintendent of Schools or designee to be in the best interest of the District; to permit employees granted professional leave to work at a charter school to extend their leave beyond the two-year maximum; and to discontinue paid professional leave for employees who are elected to public office.

Revised

SUMMARY: The rule provides policies and practices for the granting of professional leave to School Board employees.

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

LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC: 228.056(13)(e); 231.39 F.S.; 6A-1.081 FAC

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING OF August 21, 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 August 5, 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: July 10, 2002

Revised

Absences, Leaves and Vacations**PROFESSIONAL LEAVE**

Professional leave is leave granted to full-time members of the United Teachers of Dade and Dade County School Administrators' Association bargaining units, administrators managerial exempt employees, and confidential/exempt employees to engage in activities which will result in professional benefit or advancement, including earning of college credits and degrees.

Professional Leave With Pay

Any regular member of the instructional or professional administrative staff (12 month employees) may be granted three weeks of professional leave with compensation during any school year when school is not in session, with such leave cumulative for not more than two years, in accordance with Florida Statutes and State Department Board of Education Rules, provided that one is under contract during this period and further provided that such leave is approved in writing by the principal of the school for personnel under his/her supervision and by the Superintendent of Schools, or such person as may be designated. School is construed to be in session starting with the first day of the 180 day school term for students in the fall and ending with the last day the students are required to be in school in the spring. Professional leave for such personnel not under the supervision of a principal shall be approved by the Superintendent of Schools or designee.

Professional leave will not be granted to persons who are employed for less than twelve months to attend summer school during the period of services which exceeds the regular ten-month period served by teachers. No substitute will be approved for a person whose first day of absence for summer school is the day following the end of the students' term of school in the spring, or for a person whose last day of absence is prior to the first day of the students' 180-day term of school.

~~In order to encourage employees' participation in government and other civic affairs, an employee elected to serve in the state legislature or in any other local, state or national elected office will receive professional leave with pay when engaged in official meetings of the elected body.~~

We recognize the importance of employees who voluntarily participate in government and other civic affairs. Accordingly, employees who are elected to public office may apply for professional leave without pay. Employees serving in an elected position on August 21, 2002 and receiving professional leave with pay when engaged in official meetings of the elected body, may continue to receive said leave for the remainder of their current term in office, but not thereafter.

Revised