

Dr. Dawn M. Baglos, Chief Human Capital Officer
Office of Human Capital Management

SUBJECT: **FINAL READING: PROPOSED AMENDMENT OF SCHOOL BOARD POLICY 1120.01, *MANAGERIAL EXEMPT PERSONNEL***

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

LINK TO STRATEGIC PLAN: **HIGHLY EFFECTIVE TEACHERS, LEADERS AND STAFF**

This item is submitted for consideration by the Board to amend the *Manual of Procedures for Managerial Exempt Personnel*, which is incorporated by reference in Board Policy 1120.01, *Managerial Exempt Personnel*. Section A, *Classification System*, Section B, *Compensation System*, Section C, *Professional Rights*, Section D, *Professionalization*, and Section E, *Employee Benefits*, are recommended for amendment to update outdated information and language to conform with established District practices. These revisions are needed to remain effective and align with the mission and goals of the District.

The policy amendments were drafted in collaboration with and reviewed by the Superintendent, Office of the General Counsel, and District staff. The Notice of Intended Action and policy are attached.

The Notice of Intended Action was published in the *Miami Daily Business Review* on April 25, 2023, and posted in various places for public information and mailed to various organizations representing persons affected by the adopted and amended Board policies and individuals requesting notification. The time to request a hearing or protest the adoption and amendment of the policy has elapsed.

Authorization of the Board is requested for the Superintendent to adopt rulemaking proceedings in accordance with the Florida Administrative Procedure Act for the amendment of the [*Manual of Procedures for Managerial Exempt Personnel*](#), which is incorporated by reference in Board Policy 1120.01, *Managerial Exempt Personnel*.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, adopt the proposed amendments and authorize the Superintendent to file the amended Policy with The School Board of Miami-Dade County, Florida, to be effective immediately.

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on April 19, 2023, its intention to amend Board Policy 1120.01, *Managerial Exempt Personnel*, and the document, *Manual of Procedures for Managerial Exempt Personnel*, which is incorporated by reference and is a part of this policy, at its meeting of June 21, 2023.

PURPOSE AND EFFECT: To amend the document, *Manual of Procedures for Managerial Exempt Personnel*, by amending Section A, *Classification System*, Section B, *Compensation System*, Section C, *Professional Rights*, Section D, *Professionalization*, and Section E, *Employee Benefits* to update outdated information.

SUMMARY: Board Policy 1120.01, *Managerial Exempt Personnel*, and the document, *Manual of Procedures for Managerial Exempt Personnel*, delineate procedures for managerial exempt personnel, including employment policies, guidelines, and provisions for classification, compensation, and performance appraisal. These amendments update outdated information and align with established District practices.

SPECIFIC LEGAL AUTHORITY UNDER WHICH POLICYMAKING IS AUTHORIZED: 1001.41(1)(2), F.S.

LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC: 1001.42(5); 1001.43(11); 1001.51(7); 1012.01(3)(7); 1012.22; 1012.27, F.S.

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING OF June 21, 2023, 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, May 16, 2023, 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 POLICY is available, at cost, to the public for inspection and copying in the Citizen Information Center, Room 102, 1450 N. E. Second Avenue, Miami, Florida 33132.



Book	Policy Manual
Section	1000 Administration
Title	MANAGERIAL EXEMPT PERSONNEL
Code	po1120.01
Status	Active
Adopted	May 11, 2011

1120.01 - **MANAGERIAL EXEMPT PERSONNEL**

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 policy.

Manual of Procedures for Managerial Exempt Personnel (MEP)

The wages, benefits, and terms and conditions of employment of the District's managerial exempt employees are found in the Manual of Procedures for Managerial Exempt Personnel (MEP), incorporated by reference.

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.

Amendments

- A. The Superintendent shall prepare proposed amendments and forward them 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.

