

Office of Professional Standards

Procedures Manual

2013-2014



MIAMI-DADE COUNTY PUBLIC SCHOOLS

**OFFICE OF PROFESSIONAL STANDARDS
PROCEDURES MANUAL**

2013 – 2014



**Guidelines for Implementation of School Board Policies and
Provisions of Collective Bargaining Agreements**

**The School Board
of
Miami-Dade County, Florida**

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Administrative Director

<http://www.dadeschools.net>

INTRODUCTION



Miami-Dade County Public Schools
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Office of Professional Standards
ops.dadeschools.net

INTRODUCTION

Vision

We are committed to ensure that high performance standards are promoted, monitored, and maintained for all Miami-Dade County Public Schools employees and to do so in the spirit of equity and in compliance with due process.

Mission:

We direct employment actions to maintain and promote ethical performance standards in accordance with School Board policy, contractual stipulations, state and federal statutes, and competent practice, in concert with the District Strategic Plan.

Core Values

Excellence

We pursue and promote the highest performance standards for all employees.

Integrity

We approach employment actions exercising fairness while respecting the worth and dignity of all personnel.

Equity

We impartially direct procedures related to employment standards and disciplinary action for all district employees.

Core Activities

- Implement applicable personnel policies and procedures as set by the School Board.
- Direct procedures related to employment standards and disciplinary action for all District employees.
- Monitor District audit and investigative issues pertaining to personnel employment standards.
- Direct employee fitness-for-duty actions.
- Direct employee compliance actions relative to Drug-Free Workplace requirements, the Omnibus Transportation Employee Testing Act.
- Serve as District liaison with School Board Attorneys' Office regarding employment actions relative to non-instructional personnel.
- Serve as District liaison with School Board attorneys and attorneys from the Department of Education regarding employment and licensing issues relative to instructional personnel and instructional administrators.
- Collect and analyze data concerning all Office of Professional Standards functions, prepare reports, and implement recommendations resulting from the data.
- Process re-fingerprinting cases.

Staff Contact Information

Region Assignments		
Region Office	Instructional	Non-Instructional
North	Ms. Helen R. Pina	Ms. DanySu F. Pritchett
Central	Dr. Jimmie L. Brown	Ms. Helen R. Pina
South	Ms. Anne-Marie DuBoulay	Ms. Carmen G. Gutierrez
Education Transformation and Performance	Ms. Joyce M. Castro Ms. Carmen G. Gutierrez	Ms. Joyce M. Castro Ms. Carmen G. Gutierrez

District Department Assignments		
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Adult Education, Alternative Outreach, and Juvenile Justice Center	Ms. Anne-Marie DuBoulay	Ms. Anne-Marie DuBoulay
District	Ms. DanySu F. Pritchett	Ms. DanySu F. Pritchett
Maintenance	N/A	Ms. DanySu F. Pritchett
Materials Management (MMM)	N/A	Ms. DanySu F. Pritchett
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District Compliance Programs	
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To the Users of this Manual:

The format of the Professional Standards Manual has been revised for ready access to the forms and procedures contained within the manual. This manual is now divided into 16 sections as follows:

- I. TIMELINES, RULES AND POLICIES**
- II. REPORTING INCIDENTS**
- III. ADMINISTRATIVE REVIEW (AR)**
- IV. CIVILIAN INVESTIGATIVE UNIT (CIU)**
- V. PRELIMINARY PERSONNEL INVESTIGATION (PI)**
- VI. CIVIL RIGHTS COMPLIANCE (CRC)**
- VII. RECORDS CHECK (RC)**
- VIII. CONFERENCE-FOR-THE-RECORD (CFR)**
- IX. MEP - MANAGERIAL EXEMPT PERSONNEL SCHOOL SITE/NON-SCHOOL SITE**
- X. DCSAA - DADE COUNTY SCHOOL ADMINISTRATORS' ASSOCIATION**
- XI. INSTRUCTIONAL PERSONNEL - PERFORMANCE IMPROVEMENT**
- XII. OFFICE EMPLOYEE PERSONNEL PERFORMANCE IMPROVEMENT AND EXEMPT/CONFIDENTIAL PERSONNEL REQUIRED EVALUATION**
- XIII. REAPPOINTMENT/NON-REAPPOINTMENT ACTIONS**
- XIV. OTHER PERSONNEL CONCERNS**
- XV. DRUG-FREE WORKPLACE PROCEDURES**
- XVI. FEDERAL REGULATIONS**
- Appendix A. CONTRACT DUE PROCESS MATRIX**
- Appendix B. PROCEDURES FOR RESIGNATIONS AND TRANSFERS**
- Appendix C. NOTIFICATION OF INCIDENT FORM**

Please remember that some forms in this manual are for your reference only and are not to be duplicated, filled in, and/or disseminated in the sample format provided.

The Office of Professional Standards (OPS) staff wishes you a successful experience with personnel procedures and looks forward to personally assist you in your efforts to promote employee performance standards and compliance with Miami-Dade County Public Schools Policies.

TABLE OF CONTENTS

I. <u>Timelines, Rules and Policies</u>	
Assessment Timelines – Recommended Calendar for Site Supervisors	I-2
Regional Center/District Standards Review Meetings	I-3
Faculty/Staff Handbooks	I-4
Criteria for Suspension and Dismissal – State Board Rule 6A-5.056.....	I-5
The Code of Ethics and the Principles of Professional Conduct	I-6
Pertinent School Board Policies	I-9
How to Use Common Sense and Professional Judgment	I-11
Common Sense Suggestions for Non-Instructional Personnel	I-13
Preservation & Protection of the Right to Keep & Bear Arms in Motor Vehicles Act of 2008....	1-14
II. <u>Reporting Incidents</u>	
Reporting Incidents	II-2
III. <u>Administrative Review</u>	
Administrative Review	III-2
Administrative Review Site Disposition (Sample from OPS to Worksite)	III-4
Administrative Review Investigative Report (Template from Worksite to OPS).....	III-7
Student Statement (Sample Site Form).....	III-9
Employee Statement (Sample Site Form)	III-10
Administrative Review Site Disposition (Probable Cause) (Template from Worksite to OPS)..	III-11
Administrative Review Site Disposition (No Probable Cause) (Template from Worksite to OPS).....	III-13
Administrative Review Site Disposition - Temporary Instructors (Sample from OPS to Worksite)	III-14
Administrative Review Investigative Report - Temporary Instructors (Template from Worksite to OPS)	III-16
IV. <u>Civilian Investigative Unit (CIU)</u>	
Civilian Investigative Unit (CIU)	IV-3
CIU Personnel Investigation Site Disposition (Sample from OPS to Worksite)	IV-5
CIU Personnel Investigation Site Disposition (Probable Cause) (Template from Worksite to OPS)	IV-7
CIU Personnel Investigation Site Disposition (No Probable Cause) (Template from OPS to Worksite)	IV-10
CIU Personnel Investigation Site Disposition (No Probable Cause) (Template from Worksite to OPS)	IV-11
V. <u>Preliminary Personnel Investigation</u>	
Preliminary Personnel Investigation	V-2
Preliminary Personnel Investigation (Probable Cause) (Template from OPS to Worksite)	V-3
Preliminary Personnel Investigation Site Disposition (Probable Cause) (Template from Worksite to OPS)	V-5
Preliminary Personnel Investigation Site Disposition (No Probable Cause) (Template from OPS to Worksite)	V-8
Preliminary Personnel Investigation Site Disposition (No Probable Cause) (Template from Worksite to OPS)	V-9
VI. <u>Civil Rights Compliance (CRC)</u>	
Civil Rights Compliance (CRC)	VI-2
CRC Site Disposition (Sample from OPS to Worksite)	VI-3
CRC Investigative Report (Probable Cause) (Template from Worksite to OPS)	VI-5

VII. <u>Records Check</u>	
Records Check	VII-2
Records Check (Sample from OPS to Worksite)	VII-3
Records Check Site Disposition (Template from Worksite to OPS)	VII-5
VIII. <u>Conference-for-the-Record</u>	
Conference-for-the-Record	VIII-2
Conference-for-the-Record Procedures Checklist	VIII-3
Conference-for-the-Record Notification (Template Site Form).....	VIII-4
Conference-for-the-Record Notification (Sample Site Form-Administrator)	VIII-5
Conference-for-the-Record Notification (Sample Site Form-Instructional)	VIII-6
Conference-for-the-Record Notification (Sample Site Form-Non-Instructional).....	VIII-7
Procedures for Written Summary of Conference-for-the-Record	VIII-8
Summary of Conference-for-the-Record (Template Site Form)	VIII-9
Reprimand (Sample Site Form).....	VIII-14
Mid-Year/End of Year Conference-for-the-Record Outline for C.C. Teachers.....	VIII-15
Mid-Year/End of Year Conference-for-the-Record Summary for C.C. Teacher Template Site Form).....	VIII-16
Conference-for-the-Record Employees on Leave or Absent	VIII-19
Disciplinary Action Post OPS Conference	VIII-20
IX. <u>MEP-Managerial Exempt Personnel School Site/Non-School Site</u>	
Professional Rights-Probationary Period	IX-2
Due Process.....	IX-2
Conference-for-the-Record	IX-2
Appeal/Hearing Rights	IX-2
Complaints.....	IX-3
Below Expectations on Performance Standards.....	IX-4
Required Forms and Timelines	IX-4
Evaluation Phase	IX-6
X. <u>DCSAA-Dade County School Administrators' Association</u>	
Evaluation Procedures	X-2
Unacceptable Performance	X-2
Required Actions-Planning Phase	X-2
Required Actions-Progress Phase.....	X-3
Evaluation Phase	X-4
Required Forms and Timelines	X-5
Progress Phase.....	X-6
Evaluation Phase.....	X-7
Professional and Technical Personnel Professional Improvement Plan (Sample).....	X-8
XI. <u>Instructional Personnel – Performance Improvement</u>	
Improving Professional Performance.....	XI- 2
90-Calendar Day Performance Probation Calendar for 2013-2014	XI-11
Conference-for-the-Record Notice (90-Calendar Day Performance Probation)	XI-12
Conference-for-the-Record Summary (90-Calendar Day Performance Probation).....	XI-13
Notice of Conference-for-the-Record Issuance of an Improvement Plan (IP) For Continuing Contract Teachers	XI-14
Conference-for-the-Record Summary/Improvement Plan for C.C. Teachers.....	XI-15
90-Calendar Day Performance Probation Employee Recommendation for Employment Contract Termination Template From Worksite to Region	XI-16
90-Calendar Day Performance Probation Checklist For Principals.....	XI-17
90-Calendar Day Performance Probation Employee Recommendation for Employment Contract Continuation/Termination.....	XI-19
End of Year Guidelines for 10-Month Personnel (Instructional and SSRP Personnel).....	XI-20
Annual Observation Schedule (Official Form)	XI-21
XII. <u>Office Employee Personnel Improvement and Exempt/Confidential Personnel Required Evaluation</u>	
Office Employee Personnel Evaluation Procedures	XII-2

Interpretive Guide – Evaluation of Office Personnel (UTD)	XII-4
Evaluation of Office Personnel (Official Form).....	XII-7
Record of Observed Deficiencies/Prescription for Performance Improvement (Office Personnel)	XII-8
Exempt/Confidential Personnel Required Evaluation	XII-10

XIII. Reappointment/Non-Reappointment Actions

Non-Reappointment Actions	XIII-2
Non-Reappointment Actions Based on Performance	XIII-2
Non-Reappointment Actions Based on Investigative Issues.....	XIII-3
Certification.....	XIII-3
Review of Documentation	XIII-3
Employees Subject to the Reappointment/Non-Reappointment Process	XIII-4
Reappointment Recommendation Form.....	XIII-5

XIV. Other Personnel Concerns

Other Concerns Impacting Employee Performance	XIV-2
Absence from Worksite Directives (Template)	XIV-3
Employment Intention – Excessive Absences (Template).....	XIV-4
Supervisory Referral to the EAP (Template)	XIV-5
Employee Assistance Program (EAP) Suggestions	XIV-6
Due Process Suggestions for Employees	XIV-7
Family and Medical Leave Act of 1993 (FMLA).....	XIV-9
Request for Fitness-for-Duty Template.....	XIV-11
Guidelines for Temporary Instructors	XIV-12
Refingerprinting.....	XIV-13
Disposition of Refingerprinting (Template from OPS to Worksite)	XIV-14
Refingerprinting Site Disposition (Template from Worksite to OPS).....	XIV-16

XV. Drug-Free Workplace Procedures

Drug-Free Workplace	XV-2
General Supervisory Procedures	XV-6
General Drug Testing Effective Practices.....	XV-7

XVI. Federal Regulations

Americans with Disabilities Act (ADA)	XVI-2
Occupational Safety and Health Administration (OSHA)	XVI-2
Civil Rights Compliance (CRC)	XVI-2
Family Medical Leave Act (FMLA).....	XVI-2
Omnibus Transportation Employee Testing Act	XVI-3

Appendix A

Contract Due Process Matrix	A-3
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Appendix B

Procedures for Resignations and Transfer	B-3
Letter of Resignation.....	B-4

Appendix C

Notification of Incident Form.....	C-3
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Appendix D

Alternate Assignment Guidelines.....	D-2
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I.

TIMELINES, RULES AND POLICIES

**ASSESSMENT TIMELINES
RECOMMENDED CALENDAR FOR SITE SUPERVISORS
2013-2014**

DATES – 2013	ACTIVITIES
August 15-16	<ul style="list-style-type: none"> • REVIEW <i>IPEGS</i> with instructional staff. • REVIEW staff handbook of applicable performance policies. • REVIEW M-DCPS' 90-Calendar Day Performance Probation Checklist for Annual Contract and Professional Service Contract instructional employees
AUGUST 30	COMPLETE <u>Annual Observation Schedule</u> for submission to Region Center
SEPTEMBER 15	DEADLINE FOR PLANNING PHASE FOR DCSAA EMPLOYEES (ARTICLE VIII, DCSAA)
OCTOBER 24	COMPLETE OBSERVATIONS FOR: <ol style="list-style-type: none"> 1. TEACHERS ON PROFESSIONAL IMPROVEMENT PLAN (IP) 2012-2013 ANNUAL EVALUATIONS 2. New (Probationary Contract Status) teachers, instructional support personnel, and student services personnel new to M-DCPS and/or new to the school/work location with post-observation meeting.
SEPTEMBER 30	DEADLINE FOR PLANNING CONFERENCE(S) TO BE HELD BETWEEN APPRAISER AND APPRAISEE (SECTION C MEP)
December 10	CONDUCT mid-year conferences-for-the-record for instructional personnel who have been issued a continuing contract and have been issued an IP.
December 10	CONDUCT mid-year conferences-for-the-record and interim evaluations for clerical personnel in prescriptive mode and for any employees who may be non-reappointed.
NEW YEAR 2014	
DATES – 2014	ACTIVITIES
JANUARY 30	DEADLINE FOR PROGRESS FORM (INTERVENTION STATUS/ PIP IF NECESSARY) FOR MEP AND DCSAA ADMINISTRATORS ANY DCSAA EMPLOYEE WHOSE OFFICIAL PERFORMANCE RATING IS UNACCEPTABLE, SHALL BE NOTIFIED OF THE POSSIBLE RECOMMENDATION FOR NON-REAPPOINTMENT IF UNSATISFACTORY PERFORMANCE CONTINUES (APPENDIX C, DCSAA).
March 15	COMPLETE evaluation form for continuing contract and probationary administrators recommended for non-reappointment (Sections C and D, MEP)
March 20	Second observation of probationary contract personnel with post observation meeting; Observation of annual contract, professional service contract and continuing contract teachers with post-observation meeting.
April 1	Notice of "good and sufficient" reasons to continuing contract employees under FS 1012-33(4)(b) and preparation of recommendation for forwarding to School Board.
April 7-11	Supervisors meet with employees to notify them of either provisional reappointment or non-reappointment. Supervisors fill out Reappointment Recommendation notices FM-6581.
April 15	Progress form completed and filed in OPS for DCSAA Administrators being recommended for non-reappointment who have been on a professional improvement plan.
April 14	SUBMIT recommendations for non-reappointment of eligible employees, including administrators, with support documentation to Region/District Offices and Office of Professional Standards. (DCSAA-Progress Form completed; evaluation/Progress Form completed)
May 30	COMPLETE ALL SUMMATIVE EVALUATION MEETINGS FOR K-12 INSTRUCTIONAL PERSONNEL
July 24	COMPLETE ALL SUMMATIVE EVALUATION MEETINGS FOR INSTRUCTIONAL PERSONNEL ASSIGNED TO ADULT/VOCATIONAL EDUCATION
JUNE 30	COMPLETE AND FILE EVALUATION FORMS FOR ALL MEP, DCSAA ADMINISTRATORS, AND CONFIDENTIAL EXEMPT PERSONNEL

***NOTE: TRANSMIT COPIES OF THE SUMMATIVE PERFORMANCE EVALUATION OF INSTRUCTIONAL STAFF INDICATING BELOW STANDARDS AND UTD OFFICE STAFF INDICATING UNSATISFACTORY WITH SUPPORT DOCUMENTATION TO REGION OFFICE AND OFFICE OF PROFESSIONAL STANDARDS (OPS).**

NOTIFY OPS OF SUMMATIVE PERFORMANCE EVALUATION WITHHELD PENDING DETERMINATION OF AN INVESTIGATIVE ISSUE OR PERFORMANCE CONCERN.

2013-2014 SCHEDULE

NORTH

8:30 a.m. to 4:30 p.m.

W/9-4-13	F/10-4-13	R/11-7-13	F/12-13-13	T/1-7-14	F/2-14-14	W/3-19-14	T/4-15-14	F/5-9-14
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CENTRAL

8:30 a.m. to 4:30 p.m.

M/9-9-13	T/10-8-13	W/11-6-13	T/12-10-13	M/1-6-14	M/2-3-14	R/3-20-14	M/4-14-14	T/5-13-14
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SOUTH

8:30 a.m. to 4:30 p.m.

M/9-16-13	F/10-11-13	W/11-20-13	W/12-18-13	F/1-10-14	W/2-12-14	F/3-14-14	R/4-17-14	F/5-16-14
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ETO

8:30 a.m. to 4:30 p.m.

F/9-6-13	M/10-7-13	R/11-7-13	M/12-9-13	R/1-16-14	F/2-7-14	R/3-20-14	F/4-18-14	R/5-22-14
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Transportation

1:00 p.m. to 4:00 p.m.

R/9-12-13	R/10-10-13	W/11-13-13	R/12-12-13	R/1-9-14	R/2-13-14	R/3-20-14	W/4-16-14	R/5-15-14
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All OPS review meetings will take place at the designated Region Offices unless otherwise specified. District Office meetings are scheduled in OPS.

District Case Managers:

Administrators (All)	Ana M. Rasco (AMR)
Building Operations (District Cases/ Non-administrators)	DanySu F. Pritchett (DFP)
Adult Education, Alternative Outreach, and Juvenile Justice Center	Anne-Marie DuBoulay (AMD)
School Police (All)	Joyce M. Castro (JMC)
Maintenance/Materials Management	DanySu F. Pritchett (DFP)
Transportation/Vehicle Maintenance	Jimmie L. Brown (JLB)

Region Case Managers:

	North	Central	South	ETO
Instructional Cases	HRP	JLB	AMD	JMC/CGG
Non-Instructional	DFP	HRP	CGG	JMC/CGG

FACULTY/STAFF HANDBOOKS

District policies and procedures included in faculty/staff handbooks greatly assist in meeting District requirements for notifying employees of expectations, standards, rules, policies, and procedures. An employee handbook must be provided to all employees, including non-instructional staff, part-time/hourly, and half-day employees, whether employed in a school site or other work location.

Region Offices have compiled pertinent documents and information that make up the framework for the district-wide Electronic Staff Reference Guide which is available online at www.dadeschools.net/ehandbook/staffhandbook/index.htm. Site supervisors should add additional information to the framework to personalize the handbook for individual sites. Employees must sign and date a memorandum indicating receipt of the document.

A sample of the memorandum to be signed by the employee is included within the Electronic Staff Reference Guide.

In litigation, the judges expect an employer to **prove** that each employee was properly **notified** regarding job expectations. This burden of proof is established both by **receipt signature** and **specific records** reflecting that selected topics were further explained and reviewed with ALL faculty and staff. e.g., agendas, meeting sign-in sheets.

Therefore, it is incumbent upon every site supervisor to ensure that **ALL personnel have received the information compiled in the staff Reference Guide and that the information has been thoroughly reviewed with ALL employees by the site supervisor**. Questions regarding required inclusions or citations in faculty handbooks should be referred to appropriate Region/District Offices.

CRITERIA FOR SUSPENSION AND DISMISSAL OF INSTRUCTIONAL EMPLOYEES
STATE BOARD RULE 6A-5.056

“Just cause” means cause that is legally sufficient. Each of the charges upon which just cause for a dismissal action against specified school personnel may be pursued are set forth in Sections 1012.33 and 1012.335, F.S. In fulfillment of these laws, the basis for each such charge is hereby defined:

- (1) “Immorality” means conduct that is inconsistent with the standards of public conscience and good morals. It is conduct that brings the individual concerned or the education profession into public disgrace or disrespect and impairs the individual’s service in the community.
- (2) “Misconduct in Office” means one or more of the following:
 - (a) A violation of the Code of Ethics of the Education Profession in Florida as adopted in Rule 6B-1.001, F.A.C.;
 - (b) A violation of the Principles of Professional Conduct for the Education Profession in Florida as adopted in Rule 6B-1.006, F.A.C.;
 - (c) A violation of the adopted school board rules;
 - (d) Behavior that disrupts the student’s learning environment; or
 - (e) Behavior that reduces the teacher’s ability or his or her colleagues’ ability to effectively perform duties.
- (3) “Incompetency” means the inability, failure or lack of fitness to discharge the required duty as a result of inefficiency or incapacity.
 - (a) “Inefficiency” means one or more of the following:
 1. Failure to perform duties prescribed by law;
 2. Failure to communicate appropriately with and relate to students;
 3. Failure to communicate appropriately with and relate to colleagues, administrators, subordinates, or parents;
 4. Disorganization of his or her classroom to such an extent that the health, safety or welfare of the students is diminished; or
 5. Excessive absences or tardiness.
 - (b) “Incapacity” means one or more of the following:
 1. Lack of emotional stability;
 2. Lack of adequate physical ability;
 3. Lack of general educational background; or
 4. Lack of adequate command of his or her area of specialization.
- (4) “Gross insubordination” means the intentional refusal to obey a direct order, reasonable in nature, and given by and with proper authority; misfeasance, or malfeasance as to involve failure in the performance of the required duties.
- (5) “Willful neglect of duty” means intentional or reckless failure to carry out required duties.
- (6) “Drunkenness” applies only to persons who hold a contract issued on or before July 1, 1984, and means:
 - (a) That condition which exists when an individual publicly is under the influence of alcoholic beverages or drugs to such an extent that his or her normal faculties are impaired; or
 - (b) Conviction on the charge related to drunkenness by a court of law.
- (7) Multiple annual performance ratings of unsatisfactory or needs improvement as specified in Section 1012.33(1)(a), F.S.
- (8) “Crimes involving moral turpitude” means offenses listed in Section 1012.315, F.S., and the following crimes:
 - (a) Section 775.085, F.S., relating to evidencing prejudice while committing offense, if reclassified as a felony.
 - (b) Section 782.051, F.S., relating to attempted felony murder.
 - (c) Section 782.09(1), F.S., relating to killing of unborn quick child by injury to mother.
 - (d) Section 787.06, F.S., relating to human trafficking.
 - (e) Section 790.166, F.S., relating to weapons of mass destruction.
 - (f) Section 838.015, F.S., relating to bribery.
 - (g) Section 847.0135, F.S., relating to computer pornography and/or traveling to meet a minor.
 - (h) Section 859.01, F.S., relating to poisoning of food or water.
 - (i) Section 876.32, F.S., relating to treason.
 - (j) An out-of-state offense, federal offense or an offense in another nation, which, if committed in this state, constitutes an offense prohibited under Section 1012.315(6), F.S.

THE CODE OF ETHICS AND THE PRINCIPLES OF PROFESSIONAL CONDUCT OF THE EDUCATION PROFESSION IN FLORIDA

State Board of Education Rule 6B-1.001, FAC The Code of Ethics of the Education Profession in Florida

- (1) The educator values the worth and dignity of every person, the pursuit of truth, devotion to excellence, acquisition of knowledge, and the nurture of democratic citizenship. Essential to the achievement of these standards are the freedom to learn and to teach and the guarantee of equal opportunity for all.
- (2) The educator's primary professional concern will always be for the student and for the development of the student's potential. The educator will therefore strive for professional growth and will seek to exercise the best professional judgment and integrity.
- (3) Aware of the importance of maintaining the respect and confidence of one's colleagues, of students, of parents, and of other members of the community, the educator strives to achieve and sustain the highest degree of ethical conduct.

State Board of Education Rule 6B-1.006, FAC The Principles of Professional Conduct of the Education Profession in Florida

- (1) The following disciplinary rule shall constitute the Principles of Professional Conduct for the Education Profession in Florida.
- (2) Violation of any of these principles shall subject the individual to revocation or suspension of the individual educator's certificate, or the other penalties as provided by law.
- (3) Obligation to the student requires that the individual:
 - (a) Shall make reasonable effort to protect the student from conditions harmful to learning and/or to the student's mental and/or physical health and/or safety.
 - (b) Shall not unreasonably restrain a student from independent action in pursuit of learning.
 - (c) Shall not unreasonably deny a student access to diverse points of view.
 - (d) Shall not intentionally suppress or distort subject matter relevant to a student's academic program.
 - (e) Shall not intentionally expose a student to unnecessary embarrassment or disparagement.
 - (f) Shall not intentionally violate or deny a student's legal rights.
 - (g) Shall not harass or discriminate against any student on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition, sexual orientation, or social and family background and shall make reasonable effort to assure that each student is protected from harassment or discrimination.

- (h) Shall not exploit a relationship with a student for personal gain or advantage.
 - (i) Shall keep in confidence personally identifiable information obtained in the course of professional services, unless disclosure serves professional purposes or is required by law.
- (4) Obligation to the public requires that the individual:
- (a) Shall take reasonable precautions to distinguish between personal views and those of any educational institution or organization with which the individual is affiliated.
 - (a) Shall not intentionally distort or misrepresent facts concerning an educational matter in direct or indirect public expression.
 - (b) Shall not use institutional privileges for personal gain or advantage.
 - (c) Shall accept no gratuity, gift, or favor that might influence professional judgment.
 - (d) Shall offer no gratuity, gift, or favor to obtain special advantages.
- (5) Obligation to the profession of education requires that the individual:
- (a) Shall maintain honesty in all professional dealings.
 - (a) Shall not on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition if otherwise qualified, or social and family background, deny to a colleague professional benefits or advantages or participation in any professional organization.
 - (b) Shall not interfere with a colleague's exercise of political or civil rights and responsibilities.
 - (c) Shall not engage in harassment or discriminatory conduct which unreasonably interferes with an individual's performance of professional or work responsibilities or with the orderly processes of education or which creates a hostile, intimidating, abusive, offensive, or oppressive environment; and, further, shall make reasonable effort to assure that each individual is protected from such harassment or discrimination.
 - (d) Shall not make malicious or intentionally false statements about a colleague.
 - (e) Shall not use coercive means or promise special treatment to influence professional judgment of colleagues.
 - (f) Shall not misrepresent one's own professional qualifications.
 - (g) Shall not submit fraudulent information on any document in connection with professional activities.
 - (h) Shall not make any fraudulent statement or fail to disclose a material fact in one's own or another's application for a professional position.

- (i) Shall not withhold information regarding a position from an applicant or misrepresent an assignment or conditions of employment.
- (j) Shall provide upon the request of the certificated individual, a written statement of specific reason for recommendations that lead to the denial of increments, significant changes in employment, or termination of employment.
- (k) Shall not assist entry into or continuance in the profession of any person known to be unqualified in accordance with these Principles of Professional Conduct for the Education Profession in Florida and other applicable Florida Statutes and State Board of Education Rules.
- (l) Shall self-report within 48 hours to appropriate authorities (as determined by district) any arrests/charges involving the abuse of a child or the sale and/or possession of a controlled substance. Such notice shall not be considered an admission of guilt nor shall such notice be admissible for any purpose in any proceeding, civil or criminal, administrative or judicial, investigatory or adjudicatory. In addition, shall self-report any conviction, finding of guilt, withholding of adjudication, commitment to a pretrial diversion program, or entering of a plea of guilty or Nolo Contendere for any criminal offense other than a minor traffic violation within 48 hours after the final judgment. When handling sealed and expunged records disclosed under this rule, school districts shall comply with the confidentiality provisions of Sections 943.0585(4)(c) and 943.059(4)(c), Florida Statutes.
- (m) Shall report to appropriate authorities any known allegation of a violation of the Florida School Code or State Board of Education Rules as defined in Section 231.28(1), Florida Statutes.
- (n) Shall seek no reprisal against any individual who has reported any allegation of a violation of the Florida School Code or State Board of Education Rules as defined in Section 231.28(1), Florida Statutes.
- (o) Shall comply with the conditions of an order of the Education Practices Commission imposing probation, imposing a fine, or restricting the authorized scope of practice.
- (p) Shall, as the supervising administrator, cooperate with the Education Practices Commission in monitoring the probation of a subordinate.

PERTINENT SCHOOL BOARD POLICIES

The following is a list of School Board Policies that are pertinent when dealing with personnel issues:

ADMINISTRATION

ANTI-DISCRIMINATION/HARASSMENT: COMPLAINT PROCEDURES	1362.02
ANTI-DISCRIMINATION/HARASSMENT	1362
CODE OF ETHICS	121.01
CONFLICT OF INTEREST	1129
DRUG-FREE WORKPLACE	1124
EDUCATOR MISCONDUCT	1139
EMPLOYEE STANDARDS AND FINGERPRINTING OF ALL EMPLOYEES	1121.01
FMLA LEAVE	1430
LEAVES OF ABSENCE	1430
OUTSIDE ACTIVITIES OF ADMINISTRATORS	1231
POLITICAL ACTIVITIES	1232
STANDARDS OF ETHICAL CONDUCT	1210
STUDENT SUPERVISION AND WELFARE	1213
THREATENING BEHAVIOR TOWARD STAFF MEMBERS	1380
WEAPONS	1217

INSTRUCTIONAL STAFF

ANTI-DISCRIMINATION/HARASSMENT: COMPLAINT PROCEDURES	3362.02
ANTI-DISCRIMINATION/HARASSMENT	3362
CODE OF ETHICS	3210.01
CONFLICT OF INTEREST	3129
DRUG-FREE WORKPLACE	3124
EMPLOYEE STANDARDS AND FINGERPRINTING OF ALL EMPLOYEES	3121.01
FMLA LEAVE	3430.01
LEAVES OF ABSENCE	3430
POLITICAL ACTIVITIES	3232
STANDARDS OF ETHICAL CONDUCT	3210
STUDENT SUPERVISION AND WELFARE	3213
THREATENING BEHAVIOR TOWARD STAFF MEMBERS	3380
WEAPONS	3217

SUPPORT STAFF

ANTI-DISCRIMINATION/HARASSMENT: COMPLAINT PROCEDURES	4362.02
ANTI-DISCRIMINATION/HARASSMENT	4362
CODE OF ETHICS	4210.01
CONFLICT OF INTEREST	4129
DRUG-FREE WORKPLACE	4124
EMPLOYEE STANDARDS AND FINGERPRINTING	4121.01
FMLA LEAVE	4430.01
LEAVES OF ABSENCE	4430
POLITICAL ACTIVITIES	4232
STANDARDS OF ETHICAL CONDUCT	4210
STUDENT SUPERVISION AND WELFARE	4213
THREATENING BEHAVIOR TOWARD STAFF MEMBERS	4380
WEAPONS	4217

**5000 STUDENTS
7000 PROPERTY
8000 OPERATIONS**

CORPORAL PUNISHMENT AND USE OF REASONABLE FORCE	5630
MANDATORY REPORTING OF MISCONDUCT BY CERTIFICATED EMPLOYEES	8141
STAFF ELECTRONIC MAIL	7540.05
STAFF NETWORK AND INTERNET ACCEPTABLE USE AND SAFETY	7540.04
STUDENT ABUSE AND NEGLECT	8462
TRANSPORTATION	8600

Updated copies of these Board Policies are available at www.dadeschools.net/board/rules

HOW TO USE COMMON SENSE AND PROFESSIONAL JUDGMENT TO AVOID LEGAL COMPLICATIONS IN TEACHING

A. Interaction with Students

1. Maintain a professional barrier between you and students. You are the adult, the teacher, and the professional; act like the expert, not like another one of the “kids”.
2. Keep the classroom door open when talking with students.
3. Refer students to the appropriate resource person for counseling and/or discussions about personal matters.
4. Do NOT flirt with students.
5. Do NOT discuss your personal life or personal matters with students. Do NOT discuss your husband, wife, girlfriend, boyfriend, or dates with students.
6. When transporting students, coordinate transportation ahead of time, and use school or mass transportation if possible. If necessary, call a taxi for the student. If you must transport a student in your vehicle, ask a co-worker to accompany you.
7. Avoid leaving your students unsupervised; have an alternate plan of action.
8. Keep your hands and other parts of your body to yourself.
9. Use verbal praise and reinforcement.
10. Know your school policies and district and state laws governing corporal punishment. Miami-Dade School District Policies prohibit corporal punishment. Establish and follow a consistent behavior plan. Treat each student with respect. Know the student’s rights.
11. Chaperone only school-sponsored functions. Do NOT socialize with students. If you chaperone a field trip, put in writing what your responsibilities will be. Do NOT drink alcoholic beverages in front of students. Do NOT take children home with you.
12. Do NOT make telephone calls or write notes of a personal nature to students.
13. Do NOT harass students; respect their differences. What you intend as humor may, in fact, be cultural bias or harassment.

B. Record Keeping and Accounting Procedures

1. Know the laws, school board policies, and school rules, and follow them. Know your rights.
2. Know your school policies and district and state laws regarding collecting money, purchasing materials and equipment, and follow them. Work in pairs when collecting large amounts of money.
3. Establish a policy regarding your grading system consistent with school and district policies, where applicable. Give a written explanation of it to students and parents at the beginning of the year or when they begin your class or unit of instruction.
4. Establish a policy regarding your behavioral management system. Give a written explanation of it to students and parents at the beginning of the year or when they begin your class or unit of instruction.

C. Reputation in the Community

1. Keep your co-workers and supervisors informed; work and communicate as a team; plan and teach together.
2. Communicate with parents and document your communication.
3. Dress and act appropriately and professionally. You are a role model in the community as well as in the school; be a good example for students.
4. Use common sense and good judgment. Ask yourself how someone else could perceive your comments or actions. Ask yourself if your comments or actions could be taken out of context and/or misinterpreted.
5. Avoid putting yourself in a position where you have to defend, explain, or justify your behavior or actions. Avoid putting yourself in a position where it's your word against another person's word.
6. Maintain a professional reputation in the community. When you "party," be discreet.

Source: *Florida Education Practices Commission*

COMMON SENSE SUGGESTIONS FOR NON-INSTRUCTIONAL PERSONNEL

1. Do not discipline, counsel, or touch students. Notify an administrator if you believe a student is misbehaving.
2. Do not flirt with students, staff members, and/or co-workers. Treat all students with respect and dignity.
3. Do not discuss your personal life or personal matters with students, staff members, and/or co-workers.
4. Do not communicate with students via cellular phone, e-mail, chat rooms, social media (Facebook, Twitter, etc.) or any other form of electronic communication.
5. Know and follow your worksite policy regarding reporting absences and tardies.
6. Request vacation days in writing and in advance for approval. Do not call in the morning and expect to be granted vacation leave for that day.
7. Do not conduct personal business during work hours or use the telephones, computers, photocopiers, or facsimile machines for personal use.
8. Be present and on time every day.
9. Be a role model at work and in the community.
10. Dress professionally, appropriately, and modestly. Wear your uniform if your job requires it.
11. Know School Board Policies, especially regarding Drug-Free Workplace, Threatening Behavior Toward Staff Members, Weapons, Corporal Punishment and Use of Reasonable Force, Anti-Discrimination/Harassment, Standards of Ethical Conduct, and Student Supervision and Welfare.
12. Do not argue with co-workers; use of profanity is prohibited by School Board Policy, Standards of Ethical Conduct.
13. Respect your supervisor and follow all instructions given, whether or not you agree with supervisor.
14. Submit an official written request for a leave of absence if you will be absent from the worksite for **more than 30 days**. Appropriate forms may be obtained from the Leave Office at (305) 995-7051.
15. Do not assume your supervisor/principal knows why you are absent for more than three days. Notify him/her in writing of your intentions. It is better to resign than to be terminated from your job for abandonment.
16. Do not become romantically involved with anyone at the workplace.

Preservation and Protection of Right to Keep and Bear Arms in Motor Vehicles Act of 2008

Florida Statute section 790.251 (Preservation and Protection of Right to Keep and Bear Arms in Motor Vehicles Act of 2008), which took effect on July 1, 2008, prohibits public employers from banning legally owned firearms locked inside private motor vehicles in its parking lots. This Act does not apply to school property. By statute, school property is defined as a “preschool, elementary school, middle school, junior high school, secondary school, career center or post secondary school.” The Act also does not apply to vehicles owned or leased, or rented by the public employer.

Accordingly, school district employees are prohibited from bringing firearms or weapons of any kind onto school grounds, including but not limited to, parking lots.

II.

REPORTING INCIDENTS

REPORTING INCIDENTS

The worksite administrator is responsible for immediately reporting an alleged incident that will not be addressed at the worksite to the Incident Reporting Team (IRT) by calling **(305) 995-2677** and by completing an Incident Reporting Form (See A-1, *Personnel Investigative Model, User's Guide*). The form includes information pertinent to the incident such as the date of the incident, a detailed narrative of the incident, and the parties involved. The Incident Reporting Form (IRF) sets the stage for the District to review and respond to the allegation. Administrators must pay special attention when completing this form and provide pertinent and relative information.

Upon completing this form, the administrator must immediately transmit the document **via email** to pimreporting@dadeschools.net, **or Fax** it to (305) 995-4161 so that the form can be reviewed and processed by the IRT. If you do not receive an Incident Information Sheet (Lead Sheet) within five (5) working days, please contact your Region Personnel Director.

The Incident Review Team (IRT) reviews the incident(s) and determines which entity will conduct the investigation into the alleged conduct. The IRT is comprised of representatives from the Office of Professional Standards (OPS), the Civilian Investigative Unit (CIU), the Miami-Dade Schools Police Department (M-DSPD) General Investigative Unit (GIU), the Office of Civil Rights Compliance (CRC), the Office of Human Capital Management (HCR), District/School Operations, and the School Board Attorney's Office. The allegation(s) reviewed by IRT will take one of three investigative tracks:

- General Investigative Unit (GIU) Investigation
- Civilian Investigative Unit (CIU) Investigation
- Administrative Review (AR)

Upon receipt of written confirmation of incidents, it is the responsibility of the worksite administrator to notify the employee verbally (within one business day) and in writing (within two business days), with exceptions noted for Board-approved holidays and weekends. The written notification to the employee must identify the nature of the alleged incident(s). (Refer to Appendix C-3).

The employee must be expeditiously notified unless the alleged incident is one that is not appropriate for an employee to be notified (e.g. theft of School Board property or other illegal activity that may require police surveillance or if notifying the employee may cause an immediate threat of danger to the public, impact the health, safety or welfare of the community or destruction of evidence).

The Personnel Investigative Model (PIM) was approved and adopted by the School Board of Miami-Dade County Florida on November 17, 2004 and updated on May 12, 2010. Refer to the Personnel Investigative Model User's Guide for more detailed information.

III.

ADMINISTRATIVE REVIEW

ADMINISTRATIVE REVIEW

If an Administrative Review (AR) is determined by the Incident Review Team (IRT) to be the appropriate review, the worksite administrator will conduct the investigation. The following administrative actions need to be taken by the site administrator during the investigative phase of the AR:

- **Verbally notify the employee of the incident within one (1) business day of receipt of the Incident Information Sheet.** Direct employee not to discuss the matter with any witnesses, staff, students, parents, or the complaining party to avoid interference with the investigation.
- **Provide written notification of the incident to the employee within (2) business days, and direct the employee not to discuss the matter directly or indirectly with any witness, in order to avoid interference with the investigation.**
- **Interview separately and obtain** written, signed statements individually from the alleged victim and **each** witness. These statements should include who, what, where, when, why, and how. *See pages III-11 and III-12 for samples.*
- **Once all the above-referenced information has been received, carefully review** the statements.
- **Determine if inconsistencies or discrepancies exist that need to be addressed and resolved. Do so as may be appropriate.**
- **Schedule an interview** with the employee to review the information gathered and to obtain his/her version of the incident. This is not a conference-for-the-record, and the employee should be so informed. **It must be noted that, even at this interview, the employee has a right to union representation.**
- **Advise the employee that participating in the Administrative Review is voluntary. Ask the employee to provide a written or verbal statement of what occurred.** Document verbal statements accurately and completely.
- If the employee refuses to **provide a written or verbal statement**, explain that the determination as to the substance of the incident will be based upon the data collected **and without the benefit of their input.**
- Ask the employee to name other relevant witness(es) who he/she would like to have interviewed. Document the responses and interview the witness(es).
- **Review the other** signed statements that have been gathered with the employee. **Copies of these statements will be available as a public record once the investigation is completed.**
- **Review** all the verbal and written statements and make a determination of **Probable Cause** or **No Probable Cause**. **Probable Cause** is defined as based upon an evaluation of **all** the **relevant** evidence; it is more likely than not that the alleged act occurred. **No Probable Cause** is defined as the absence of Probable Cause. **That is, it is not likely that the alleged incident occurred.**
- If you are unable to make a determination or **need assistance, contact** your Region/District Director.

Once all the **information** has been gathered and a **determination** has been reached, the **worksite administrator must document and review the investigative findings and proposed disciplinary action, if appropriate, with designated personnel at the Region/District Office via the Administrative Review Investigative Report.**

After the Region/District Office has thoroughly reviewed the Administrative Review Investigative Report, the worksite administrator must immediately, thereafter, notify the employee of the findings and disciplinary action to be taken, if any.

If there is a finding of No Probable Cause, the employee must be advised and a copy of the Administrative Review Investigative Report should be provided to the employee. If there is a finding of Probable Cause, the employee must be scheduled for a Conference-for-the-Record (CFR) and given two days notice. During the CFR, which is a fact finding process, the findings must be reviewed with the employee. It should be noted that the employee is entitled to union representation during the CFR. If the employee is not a union member, he/she is entitled to up to two representatives, of his/her choosing.

Once the employee has been notified and appropriate disciplinary action has been taken, the completed Administrative Review Investigative Report, along with all supporting and relevant documentation must be submitted to the Region/District Office and, following their review, to the Office of Professional Standards (OPS) within 20 working days of the date of the memorandum, in order to promptly update and close-out the case.

A template of an Administrative Review Investigative Report is included in this section to facilitate this process. See pages III-7 through III-8 for templates.

**TEMPLATE OF ADMINISTRATIVE REVIEW
SITE DISPOSITION FROM OPS TO
WORKSITE**

MEMORANDUM

Date _____

TO: _____, Title
School Site/ Worksite Administrator

FROM: _____, Administrative/District Director
Office of Professional Standards

SUBJECT: ADMINISTRATIVE REVIEW SITE DISPOSITION

CASE: _____

SUBJECT: **VIOLATION OF SCHOOL BOARD POLICY(IES)**

NAME: _____ **EMPLOYEE #** _____

POSITION: _____

LOCATION: _____

The Office of Professional Standards (OPS) seeks to establish a final disposition for the above-indicated administrative review. Because the report references administrative action at the worksite which may be sufficient to bring closure to the issue, your written summary of post-investigative and administrative actions related to the cited case must be reviewed with your Region/District Office and provided to this office.

Investigative Phase:

- **Verbally notify the employee of the allegation within one (1) working day of receipt of the Incident Information Sheet**, and direct employee not to discuss the matter with any witnesses, parents, or the complaining party to avoid interference with the investigation.
- **Provide written notification of the incident to the employee within 48 hours, and direct the employee not to discuss the matter directly or indirectly with any witness in order to avoid interference with the investigation.**
- **Interview separately and obtain** written, signed statements individually from the alleged victim and **each** witness. These statements should include who, what, where, when, why, and how. *See pages III-09 and III-10 for samples.*
- **Once all the above referenced information has been received, carefully review** the statements.
- **Determine if inconsistencies or discrepancies exist and need to be addressed and resolved. Do so as may be appropriate.**
- **Schedule an interview** with the employee to review the information gathered and to obtain his/her version of the incident. This is not a conference-for-the-record, and the employee should be so informed. **It must be noted that, even at this interview, the employee has a right to union representation.**
- **Advise the employee that participating in the Administrative Review is voluntary. Ask the employee to provide a written or verbal statement of what occurred.** Document verbal statements accurately and completely.
- If the employee refuses **to provide a written or verbal statement**, explain that the determination as to the substance of the incident will be based upon the data collected **and without the benefit of their input.**
- Ask the employee to name other relevant witness(es) to the incident. Request

- written statements from additional witness(es).
- Review with the employee the **other** signed statements that have been gathered. **Copies of these statements will be available as a public record once the investigation is completed.**

Once all information has been gathered and a determination has been reached, the worksite administrator MUST document and review the investigative findings with designated personnel at the Region/District Office via the Administrative Review Investigative Report and reach a consensus regarding a Probable Cause or No Probable Cause finding BEFORE PROCEEDING.

Administrative Phase:

Probable Cause

DRAFT CFR Notification, CFR Summary and letter of reprimand (if applicable) as outlined below, and forward to Region/District Director for review PRIOR to providing any documentation to employee

- If the weight of the information gathered tips in favor of establishing the incident, determine a “Probable Cause” finding and the principal/site administrator must issue a **notification of conference-for-the-record as required by the applicable labor contract.** Obtain the employee’s signature and date of receipt.

Hold a **conference-for-the-record** with employee to review the site disposition and issue specific directives as appropriate. (See Section VIII of this manual for procedures, templates, and samples.)

Write a summary of conference-for-the-record; obtain the employee’s signature and date of receipt.

Determine the disposition action taken to include written directive(s) and/or issuance of job expectations/requirements, a letter of reprimand, if applicable, issuance of administrative referral to the District’s support agency; issuance of appropriate School Board Policies, Code of Ethics and Principles of Professional Conduct in the Education Profession, Common Sense Suggestions for Instructional/Non-instructional employees, etc.

No Probable Cause

- If the weight of the information tips against establishing the incident, the charge is **“No Probable Cause”** and the principal/site administrator must hold a **meeting** with the employee to issue the employee a redacted copy of the investigative report

Summary Phase:

- Submit first to the Region/District Office and, following their review, to the Office of Professional Standards, copies of all documents gathered during the Investigative and Administrative Phase. **All administrative reviews MUST include a complete investigative report, notification of CFR (if applicable), summary of CFR (if applicable), all written statements from parties involved, site disposition, and any additional documentation produced throughout this process.**
- Provide an indication of the disposition of the charge: **Probable Cause or No Probable Cause.**

Investigative report; notification of CFR; summary of CFR (if applicable); and Site Disposition forms MUST be used by site administrator to conduct the Administrative Review. Forms are found in this section of the OPS manual.

The administrative review should be forwarded to the Office of Professional Standards within **20** business days from the date of this memorandum.

Attachment – Incident Reporting Form (IRF)

cc: Region/District Superintendent
OPS Administrative Director
Region Administrative Director

(Do not include titles, only names of designated individuals)

**TEMPLATE
ADMINISTRATIVE REVIEW INVESTIGATIVE REPORT
FROM THE WORKSITE TO OPS**

MEMORANDUM

DATE _____

TO: _____, Administrative/District Director
Office of Professional Standards

FROM: _____, Principal/Worksite Supervisor
Work Location _____ Location # _____

SUBJECT: **ADMINISTRATIVE REVIEW INVESTIGATIVE REPORT**
NAME OF SCHOOL/WORK LOCATION
ADDRESS
CITY, STATE, ZIP CODE

EMPLOYEE: NAME OF EMPLOYEE

CASE#: 000039 (SAMPLE)

INCIDENT OCCURRED: DATE OF OCCURRENCE

INCIDENT REVIEWED: State the allegation as recorded on the Incident Reporting Form

This administrator has carefully reviewed all the **statements** obtained throughout this process from the following individuals:

ALLEGED VICTIM: NAME OF VICTIM (STUDENT/ EMPLOYEE) #

WITNESSES: (1) NAME OF WITNESS (STUDENT/EMPLOYEE) #,

(2) NAME OF WITNESS (STUDENT/EMPLOYEE) #,

(Please continue same format for all witnesses)

ALLEGED OFFENDER: (NAME OF EMPLOYEE) # _____

(or)

The alleged offender (NAME OF EMPLOYEE) # _____ did not provide a statement.

CONCLUSION: Based on the statements gathered during the investigative process, it is this administrator's conclusion that there is sufficient/insufficient evidence to support and/or corroborate the aforementioned incident.

The following details derived through the investigative process support this administrator's conclusion: (Use bullets to summarize and support your findings)

Therefore, there is **No Probable Cause/ Probable Cause** to support violation of School Board Policy (ies): * Please refer to the School Board Policy(ies) referenced in the Administrative Review Site Disposition from OPS to worksite.

- 1121.01, 3121.01, or 4121.01, Employment Standards and Fingerprinting
- 1124, 3124, or 4124, Drug-Free Workplace
- 1129, 3129, or 4129, Conflict of Interest
- 1139, 3139, or 4139, Educator Misconduct
- 1210, 3210, or 4210, Standards of Ethical Conduct
- 1210.01, 3210.01, or 4210.01, Code of Ethics
- 1213, 3213, or 4213, Student Supervision and Welfare
- 1217, 3217, or 4217, Weapons
- 1231, Outside Activities of Administrators , 3231, Outside Activities of Staff, 4231, Outside Activities of Support Staff
- 1232, 3232,4232, Political Activities
- 1362, 3362, 4362, Anti-Discrimination/Harassment
- 1362.02, 3362.02, 4362.02, Anti-Discrimination/Harassment Complaint Procedures
- 1380, 3380, 4380, Threatening Behavior Toward Staff Members
- 1430, 3430, 4430, Leaves of Absence
- 5630, Corporal Punishment and Use of Reasonable Force
- 7540.04, Staff Network and Internet Acceptable Use and Safety
- 7540.05, Staff Electronic Mail
- 8600, Transportation
- 8606, Restrictions on Use and Transmission Devices on Board-Owned Vehicles
- 8670, Post Trip Inspections of School Buses

(Other)_____

ALL STATEMENTS ARE ATTACHED

cc: _____, Region/District Superintendent
 _____, OPS Administrative Director
 _____, Region Administrative Director
(Do not include titles, only names of designated individuals)

*** Please note the following regarding School Board Policies: 1000 Administrators; 3000 Instructional Staff; 4000 Support Staff; 5000 Students; 7000 Property; 8000 Operations**

**ADMINISTRATIVE REVIEW
STUDENT STATEMENT FORM**

STUDENT STATEMENT*

DATE _____ M-DCPS Case # _____

MY NAME IS _____ D.O.B. _____

I LIVE AT _____ MY PHONE IS _____

I ATTEND _____ GRADE _____ SECTION _____

MOTHER'S NAME IS _____ FATHER'S NAME IS _____

ON _____ AT ABOUT _____ THIS IS WHAT I SAW HAPPENED:

_____ PRINTED NAME

_____ SIGNATURE

_____ WITNESS PRINTED NAME

_____ WITNESS SIGNATURE

***If the student is not able to write his/her own statement, the administrator, in the presence of the witness signing this document, must write the statement for the student in the student's own words/vocabulary; not the administrator's vocabulary.**

**ADMINISTRATIVE REVIEW
EMPLOYEE STATEMENT FORM**

EMPLOYEE STATEMENT

DATE _____

M-DCPS CASE # _____

NAME _____

EMPLOYEE # _____

ADDRESS OF SCHOOL SITE _____

CITY/STATE/ZIP _____

DATE OF EMPLOYMENT _____

DATE OF BIRTH _____

HOME PHONE _____

WORK LOCATION _____
(Name/Number)

POSITION _____

STATEMENT (BASED ON PERSONAL OBSERVATION): _____

EMPLOYEE PRINTED NAME

EMPLOYEE SIGNATURE

WITNESS PRINTED NAME

WITNESS SIGNATURE

MEMORANDUM

Date _____

TO: _____, Administrative/District Director
Office of Professional Standards

FROM: _____ X (Please be sure to sign.)

SUBJECT: ADMINISTRATIVE REVIEW SITE DISPOSITION (PROBABLE CAUSE)

CASE: 000039

EMPLOYEE # _____

NAME: _____

SUBJECT: VIOLATION OF SCHOOL BOARD POLICY(IES)

POSITION: _____

LOCATION: _____

I. Administrative actions taken relative to the designated case. (Choose from below all that apply.)

- The Region/District office has reviewed this case.
- The case has been determined as **Probable Cause** by the weight of information gathered through the investigation conducted by this administrator.

II. Administrative actions taken at the worksite. (Choose from below all that apply.)

- A meeting was held with the employee on _____ Date(s) _____ to discuss incident.
- A conference-for-the-record notification is completed/signed and is attached.
- A conference-for-the record was held on _____ Date(s) _____.
- A summary of the conference-for-the-record is completed/signed and is attached.
- Investigative findings were discussed with the employee on _____ Date (s) _____.
- Statements from all parties involved are attached.
- The Administrative Review Investigative Report is attached.
- **Verbal warning(s)** was/were issued to employee on _____ Date(s) _____.
- **Specific directives** were issued to employee (only in CFR).
- **Letter of reprimand** was issued to employee (only with CFR). Attached.

III. Action Taken. (Choose from below all that apply.)

- The employee was notified that all investigative data will be transmitted to Professional Practices Services (PPS), Florida Department of Education (FDOE), for review and possible licensure action by the Educational Practices Commission (EPC). (Only applies when it is a certificated employee.)
- School Board Policy 1121.01, 3121.01, or 4121.01, Employment Standards and Fingerprinting was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1124, 3124, or 4124, Drug-Free Workplace was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1129, 3129, or 4129, Conflict of Interest was discussed with the

employee. A copy of this policy was provided to the employee and a directive was issued to comply.

- School Board Policy 1139, 3139, or 4139, Educator Misconduct was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1210, 3210, or 4210, Standards of Ethical Conduct was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1210.01, 3210.01, or 4210.01, Code of Ethics was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1213, 3213, or 4213, Student Supervision and Welfare was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1217, 3217, or 4217, Weapons was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1231, Outside Activities of Administrators, 3231, Outside Activities of Staff or 4231, Outside Activities of Support Staff was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1232, 3232, or 4232, Political Activities was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1362, 3362, or 4362, Anti-Discrimination/Harassment was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1362.02, 3362.02, or 4362.02, Anti-Discrimination/Harassment Complaint Procedures was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1380, 3380, or 4380, Threatening Behavior Toward Staff Members was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1430, 3430, or 4430, Leaves of Absence was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 5630, Corporal Punishment and Use of Reasonable Force was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 7540.04, Staff Network and Internet Acceptable Use and Safety was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 7540.05, Staff Electronic Mail was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 8600, Transportation was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 8606, Restrictions on Use and Transmission Devices on Board-Owned Vehicles was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 8670, Post Trip Inspections of School Buses was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- **How to Use Common Sense and Professional Judgment to Avoid Legal Complications in Teaching**, was discussed with the employee and a copy of this document was given to employee. (for instructional employees only)
- **Common Sense Suggestions for Non-Instructional Personnel** was discussed with the employee and a copy of this document was given to employee and directed to comply.
- State Board of Education Rule 6B-1.001, FAC, and State Board of Education Rule 6B-1.006, FAC, The Code of Ethics and the Principles of Professional Conduct of the Education Profession in Florida were issued and reviewed with the employee.
- The employee was made aware of the District's support referral agency.
- The employee was issued a supervisory referral to the District's support referral agency, and a copy is attached.
- No further action needed at this time.

Thank you for your efforts in this personnel action.

* Please note the following regarding School Board Policies: 1000 Administrators; 3000 Instructional Staff; 4000 Support Staff; 5000 Students; 7000 Property; 8000 Operations

**TEMPLATE
ADMINISTRATIVE REVIEW SITE DISPOSITION FROM
WORKSITE TO OPS (NO PROBABLE CAUSE)**

MEMORANDUM

Date _____

TO: _____, Administrative/District Director
Office of Professional Standards

FROM: _____ X (Please be sure to sign.)

SUBJECT: ADMINISTRATIVE REVIEW SITE DISPOSITION (NO PROBABLE CAUSE)

CASE: 000039 _____

EMPLOYEE # _____

NAME: _____

SUBJECT: VIOLATION OF SCHOOL BOARD POLICY(IES)

POSITION: _____

LOCATION: _____

The case has been determined as **No Probable Cause** by the lack of, or insufficient information, as identified through the investigation conducted by this administrator.

Administrative actions taken relative to the designated case:

- Employee was issued a copy of the Investigative Report at a meeting held on _____.
Date(s)
- No further action needed at this time.

Thank you for your efforts in this personnel action.

cc: _____ Region/District Superintendent
_____ OPS Administrative Director
_____ Region Administrative Director

(Do not include titles, only names of designated individuals)

**TEMPLATE OF ADMINISTRATIVE REVIEW
SITE DISPOSITION FROM OPS TO
WORKSITE – TEMPORARY INSTRUCTORS**

MEMORANDUM

Date _____

TO: _____, Title
School Site/ Worksite Administrator

FROM: _____, Administrative/District Director
Office of Professional Standards

SUBJECT: ADMINISTRATIVE REVIEW SITE DISPOSITION – TEMPORARY INSTRUCTOR

CASE: _____

SUBJECT: **VIOLATION OF SCHOOL BOARD POLICY(IES)**

NAME: _____ **EMPLOYEE #** _____

POSITION: TEMPORARY INSTRUCTOR

LOCATION: _____

The Office of Professional Standards (OPS) seeks to establish a final disposition for the above-indicated administrative review. Because the report references administrative action at the worksite which may be sufficient to bring closure to the issue, your written summary of post-investigative and administrative actions related to the cited case must be reviewed with your Region/District Office and provided to this office.

Investigative Phase:

- **Verbally notify the employee of the allegation within one (1) working day of receipt of the Incident Information Sheet**, and direct employee not to discuss the matter with any witnesses, parents, or the complaining party to avoid interference with the investigation.
- **Provide written notification of the incident to the employee within 48 hours, and direct the employee not to discuss the matter directly or indirectly with any witness in order to avoid interference with the investigation.**
- **Interview separately and obtain** written, signed statements individually from the alleged victim and **each** witness. These statements should include who, what, where, when, why, and how. *See pages III-09 and III-10 for samples.*
- **Once all the above referenced information has been received, carefully review** the statements.
- **Determine if inconsistencies or discrepancies exist and need to be addressed and resolved. Do so as may be appropriate.**
- **Schedule an interview** with the employee to review the information gathered and to obtain his/her version of the incident. This is not a conference-for-the-record, and the employee should be so informed. **It must be noted that, even at this interview, the employee has a right to union representation.**
- **Advise the employee that participating in the Administrative Review is voluntary. Ask the employee to provide a written or verbal statement of what occurred.** Document verbal statements accurately and completely.
- If the employee refuses to **provide a written or verbal statement**, explain that the determination as to the substance of the incident will be based upon the data collected **and without the benefit of their input.**
- Ask the employee to name other relevant witness(es) to the incident. Request written

statements from additional witness(es).

- Review with the employee the **other** signed statements that have been gathered. **Copies of these statements will be available as a public record once the investigation is completed.**

Once all **information** has been gathered and a **determination** has been reached, the **worksite administrator MUST document and review the investigative findings with designated personnel at the Region/District Office via the Administrative Review Investigative Report and reach a consensus regarding a Probable Cause or No Probable Cause finding BEFORE PROCEEDING.**

Administrative Phase:

- Provide an indication of the disposition of the charge: **Probable Cause or No Probable Cause.**
- Submit INVESTIGATIVE REPORT to the Region/District Office and following their review, to the Office of Professional Standards (OPS). OPS will receive the Investigative Report and bring closure to the case by notifying the temporary instructor of Investigative Outcome, and either reinstate, or permanently remove employee from the Authorized List of Temporary Instructors based on investigative outcome.

The Investigative Report should be forwarded to the Office of Professional Standards within **20** business days from the date of this memorandum.

Attachment – Incident Reporting Form (IRF)

cc: Region /District Superintendent
OPS Administrative Director
Region Administrative Director
(Do not include titles, only names of designated individuals)

**TEMPLATE
ADMINISTRATIVE REVIEW INVESTIGATIVE REPORT
FROM THE WORKSITE TO OPS
TEMPORARY INSTRUCTORS**

MEMORANDUM

DATE _____

TO: _____, Administrative/District Director
Office of Professional Standards

FROM: _____, Principal/Worksite Supervisor
Work Location _____ Location # _____

SUBJECT: **ADMINISTRATIVE REVIEW INVESTIGATIVE REPORT**
NAME OF SCHOOL/WORK LOCATION
ADDRESS
CITY, STATE, ZIP CODE

EMPLOYEE: NAME OF EMPLOYEE, TEMPORARY INSTRUCTOR

CASE#: 000039 (SAMPLE)

INCIDENT
OCCURRED: DATE OF OCCURRENCE

INCIDENT State the allegation as recorded on the Incident Reporting Form

This administrator has carefully reviewed all the **statements** obtained throughout this process from the following individuals:

ALLEGED VICTIM: NAME OF VICTIM (STUDENT/ EMPLOYEE) #

WITNESSES: (1) NAME OF WITNESS (STUDENT/EMPLOYEE) #,

(2) NAME OF WITNESS (STUDENT/EMPLOYEE) #,

(Please continue same format for all witnesses)

ALLEGED OFFENDER: (NAME OF EMPLOYEE) # _____

(or)

The alleged offender (NAME OF EMPLOYEE) # _____ did not provide a statement.

CONCLUSION:

Based on the statements gathered during the investigative process, it is this administrator’s conclusion that there is sufficient or insufficient evidence to support and/or corroborate the aforementioned incident.

The following details derived through the investigative process support this administrator’s conclusion: (Use bullets to summarize and support your findings)

Therefore, there is **No Probable Cause/ Probable Cause** to support violation of School Board Policy (ies): *Please refer to the School Board Policy(ies) referenced in the Administrative Review Site Disposition from OPS to worksite.

- 3121.01, Employment Standards and Fingerprinting
- 3124, Drug-Free Workplace
- 3129, Conflict of Interest
- 3139, Educator Misconduct
- 3210, Standards of Ethical Conduct
- 3210.01, Code of Ethics
- 3213, Student Supervision and Welfare
- 3217, Weapons
- 3231, Outside Activities of Staff
- 3232, Political Activities
- 3362, Anti-Discrimination/Harassment
- 3362.02, Anti-Discrimination/Harassment Complaint Procedures
- 3380, Threatening Behavior Toward Staff Members
- 3430, Leaves of Absence
- 5630, Corporal Punishment and Use of Reasonable Force
- 7540.04, Staff Network and Internet Acceptable Use and Safety
- 7540.05, Staff Electronic Mail
- 8600, Transportation
- 8606, Restrictions on Use and Transmission Devices on Board-Owned Vehicles
- 8670, Post Trip Inspections of School Buses

(Other)_____

ALL STATEMENTS ARE ATTACHED

cc: _____, Region/District Superintendent
_____, OPS Administrative Director
_____, Region Administrative Director
(Do not include titles, only names of designated individuals)

*** Please note the following regarding School Board Policies: 1000 Administrators; 3000 Instructional Staff; 4000 Support Staff; 5000 Students; 7000 Property; 8000 Operations**

IV.

THE CIVILIAN INVESTIGATIVE UNIT (CIU)

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THE CIVILIAN INVESTIGATIVE UNIT (CIU)

The main function of the Civilian Investigative Unit (CIU) is to investigate serious non-criminal allegations of misconduct made against M-DCPS personnel as assigned by the Incident Review (IRT). CIU will not investigate criminal complaints and must refer any incidents of criminal activity to the Miami-Dade School Police (M-DSP). CIU will not investigate complaints of discrimination, harassment, and/or retaliation but will refer these complaints to the Office of Civil Rights Compliance (CRC).

Confidentiality of all investigations and records will be maintained under the provisions of applicable State Statutes and School Board Policies.

Absent unusual circumstances, CIU will forward a completed investigative report, including a preliminary determination of Probable Cause or No Probable Cause, to the Office of Professional Standards (OPS) within thirty (30) business days, from the date of assignment by the IRT. Established procedures will ensure that uniformity is followed for all investigations.

The role of OPS as it relates to the Personnel Investigative Model is to thoroughly review the investigative findings, (establish a final determination of Probable Cause, No Probable Cause or Unfounded) and provide the recommended determination for discipline. In rare instances, a determination of No Findings or Withdrawal of Complaint will be issued.

NO PROBABLE CAUSE/ UNFOUNDED DETERMINATION

If the final determination is **No Probable Cause (absence of Probable Cause) or Unfounded (a baseless, unsupported accusation, not based on fact or sound evidence)**., the investigative unit transmits the investigative report to OPS. After a review of the investigative findings, OPS transmits the report to the Region/ District Office and to the worksite administrator within two (2) business days. The worksite administrator conducts a meeting with the employee to advise him/her of the outcome of the case, at which time, the employee is provided a copy of the entire investigative report and all supporting documents, except confidential information.

The worksite administrator must then facilitate delivery of the completed site disposition to OPS within two (2) business days upon receipt of the request from OPS to conduct the CIU Site Disposition (**See Section IV-11**). The case is then promptly **CLOSED** and no further administrative action is taken.

PROBABLE CAUSE DETERMINATION – MINOR OFFENSES

If **Probable Cause (it is more likely than not that the alleged incident occurred)** is found for a minor offense which would not lead to a recommendation for disciplinary action of suspension, demotion or dismissal, OPS will send the case to the worksite administrator for an administrative disposition, which may include, a letter of reprimand, directives, and/or a review of applicable School Board Policies.

The worksite administrator will then schedule and conduct a CFR with the employee to review the investigative report. **See Section VIII** of this manual for conference-for-the-record procedures, templates, and samples. NOTE: The employee is entitled to union representation.

A written summary of the CFR must be prepared and provided to the employee with an opportunity to append a response to the summary in writing, if he or she so desires. The CFR summary requires the employee to acknowledge receipt of the summary. If the employee

refuses to sign acknowledgement of receipt of the summary, an administrative witness must so indicate on the summary. The worksite administrator will then transmit the notification of the CFR, summary of the CFR (with the employee's acknowledgement), and the site disposition memorandum and all other related documentation. **See pages VIII-5 – VIII8 and VIII-10 – VIII-15 for samples.**

Upon approval, the worksite administrator will submit the site disposition to OPS within 5 business days upon receipt of the request from OPS to conduct a CIU Site Disposition. When the site disposition is received in OPS from the worksite administrator, the case will be promptly **CLOSED**.

PROBABLE CAUSE DETERMINATION – SERIOUS OFFENSE

If **Probable Cause** is found for a serious offense which may lead to a recommended disciplinary action of suspension, demotion or dismissal, OPS will be responsible for conducting the conference-for-the-record (CFR).

- | |
|--|
| <ul style="list-style-type: none">• Step One: Provide a copy of the investigative report to the employee within two (2) business days of receipt of the report. |
| <ul style="list-style-type: none">• Step Two: OPS will wait two (2) business days to permit the employee the opportunity to file a written exception to the investigative report prior to OPS scheduling and conducting a Conference-for-the-Record. The written exception, if filed, must state with particularity, the reasons for the exception, which may include additional witnesses, evidence or information to be sought that, if obtained, would likely change the outcome of the investigation. |

OPS forwards the written exception to the assigned investigative unit for a determination as to whether the exception warrants a supplemental investigative report.

After the allotted time for filing a written exception has elapsed or after receiving a supplemental investigative report, OPS schedules and conducts a CFR. The work site administrator, along with the Region Superintendent/ District Superintendent (or designee) is to be in attendance at the CFR. The CFR provides the employee with another opportunity to respond to the incident(s). The employee is entitled to union or association representation. A summary of the CFR is prepared within five (5) business days and sent to the employee. OPS allows the employee the opportunity to file an appendage, if he or she so desires.

M E M O R A N D U M

TO: _____, Title
School Site/Worksite

FROM: _____ Administrative /District Director
Office of Professional Standards

**SUBJECT: CIVILIAN INVESTIGATIVE UNIT (CIU) PERSONNEL INVESTIGATION
(PROBABLE CAUSE)**

CASE: _____ **EMPLOYEE #** _____

NAME: _____

POSITION: _____

LOCATION: _____

The Office of Professional Standards seeks to establish a final disposition for the above-indicated **Civilian Investigative Unit Personnel Investigation** through a review of investigative findings. Review of the report with the Region/District Office has led to the determination that the facts of the case warrant worksite review relative to standards of employee conduct.

Administrative action at the worksite may be sufficient to bring closure to the issue. Your written summary of post-investigative actions related to the cited case must be reviewed with your Regional Center/District Office and provided to this office.

The disposition should indicate one or all applicable actions:

- Review of investigative findings with employee (required)
- Notification of conference-for-the-record/meeting, with employee's signature
- Summary of conference-for-the-record/meeting, with employee's signature

Disposition action taken may include issuance of:

- Administrative directives
- Verbal warning
- Written warning
- Written directive(s)
- Letter of reprimand

School Board Policy(ies)

- 1362.02, 3362.02, 4362.02, Anti-Discrimination/Harassment Complaint Procedures
- 1210.01, 3210.01, or 4210.01, Code of Ethics
- 1129, 3129, or 4129, Conflict of Interest
- 5630, Corporal Punishment and Use of Reasonable Force
- 1124, 3124 or 4124, Drug-Free Workplace
- 1139, 3139, or 4139, Educator Misconduct
- 1121.01, 3121.01, or 4121.01, Employment Standards and Fingerprinting
- 1430, 3430, or 4430, Leaves of Absence
- 1231 Outside Activities of Administrators, 3231, Outside Activities of Staff, or 4231, Outside Activities

- 1232, 3232, or 4232, Political Activities
- 8670, Post Trip Inspections of School Buses
- 8606, Restrictions on Use of Communication and Transmission Devices on Board-Owned Vehicle
- 7540.05, Staff Electronic Mail
- 7540.04, Staff Network and Internet Acceptable Use and Safety
- 1210, 3210, or 4210, Standards of Ethical Conduct
- 1213, 3213, or 4213, Student Supervision and Welfare
- 8600, Transportation
- 1380, 3380, or 4380, Threatening Behavior Toward Staff Members
- 1217, 3217, or 4217, Weapons
- Common Sense Suggestions for Non-Instructional Personnel. (Please discuss with employee.)
- Apprise employee of the availability of services from the District support referral agency
- Supervisory referral to the District's support referral agency
- State Board of Education Rule 6B-1.001, FAC, and State Board of Education Rule 6B-1.006, FAC, The Code of Ethics and the Principles of Professional Conduct of the Education Profession in Florida (Please discuss with employee.)
- Notify the employee that all investigative data has been transmitted to Professional Practices Services (PPS), Florida Department of Education, for review and possible licensure action by the Education Practices Commission (EPC) (Applies only to certified employees.)
- How to Use Common Sense and Professional Judgment to Avoid Legal Complications in Teaching.

The disposition of the administrative actions should be forwarded to the Office of Professional Standards within ten (10) business days from the date of this memorandum, with a copy to the Region/District Office.

The investigative report is maintained in the Office of Professional Standards and is not to be placed in a worksite file.

*** Please note the following regarding School Board Policies: 1000 Administrators; 3000 Instructional Staff; 4000 Support Staff; 5000 Students; 7000 Property; 8000 Operations**

MEMORANDUM

TO: _____, Administrative/District Director
Office of Professional Standards

FROM: _____ X (Please be sure to sign.)

SUBJECT: CIVILIAN INVESTIGATIVE UNIT (CIU) PERSONNEL INVESTIGATION SITE
DISPOSITION (PROBABLE CAUSE)

CASE: _____ EMPLOYEE # 000039

NAME: _____

SUBJECT: VIOLATION OF SCHOOL BOARD POLICY(IES)

POSITION: _____

LOCATION: _____

I. Administrative actions taken relative to the referenced case.

- The Region/District office has reviewed this case.
- The site disposition of the Civilian Investigative Unit Personnel Investigation has been completed.
- There is **Probable Cause** to believe the alleged act occurred as determined by the investigation conducted by the Civilian Investigative Unit.

II. Administrative actions taken at the worksite. (Choose from below all that apply.)

- A meeting was held with the employee on _____.
Date(s)
- A conference-for-the-record notification, signed by the employee, is attached.
- A conference-for-the record was held on _____.
Date(s)
- A summary of the conference-for-the-record is completed/signed by the employee and is attached.
- Investigative findings were discussed with the employee on _____.
Date(s)
- **Verbal warning(s)** was/were issued to employee on _____.
Date(s)
- **Specific directives** were issued to employee (only in CFR).
- **Letter of reprimand** was issued to employee (only with CFR). Attached.

III. Action Taken (Choose from below all that apply.)

- The employee was notified that all investigative data has been transmitted to Professional Practices Services (PPS), Florida Department of Education (FDOE), for review and possible licensure action by the Educational Practices Commission (EPC). (Applies only when it is a certified employee)
- School Board Policy 1121.01, 3121.01, or 4121.01, Employment Standards and Fingerprinting was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1124, 3124, or 4124, Drug-Free Workplace was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1129, 3129, or 4129, Conflict of Interest was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1139, 3139, or 4139, Educator Misconduct was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1210, 3210, or 4210, Standards of Ethical Conduct was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1210.01, 3210.01, or 4210.01, Code of Ethics was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1213, 3213, or 4213, Student Supervision and Welfare was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1217, 3217, or 4217, Weapons was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1231, Outside Activities of Administrators, 3231, Outside Activities of Staff, or 4231, Outside Activities of Support Staff was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1232, 3232, or 4232, Political Activities was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1362, 3362, or 4362, Anti-Discrimination/Harassment was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1362.02, 3362.02, or 4362.02, Anti-Discrimination/Harassment Complaint Procedures was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1380, 3380, or 4380, Threatening Behavior Toward Staff Members was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1430, 3430, or 4430, Leaves of Absence was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 5630, Corporal Punishment and Use of Reasonable Force was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.

- School Board Policy 7540.04, Staff Network and Internet Acceptable Use and Safety was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 7540.05, Staff Electronic Mail was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 8600, Transportation was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 8606, Restrictions on Use and Transmission Devices on Board-Owned Vehicles was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 8670, Post Trip Inspections of School Buses was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- **How to Use Common Sense and Professional Judgment to Avoid Legal Complications in Teaching**, was discussed with the employee and a copy of this document was given to employee and directed to comply.
- **Common Sense Suggestions for Non-Instructional Personnel** was discussed with the employee and a copy of this document was given to employee.
- State Board of Education Rule 6B-1.001, FAC, and State Board of Education Rule 6B-1.006, FAC. The Code of Ethics and the Principles of Professional Conduct of the Education Profession in Florida was issued and reviewed with the employee and directed to comply.
- The employee was made aware of the District's support referral agency.
- The employee was issued a supervisory referral to the District's support referral agency which is attached.
- No further action needed at this time.

Thank you for your efforts in this personnel action.

*** Please note the following regarding School Board Policies: 1000 Administrators; 3000 Instructional Staff; 4000 Support Staff; 5000 Students; 7000 Property; 8000 Operations**

MEMORANDUM

Date _____

TO: _____, Title
School Site/Worksite

FROM: _____ Administrative /District Director
Office of Professional Standards

SUBJECT: CIVILIAN INVESTIGATIVE UNIT PERSONNEL INVESTIGATION SITE
DISPOSITION (CIU) (NO PROBABLE CAUSE)

CASE: _____ EMPLOYEE# 000039

NAME: _____

SUBJECT: VIOLATION OF SCHOOL BOARD POLICY(IES)

POSITION: _____

LOCATION: _____

The Office of Professional Standards (OPS) has received the above mentioned investigative report from the Miami-Dade County Civilian Investigative Unit, established as No Probable Cause. The District considers this matter to be fully resolved and the **Case Closed**.

The following administrative action at the worksite must be taken by the site administrator:

1. Meet with the employee
2. Issue a copy of the Investigative Report to employee

The disposition must be forwarded to the Office of Professional Standards within **2 business days** from the date of this memorandum, with a copy to the Regional Center/District Office.

The investigative report is maintained in the Office of Professional Standards and is not to be placed in the worksite file.

cc: _____ Superintendent, Region/District
_____ Administrative Director, OPS
_____ Administrative Director, Region
(Do not include titles, only names of designated individuals)

TEMPLATE
CIVILIAN INVESTIGATIVE UNIT PERSONNEL INVESTIGATION
SITE DISPOSITION FROM WORKSITE TO OPS (NO PROBABLE
CAUSE)

MEMORANDUM

Date _____

TO: _____, Administrative/District Director
Office of Professional Standards

FROM: _____ X (Please be sure to sign.)

SUBJECT: CIVILIAN INVESTIGATIVE UNIT PERSONNEL INVESTIGATION SITE
DISPOSITION (CIU) (NO PROBABLE CAUSE)

CASE: _____ EMPLOYEE# _____

NAME: _____

SUBJECT: VIOLATION OF SCHOOL BOARD POLICY(IES)

POSITION: _____

LOCATION: _____

There is **No Probable Cause** to believe the alleged act occurred as determined by the investigation conducted by the Civilian Investigative Unit.

Administrative actions taken relative to the referenced case:

- Employee was issued a copy of the Investigative Report at a meeting held on _____
Date(s)
- No further action needed at this time.

Thank you for your efforts in this personnel action.

cc: _____ Superintendent, Region/District
_____ Administrative Director, OPS
_____ Administrative Director, Region
(Do not include titles, only names of designated individuals)

V.

PRELIMINARY PERSONNEL
INVESTIGATION

PRELIMINARY PERSONNEL INVESTIGATION

If the Incident Review Team (IRT) determines that the incident involves criminal conduct, Miami-Dade Schools Police (M-DSP), General Investigative Unit (GIU) conducts the investigation. GIU then notifies the employee, in writing, of the allegation, as soon as it is appropriate. If GIU determines during the course of the investigation that no crime was committed or the alleged incident is cleared criminally, or the State Attorney declines prosecution, or allegation is unfounded, GIU continues with the investigation to completion in order to determine if any School Board Policy(ies) or State Board Rule (s) has been violated. The M-DSP informs the employee that he/she is under investigation.

The M-DSP General Investigative Unit investigator completes a Preliminary Personnel Investigation Report (PI) and forwards it to OPS for review with the Region/District staff. The site administrator and Region/District Office is then informed of the findings.

If it is determined that based upon an evaluation of the evidence it is more likely than not that the alleged act occurred, then a finding of Probable Cause will be made. If **Probable Cause** is found and the incident rises to a level that may warrant District disciplinary action, OPS will schedule a District level conference-for-the-record (CFR) to include the employee, the site administrator, the Region/District Business or Personnel Director and the Union Representative, if applicable, appropriate, and requested.

In other instances, the site administrator will be requested to effect closure to the case as follows:

- **Implement stipulated disposition actions** for the Preliminary Personnel Investigation.
- Where required, **schedule a CFR, prepare a summary of the CFR**, and implement post-conference measures as necessary. **See Section VIII of this manual for CFR procedures, templates and samples.**
- **Compose and forward a final site disposition** of the case first to the Region/District Office and, following their review, to OPS within the stipulated time frame. **See pages V-5 through V-7 for sample.**

If it is determined, based upon an evaluation of the evidence that probable cause does *not* exist, then a finding of **No Probable Cause** is made. If **No Probable Cause** is found, the case will be promptly closed and the site administrator will be requested to do the following:

- **Conduct a meeting with the employee and issue a copy of the Investigative Report to the employee. See page V-9 for sample.**

<p>NOTE: Any proposed disciplinary action resulting from a Preliminary Personnel Investigation must be reviewed with the Region/District Director designated for personnel issues.</p>
--

**TEMPLATE OF PRELIMINARY PERSONNEL
INVESTIGATION SITE DISPOSITION FROM OPS TO
WORKSITE (PROBABLE CAUSE)**

TO: _____, Title
School Site/Worksite

FROM: _____ Administrative /District Director
Office of Professional Standards

SUBJECT: PRELIMINARY PERSONNEL INVESTIGATION (PPI) SITE DISPOSITION

CASE: _____ EMPLOYEE # _____

NAME: _____

POSITION: _____

LOCATION: _____

The Office of Professional Standards seeks to establish a final disposition for the above-indicated **Preliminary Personnel Investigation** through a review of investigative findings. Review of the report with the Region/District Office has led to the determination that the facts of the case warrant worksite review relative to standards of employee conduct.

Administrative action at the worksite may be sufficient to bring closure to the issue. Your written summary of post-investigative actions related to the cited case must be reviewed with your Region/District Office and provided to this office.

The disposition should indicate one or all applicable actions:

- Review of investigative findings with employee (required)
- Notification of conference-for-the-record/meeting, with employee's signature
- Summary of conference-for-the-record/meeting, with employee's signature

Disposition action taken may include issuance of:

- Administrative directives
- Verbal warning
- Written warning
- Written directive(s)
- Letter of reprimand

School Board Policy(ies)

- 1124, 3124, or 4124, Drug-Free Workplace
- 1129, 3129, or 4129, Conflict of Interest
- 1139, 3139, or 4139, Educator Misconduct
- 1210, 3210, or 4210, Standards of Ethical Conduct
- 1210.01, 3210.01, or 4210.01, Code of Ethics
- 1213, 3213, or 4213, Student Supervision and Welfare
- 1217, 3217, or 4217, Weapons
- 1231, Outside Activities of Administrators, 3231, Outside Activities of Staff, or 4231, Outside Activities of Support Staff
- 1232, 3232, or 4232, Political Activities

- 1362, 3362, or 4362, Anti-Discrimination/Harassment
- 1362.02, 3362.01, or 4362,01, Anti-Discrimination/Harassment Complaint Procedures
- 1380, 3380, or 4380, Threatening Behavior Toward Staff Members
- 1430, 3430, or 4430, Leaves of Absence
- 1121.01, 3121.01, or 4121.01, Employment Standards and Fingerprinting
- 1380, 3380, or 4380 Threatening Behavior Toward Staff Members
- 1430, 3430, or 4430, Leaves of Absence
- 5630, Corporal Punishment and Use of Reasonable Force
- 7540.04, Staff Network and Internet Acceptable Use and Safety
- 7540.05, Staff Electronic Mail
- 8600, Transportation
- 8606, Restrictions on Use of Communication and Transmission Devices on Board-Owned Vehicle
- 8670, Post Trip Inspections of School Buses
- Common Sense Suggestions for Non-Instructional Personnel. (Please discuss with employee.)
- Apprise employee of the availability of services from the District's support referral agency
- Supervisory referral to the District's support referral agency
- State Board of Education Rule 6B-1.001, FAC, and State Board of Education Rule 6B-1.006, FAC, The Code of Ethics and the Principles of Professional Conduct of the Education Profession in Florida(Please discuss with employee.)
- Notify the employee that all investigative data has been transmitted to Professional Practices Services (PPS), Florida Department of Education, for review and possible licensure action by the Education Practices Commission (EPC) (Applies only to certified employees.)
- How to Use Common Sense and Professional Judgment to Avoid Legal Complications in Teaching.

The original report of the administrative actions should be forwarded to the Office of Professional Standards within ten (10) business days from the date of this memorandum, with a copy to the Region/District Office.

The investigative report is maintained in the Office of Professional Standards and is not to be placed in a worksite file.

*** Please note the following regarding School Board Policies: 1000 Administrators; 3000 Instructional Staff; 4000 Support Staff; 5000 Students; 7000 Property; 8000 Operations**

MEMORANDUM

Date _____

TO: _____, Administrative/District Director
Office of Professional Standards

FROM: _____ X (Please be sure to sign.)

SUBJECT: PRELIMINARY PERSONNEL INVESTIGATION (PPI) SITE DISPOSITION
(PROBABLE CAUSE)

CASE: _____ EMPLOYEE# 000039

NAME: _____

SUBJECT: VIOLATION OF SCHOOL BOARD POLICY(IES)

POSITION: _____

LOCATION: _____

I. Administrative actions taken relative to the referenced case.

- The Region/District office has reviewed this case.
- The site disposition of the Preliminary Personnel has been completed.
- There is **Probable Cause** to believe the alleged act occurred as determined by the investigation conducted by the Civilian Investigative Unit.

II. Administrative actions taken at the worksite. (Choose from below all that apply.)

- A conference-for-the-record notification, signed by the employee, is attached.
- A conference-for-the record was held on _____.
Date(s)
- A summary of the conference-for-the-record is completed/signed by the employee and is attached.
- Investigative findings were discussed with the employee on _____.
Date(s)
- **Verbal warning(s)** was/were issued to employee on _____.
Date(s)
- **Written warning(s)** was/were issued to employee on _____.
- **Specific directives** were issued to employee (only in CFR).

Date(s)

- **Letter of reprimand** was issued to employee (only with CFR). Attached.

III. Action Taken (Choose from below all that apply.)

- The employee was notified that all investigative data has been transmitted to Professional Practices Services (PPS), Florida Department of Education (FDOE), for review and possible licensure action by the Educational Practices Commission (EPC). (Applies only when it is a certified employee)
- School Board Policy 1121.01, 3121.01, or 4121.01, Employment Standards and Fingerprinting was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1124, 3124, or 4124, Drug-Free Workplace was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1129, 3129, or 4129, Conflict of Interest was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1139, 3139, or 4139, Educator Misconduct was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1210, 3210, or 4210, Standards of Ethical Conduct was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1210.01, 3210.01, or 4210.01, Code of Ethics was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1213, 3213, or 4213, Student Supervision and Welfare was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1217, 3217, or 4217, Weapons was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1231 Outside Activities of Administrators, 3231, Outside Activities of Staff, or 4231, Outside Activities of Support Staff was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1232, 3232, or 4232, Political Activities was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1362, 3362, or 4362, Anti-Discrimination/Harassment was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1362.02, 3362.02, or 4362.02, Anti-Discrimination/Harassment Complaint Procedures was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1380, 3380, or 4380, Threatening Behavior Toward Staff Members was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1430, 3430, or 4430, Leaves of Absence was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.

- School Board Policy 5630, Corporal Punishment and Use of Reasonable Force was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 7540.04, Staff Network and Internet Acceptable Use and Safety was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 7540.05, Staff Electronic Mail was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
-
- School Board Policy 8600, Transportation was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 8606, Restrictions on Use and Transmission Devices on Board-Owned Vehicles was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 8670, Post Trip Inspections of School Buses was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- **How to Use Common Sense and Professional Judgment to Avoid Legal Complications in Teaching**, was discussed with the employee and a copy of this document was given to employee and directed to comply.
- **Common Sense Suggestions for Non-Instructional Personnel** was discussed with the employee and a copy of this document was given to employee.
- State Board of Education Rule 6B-1.001, FAC, and State Board of Education Rule 6B-1.006, FAC. The Code of Ethics and the Principles of Professional Conduct of the Education Profession in Florida was issued and reviewed with the employee and directed to comply.
- The employee was made aware of the District's support referral agency.
- The employee was issued a supervisory referral to the District's support referral agency which is attached.
- No further action needed at this time.

<p>Thank you for your efforts in this personnel action.</p>
--

*** Please note the following regarding School Board Policies: 1000 Administrators; 3000 Instructional Staff; 4000 Support Staff; 5000 Students; 7000 Property; 8000 Operations**

**TEMPLATE
PRELIMINARY PERSONNEL INVESTIGATION SITE DISPOSITION
FROM OPS TO WORKSITE (NO PROBABLE CAUSE)**

MEMORANDUM

Date _____

TO: _____, Title
School Site/ Worksite Administrator

FROM: _____ Administrative/District Director
Office of Professional Standards

**SUBJECT: PRELIMINARY PERSONNEL INVESTIGATION (PPI) DISPOSITION
(NO PROBABLE CAUSE)**

CASE: _____ **EMPLOYEE #** _____

NAME: _____

SUBJECT: VIOLATION OF SCHOOL BOARD POLICY (IES)

POSITION: _____

LOCATION: _____

The Office of Professional Standards (OPS) has received the above mentioned investigative report from the Miami-Dade County Schools Police Department (M-DSP) General Investigative Unit (GIU), established as **NO PROBABLE CAUSE**. The District considers this matter to be fully resolved and the **Case Closed**.

The following Administrative action at the worksite must be taken by the site administrator:

1. Meet with employee
2. Issue a copy of the redacted Investigative Report to employee

The investigative report is maintained in the Office of Professional Standards and is not to be placed in a worksite file.

cc: _____ Superintendent, Region/District
_____ Administrative Director, OPS
_____ Administrative Director, Region
(Do not include titles, only names of designated individuals)

* The disposition must be forwarded to the Office of Professional Standards within 2 business days from the date of this memorandum, with a copy to the Region/ District Office.

**TEMPLATE
PRELIMINARY PERSONNEL INVESTIGATION SITE DISPOSITION
FROM WORKSITE TO OPS (NO PROBABLE CAUSE)**

MEMORANDUM

Date _____

TO: _____, Administrative/District Director
Office of Professional Standards

FROM: _____ X (Please be sure to sign.)

**SUBJECT: PRELIMINARY PERSONNEL INVESTIGATION (PPI) DISPOSITION
(NO PROBABLE CAUSE)**

CASE: _____ EMPLOYEE # _____

NAME: _____

SUBJECT: VIOLATION OF SCHOOL BOARD POLICY (IES)

POSITION: _____

LOCATION: _____

The Miami-Dade Schools Police Department (M-DSPD) General Investigative Unit (GIU) has established this case as **NO PROBABLE CAUSE**.

Administrative actions taken relative to the referenced case:

- Employee was issued a copy of the Investigative Report at a meeting held on _____
Date
- No further action needed t this time.

The investigative report is maintained in the Office of Professional Standards and is not to be placed in a worksite file.

cc: _____ Superintendent, Region/District
_____ Administrative Director, OPS
_____ Administrative Director, Region
(Do not include titles, only names of designated individuals)

VI.

THE OFFICE OF CIVIL RIGHTS COMPLIANCE
(CRC)

THE OFFICE OF CIVIL RIGHTS COMPLIANCE (CRC)

The Office of Civil Rights Compliance (CRC) is charged with the task of investigating complaints of discrimination and harassment, including sexual harassment, filed by employees, students/parents, and applicants in a thorough, objective, and timely manner. CRC maintains records of ongoing investigations in a confidential manner until a final determination is made on each case, pursuant to Chapter 1012.31, Florida Statutes. Additionally, CRC responds to complaints/charges filed by individuals with state and/or federal enforcement agencies, such as the Equal Employment Opportunity Commission (EEOC), or the Office for Civil Rights (OCR).

CRC will not investigate criminal complaints and must refer discovery of any alleged criminal conduct to the Miami-Dade Schools Police Department (M-DSPD). Allegations of serious, non-criminal conduct not related to discrimination/harassment issues will be referred to the Civilian Investigative Unit (CIU).

Although CRC does not investigate complaints of student-on-student harassment, it is responsible for maintaining information on student-on-student complaints of harassment, including sexual harassment, investigated at the school site.

MEMORANDUM

TO: _____, Title
School Site/Worksite

FROM: _____ Administrative /District Director
Office of Professional Standards

SUBJECT: CIVIL RIGHTS COMPLIANCE (CRC) PERSONNEL INVESTIGATION

CASE: _____ EMPLOYEE # _____

NAME: _____

SUBJECT: VIOLATION OF SCHOOL BOARD POLICY(IES)

POSITION: _____

LOCATION: _____

The Office of Professional Standards seeks to establish a final disposition for the above-indicated Civil Rights Compliance Personnel Investigation through a review of investigative findings. Review of the report with the Region/District Office has led to the determination that the facts of the case warrant worksite review relative to standards of employee conduct.

Administrative action at the worksite may be sufficient to bring closure to the issue. Your written summary of post-investigative actions related to the cited case must be reviewed with your Region/District Office and provided to this office.

The disposition should indicate one or all applicable actions:

- Review of investigative findings with employee (required)
- Notification of conference-for-the-record/meeting, with employee's signature
- Summary of conference-for-the-record/meeting, with employee's signature

Disposition action taken may include issuance of:

- Administrative directives
- Verbal warning
- Written warning
- Written directive(s)
- Letter of reprimand

School Board Policy(ies)

- 1124, 3124, or 4124, Drug-Free Workplace
- 1129, 3129, or 4129, Conflict of Interest
- 1139, 3139, or 4139, Educator Misconduct
- 1210, 3210, or 4210, Standards of Ethical Conduct
- 1210.01, 3210.01, or 4210.01, Code of Ethics
- 1213, 3213, or 4213, Student Supervision and Welfare

- 1217, 3217, or 4217, Weapons
- 1231, Outside Activities of Administrators, 3231, Outside Activities of Staff, or 4231, Outside Activities of Support Staff
- 1232, 3232, or 4232, Political Activities
- 1362, 3362, or 4362, Anti-Discrimination/Harassment
- 1362.02, 3362.02, or 4362.02, Anti-Discrimination/Harassment Complaint Procedures
- 1380, 3380, or 4380, Threatening Behavior Toward Staff Members
- 1430, 3430, or 4430, Leaves of Absence
- 1121.01, 3121.01, or 4121.01, Employment Standards and Fingerprinting
- 1380, 3380, or 4380 Threatening Behavior Toward Staff Members
- 1430, 3430, or 4430, Leaves of Absence
- 5630, Corporal Punishment and Use of Reasonable Force
- 7540.04, Staff Network and Internet Acceptable Use and Safety
- 7540.05, Staff Electronic Mail
- 8600, Transportation
- 8606, Restrictions on Use of Communication and Transmission Devices on Board-Owned Vehicle
- 8670, Post Trip Inspections of School Buses
- Common Sense Suggestions for Non-Instructional Personnel. (Please discuss with employee.)
- Apprise employee of the availability of services from the District support agency
- Supervisory referral to the District's support referral agency
- State Board of Education Rule 6B-1.001, FAC, and State Board of Education Rule 6B-1.006, FAC, The Code of Ethics and the Principles of Professional Conduct of the Education Profession in Florida (Please discuss with employee.)
- Notify the employee that all investigative data has been transmitted to Professional Practices Services (PPS), Florida Department of Education, for review and possible licensure action by the Education Practices Commission (EPC) (Applies only to certified employees.)
- How to Use Common Sense and Professional Judgment to Avoid Legal Complications in Teaching.

cc: _____ Superintendent, Region/District
 _____ Administrative Director, OPS
 _____ Administrative Director, Region
 (Do not include titles, only names of designated individuals)

The original report of the administrative actions should be forwarded to the Office of Professional Standards within 10 business days upon receipt of this memorandum, with a copy to the Region/District Office.

The investigative report is maintained in the Office of Professional Standards and is not to be placed in a worksite file.

*** Please note the following regarding School Board Policies: 1000 Administrators; 3000 Instructional Staff; 4000 Support Staff; 5000 Students; 7000 Property; 8000 Operations**

TEMPLATE
CIVIL RIGHTS COMPLIANCE PERSONNEL INVESTIGATION SITE DISPOSITION FROM WORKSITE TO OPS

MEMORANDUM

Date _____

TO: _____, Administrative/District Director
Office of Professional Standards

FROM: _____ X (Please be sure to sign.)

SUBJECT: CIVIL RIGHTS COMPLIANCE (CRC) PERSONNEL INVESTIGATION SITE
DISPOSITION (PROBABLE CAUSE)

CASE: _____ EMPLOYEE # _____

NAME: _____

SUBJECT: VIOLATION OF SCHOOL BOARD POLICY(IES)

POSITION: _____

LOCATION: _____

I. Administrative actions taken relative to the referenced case: (Choose from below all that apply).

- The Region/District office has reviewed this case.
- The site disposition of the Civil Rights Compliance Personnel Investigation has been completed.
- There is **Probable Cause** to believe the alleged act occurred as determined by the investigation conducted by the Civil Rights Compliance Office.

II. Administrative actions taken at the worksite. (Choose from below all that apply.)

- A conference-for-the-record notification, signed by the employee, is attached.
- A conference-for-the record was held on _____.
- A summary of the conference-for-the-record is completed/signed by the employee and is attached.
- **Verbal warning(s)** was/were issued to employee on _____.
- **Written warning(s)** was/were issued to employee on _____.
- **Letter of reprimand** was issued to employee (only with CFR). Attached.

III. Action Taken (Choose from below all that apply.)

- **Specific directives** were issued to employee (only in CFR).

- The employee was notified that all investigative data has been transmitted to Professional Practices Services (PPS), Florida Department of Education (FDOE), for review and possible licensure action by the Educational Practices Commission (EPC). (Applies only when it is a certified employee)
- School Board Policy 1121.01, 3121.01, or 4121.01, Employment Standards and Fingerprinting was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1124, 3124, or 4124, Drug-Free Workplace was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1129, 3129, or 4129, Conflict of Interest was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1139, 3139, or 4139, Educator Misconduct was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1210, 3210, or 4210, Standards of Ethical Conduct was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1210.01, 3210.01, or 4210.01, Code of Ethics was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1213, 3213, or 4213, Student Supervision and Welfare was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1217, 3217, or 4217, Weapons was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1231, Outside Activities of Administrators, 3231, Outside Activities of Staff, or 4231, Outside Activities of Support Staff was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1232, 3232, or 4232, Political Activities was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1362, 3362, or 4362, Anti-Discrimination/Harassment was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1362.02, 3362.02, or 4362.02, Anti-Discrimination/Harassment Complaint Procedures was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1380, 3380, or 4380, Threatening Behavior Toward Staff Members was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1430, 3430, or 4430, Leaves of Absence was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 5630, Corporal Punishment and Use of Reasonable Force was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.

- School Board Policy 7540.04, Staff Network and Internet Acceptable Use and Safety was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 8600, Transportation was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 8606, Restrictions on Use of Communication and Transmission Devices on Board-Owned Vehicles was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 8670, Post Trip Inspections of School Buses was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- **How to Use Common Sense and Professional Judgment to Avoid Legal Complications in Teaching**, was discussed with the employee and a copy of this document was given to employee and directed to comply.
- **Common Sense Suggestions for Non-Instructional Personnel** was discussed with the employee and a copy of this document was given to employee.
- State Board of Education Rule 6B-1.001, FAC, and State Board of Education Rule 6B-1.006, FAC. The Code of Ethics and the Principles of Professional Conduct of the Education Profession in Florida was issued and reviewed with the employee and directed to comply.
- The employee was made aware of the District's support referral agency.
- The employee was issued a supervisory referral to the District's support referral agency which is attached.
- No further action needed at this time.

Thank you for your efforts in this personnel action.

*** Please note the following regarding School Board Policies: 1000 Administrators; 3000 Instructional Staff; 4000 Support Staff; 5000 Students; 7000 Property; 8000 Operations**

VII.
RECORDS CHECK

RECORDS CHECK

When an employee is involved in an arrest **outside** the worksite, the incident is reported to Miami-Dade School Police (M-DSP). Arrests come to the attention of the District in two ways:

1. Local police agencies notify Miami-Dade Schools Police Department (M-DSPD) of any employees who are arrested.
2. **Certificated employees are required to self-report arrests within forty-eight (48) hours pursuant to State Board of Education Rule 6B-1.006 and School Board Policy 1210, or 3210, Standards of Ethical Conduct.**
3. Supervisors must call (305) 995-2677 to request a Records Check.
4. Supervisors should request Arrest Affidavits (AA Forms) from employees who are arrested immediately upon having knowledge of the arrest, and forward that information to OPS.

When such information is received, OPS takes the following actions:

- **Notifies** the Florida Department of Education of the arrest, if the individual holds an instructional or administrative certificate.
- **Notifies** the site supervisor of the arrest, unless the supervisor was the reporting individual.
- **Reviews** the charges with the Region/District Office and the site supervisor for consideration of removal of the employee from the worksite.
- **Implements** staffing and budgetary procedures for employees placed on alternate administrative assignment.
- **Monitors**, with the assistance of School Police, the final court disposition of the case, and notifies the site of the disposition.
- **Takes** additional personnel action as may be necessary.
- In instances where the arrest is a disqualifying offense or rises to a level that warrants district disciplinary action, OPS will schedule a district level conference-for-the-record to include the employee, the site supervisor, the Region/District Director and the Union Representative, if requested and applicable.

In other instances, the site administrator may be requested to do the following:

- **Effect closure** to the case by reviewing the report with the employee.
- **Implement stipulated disposition actions** for the Records Check.
- Where required, **schedule a conference-for-the record** and implement post-conference measures as necessary. *See Section VIII of this manual for conference-for-the-record procedures, templates and samples.*
- **Compose and forward a final site disposition** of the case first to the Region/District Office and, following their review, to OPS within the stipulated time frame. *See pages VII-5 and VII-7 for samples.*

<p>NOTE: Any proposed disciplinary action resulting from a Records Check must be reviewed with the Region/District Director designated for personnel issues.</p>
--

SAMPLE OF RECORDS CHECK SITE DISPOSITION FROM OPS TO WORKSITE.

TO: _____, Title
School Site/Worksite

FROM: _____, Administrative/District Director
Office of Professional Standards

SUBJECT: RECORDS CHECK SITE DISPOSITION

CASE: _____ **EMPLOYEE #** _____

NAME: _____

POSITION: _____

LOCATION: _____

The Office of Professional Standards (OPS) seeks to establish a final disposition for the above-indicated Records Check through a review of investigative findings. Review of the report with the Region/District Office has led to the determination that the facts of the case warrant site review relative to standards of employee conduct.

Administrative action at the worksite may be sufficient to bring closure to the issue. Your written summary of post-investigative actions related to the cited case must be reviewed with your Region/District Office and provided to OPS.

The disposition should reference one or several of the following actions:

- Review of investigative findings with employee (required)
- Notification of conference-for-the-record/meeting, with employee's signature
- Summary of conference-for-the-record/meeting, with employee's signature

Disposition action taken may include issuance of:

- Administrative directives
- Verbal warning
- Written warning
- Written directive(s)
- Letter of reprimand

School Board Policy(ies)

- 1362.02, 3362.02, 4362.02, Anti-Discrimination/Harassment Complaint Procedures
- 1210.01, 3210.01, or 4210.01, Code of Ethics
- 1129, 3129, or 4129, Conflict of Interest
- 5630, Corporal Punishment and Use of Reasonable Force
- 1124, 3124 or 4124, Drug-Free Workplace
- 1139, 3139, or 4139, Educator Misconduct

- 1121.01, 3121.01, or 4121.01,

- 1210, 3210, or 4210, Standards of Ethical Conduct
- 1213, 3213, or 4213, Student Supervision and Welfare
- 1217, 3217, or 4217, Weapons
- 1231 Outside Activities of Administrators, 3231, Outside Activities of Staff, or 4231, Outside Activities
- 1232, 3232, or 4232, Political Activities
- 1380, 3380, or 4380, Threatening Behavior Toward Staff Members
- 1430, 3430, or 4430, Leaves of Absence
- 7540.04, Staff Network and Internet Acceptable Use and Safety
- 7540.05, Staff Electronic Mail
- 8600, Transportation
- 8606 Restrictions on Use of Communication and Transmission Devices on Board-Owned Vehicle
- 8670 Post Trip Inspections of School Buses
- Common Sense Suggestions for Non-Instructional Personnel. (Please discuss with employee.)
- Apprise employee of the availability of services from the District's support referral agency
- Supervisory referral to the District's support referral agency
- State Board of Education Rule 6B-1.001, FAC, and State Board of Education Rule 6B-1.006, FAC, The Code of Ethics and the Principles of Professional Conduct of the Education Profession in Florida (Please discuss with employee.)
- Notify the employee that all investigative data has been transmitted to Professional Practices Services (PPS), Florida Department of Education, for review and possible licensure action by the Education Practices Commission (EPC) (Applies only to certified employees.)
- How to Use Common Sense and Professional Judgment to Avoid Legal Complications in Teaching.

The disposition of the administrative actions should be forwarded to the Office of Professional Standards within ten (10) business days from the date of this memorandum, with a copy to the Region/District Office.

The records check is maintained in the Office of Professional Standards and is not to be placed in a worksite file.

*Please note the following regarding School Board Policies: 1000 Administrators; 3000 Instructional Staff; 4000 Support Staff; 5000 Students; 7000 Property; 8000 Operations

**TEMPLATE
RECORDS CHECK SITE DISPOSITION FROM WORKSITE TO OPS.**

MEMORANDUM

Date _____

TO: _____, Administrative/District Director
Office of Professional Standards

FROM: _____ X (Please be sure to sign.)

SUBJECT: RECORDS CHECK SITE DISPOSITION

CASE: _____

EMPLOYEE # _____

NAME: _____

POSITION: _____

LOCATION: _____

I. Administrative actions taken relative to the case:

- The Region/District office has reviewed this case.
- The site disposition of the Records Check has been completed.
- The arrest(s) for _____ was/were **confirmed/not confirmed** by the investigation conducted by Miami-Dade County Public Schools Police Department.
- The case was adjudicated as guilty/not guilty.
- The employee was required to successfully complete a Pretrial Intervention Diversion Program (PTI).
- The charges were dropped/abandoned.
- Other _____

II. Administrative actions taken at the worksite. (Choose from below all that apply.)

- A meeting was held with the employee on _____.
Date(s)
- A conference-for-the-record notification, signed by the employee, is attached.
- A conference-for-the record was held on _____.
Date(s)
- A summary of the conference-for-the-record is completed/signed by the employee and is attached.
- Investigative findings were discussed with the employee on _____.
Date(s)
- **Verbal warning(s)** was/were issued to employee on _____.
Date(s)
- **Written warning(s)** was/were issued to employee on _____.
Date(s)
- **Letter of reprimand** was issued to employee (only with CFR). Attached.

- **Specific directives** were issued to employee on _____.
Date(s)

III. Action Taken (Choose from below all that apply.)

- The employee was notified that all investigative data has been transmitted to Professional Practices Services (PPS), Florida Department of Education (FDOE), for review and possible licensure action by the Educational Practices Commission (EPC). (Applies only when it is a certified employee)
- School Board Policy 1121.01, 3121.01, or 4121.01, Employment Standards and Fingerprinting was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1124, 3124, or 4124, Drug-Free Workplace was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1129, 3129, or 4129, Conflict of Interest was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1139, 3139, or 4139, Educator Misconduct was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1210, 3210, or 4210, Standards of Ethical Conduct was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1210.01, 3210.01, or 4210.01, Code of Ethics was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1213, 3213, or 4213, Student Supervision and Welfare was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1217, 3217, or 4217, Weapons was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1231 Outside Activities of Administrators, 3231, Outside Activities of Staff or 4231, Outside Activities of Support Staff was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1232, 3232, or 4232, Political Activities was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1362, 3362, or 4362, Anti-Discrimination/Harassment was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1362.02, 3362.02, or 4362.02, Anti-Discrimination/Harassment Complaint Procedure was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1380, 3380, or 4380, Threatening Behavior Toward Staff Members was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1430, 3430, or 4430, Leaves of Absence was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 5630, Corporal Punishment and Use of Reasonable Force was

discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.

- School Board Policy 7540.04, Staff Network and Internet Acceptable Use and Safety was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 7540.05, Staff Electronic Mail was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 8600, Transportation, was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 8606, Restrictions on Use of Communication and Transmission Devices on Board-Owned Vehicles was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 8670, Post Trip Inspections of School Buses was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- **How to Use Common Sense and Professional Judgment to Avoid Legal Complications in Teaching**, was discussed with the employee and a copy of this document was given to employee and directed to comply.
- **Common Sense Suggestions for Non-Instructional Personnel** was discussed with the employee and a copy of this document was given to employee.
- State Board of Education Rule 6B-1.001, FAC, and State Board of Education Rule 6B-1.006, FAC. The Code of Ethics and the Principles of Professional Conduct of the Education Profession in Florida was issued and reviewed with the employee and directed to comply.
- The employee was made aware of the District's support referral agency.
- The employee was issued a supervisory referral to the District's support referral agency which is attached.
- No further action needed at this time.

cc: _____ Superintendent, Region/District
_____ Administrative Director, OPS
_____ Administrative Director, Region
(Do not include titles, only names of designated individuals)

*** Please note the following regarding School Board Policies: 1000 Administrators; 3000 Instructional Staff; 4000 Support Staff; 5000 Students; 7000 Property; 8000 Operations**

VIII.

CONFERENCE
FOR-THE-RECORD

CONFERENCE-FOR-THE RECORD

Compliance with Labor Contracts

When an administrator determines that a conference-for-the-record is appropriate, it is most important that, prior to giving notice of the conference, the appropriate labor contract or Managerial Confidential Exempt agreements be thoroughly reviewed with regard to proceedings and applicable due process. **(See checklist on page VIII3)**

Before the Conference

Absent an emergency situation, written notification must be provided to the employee at least **2 days** in advance of the conference. If the conference is an emergency, less than two days notice is allowable. The notice must direct the employee to attend the conference, indicate the date, time, and place; stipulate the subject(s) to be addressed; and cite the employee's right to representation. By employee signature, or that of a witness, proof of receipt should be obtained. *See pages VIII-5 through VIII-8 for a template and samples.* Reminder: A conference-for-the-record is fact-finding in nature, not disciplinary in itself.

The conference must be carefully planned, anticipating possible reactions on the part of the employee and/or the union representative(s). This planning should also include duplication of any documents and/or materials to be discussed at the conference.

During the Conference

In all conferences, the administrator must have another member **of the administrative staff present** or request assignment of one for the conference. This administrative staff member's role should be carefully explained to him/her well in advance of the conference. In addition to being a witness to the proceedings, the **administrative staff member** can help with note-keeping and participate in the conference as deemed appropriate by the administrator. Other than a union representative, no member of another bargaining unit may be present. It is vital that notes be kept on the proceedings of the conference. The administrator must control the pace of the conference so that every point made is understood by all present and fully recorded in his/her notes.

During the conference, the administrator must carefully and systematically **review** the notification procedures, reason(s) for the conference, right to union representation (especially if none is present), and the investigative findings. **Review** of all prior communications (formal and informal) will serve to put the formal stage of communications into context; also, it will permit these to be included in the summary as **official actions of record**. While the conference is a good-faith effort for mutual communication, the administrator must, at all times, maintain control of the proceedings.

If during the conference, there is a need for a **directive**, it is vital that there be no question as to the directive's intent or meaning. Make sure that the language is clearly understood by all. Tell the employee at this time that an immediate follow-up memorandum to him/her will record the proceedings of the conference, any related directives, and established timeframes. **Administrative directives must clearly stipulate what not to do as well as what to do.**

After the Conference

The **conference summary** must reflect accurately the proceedings of the conference, including resources assigned and those requested by the employee and/or union representatives present. Again, make sure that the directives are explicit and easily understood in the memorandum. When ready, and/or available, the memorandum should be signed and dated by the employee to acknowledge receipt and then should be placed in the worksite personnel file. **If the employee refuses to sign the memorandum, the administrative witness must attest to that fact on the memorandum. See pages VIII-13 through VIII-16 for a template.**

If the conference results in a need for the issuance of a **reprimand**, all of the aforementioned factors should be carefully considered and implemented. Pursuant to a good-faith regard to the employee's statements, the reprimand should be prepared and submitted to the employee for signature **after** the time of the conference and the employee must sign as received. If the employee refuses to sign, receipt of the document by the employee must be witnessed and dated by an administrator other than the person who conducted the conference. **The Letter of Reprimand is maintained in the worksite personnel file; however, reprimands issued as a result of investigative cases, i.e., Administrative Review, GIU, or CIU are maintained in the OPS File, not in the school site personnel file. See page VIII-16 for sample.**

If the performance and/or investigative issues which are the subject of the conference have risen to the level of being discussed at the monthly Office of Professional Standards meeting, provide a copy of the conference notification, summary, reprimand, and any other related material.

CONFERENCE-FOR-THE-RECORD PROCEDURES CHECKLIST

NOTICE:

1. **Obtain the employee's signature on the conference-for-the-record notification at least two days prior to the conference. Include date, time, and location, as well as the topics to be covered at the conference. If an emergency situation exists, contact the Regional Center Administrative Director regarding scheduling an emergency conference-for-the-record.**
2. Indicate the right to have union representation if they are a union member, or the right to have up to two representatives if they are not a union member.

CONFERENCE PROCEDURES

1. Confirm awareness of union representation and note where representation is not chosen. If an employee is not a union member, he/she is entitled to up to two representatives.
2. Re-state the topics to be covered at the conference, as specified on the notice.
3. Review all formal and informal communications pertaining to the issues addressed at the conference.
4. Review all documentation pertaining to the subject of the conference.
5. Listen to objections/responses, and record them.
6. **Respond to objections without debate.**
7. Keep on task.
8. Be positive.
9. Note mutual agreements.
10. Record efforts by the employee, as well as counseling and assistance by the supervisor.
11. Explain options and requirements.
12. **Note effects and impact of the employee's actions on the worksite and school system.**
13. Verbally summarize conference.
14. State actions to be taken and timeframes, as applicable.

POST-CONFERENCE PROCEDURES

1. Prepare written summary of the conference-for-the-record.
2. Give one copy to the employee.
3. **Obtain the employee's signature acknowledging receipt and date on the written summary.**
4. Place signed copy in the worksite personnel file (only if CFR is not related to an investigative issue)

5. Calendar time frames and deadlines for follow-up actions.

**TEMPLATE
NOTICE FOR CONFERENCE-FOR-THE-RECORD**

MEMORANDUM

Date _____

TO: _____ (Employee Name) Emp.# _____

FROM: _____ (Principal/Supervisor)

_____ (Work Location)

SUBJECT: CONFERENCE-FOR-THE-RECORD

You are directed to report for a conference in the principal's/supervisor's office on _____, at _____ a.m./p.m.
(Date) (Time)

This meeting is held in accordance with

- _____ Article XI, Section 1 of the AFSCME Contract, and
- _____ Article XI, Section 1 of the DCSMEC Contract, and
- _____ Article X, Section 1 of the FOP Contract, and
- _____ Article XXI, Section 1 of the United Teachers of Dade (UTD) Contract, and
- _____ Section C3 of the **Manual of Procedures for Managerial Exempt Personnel (MEP)**
- _____ Article VII, Section 1 of the Dade County School Administrators' Association (DCSAA)
- _____ Classification and Compensation Plan for Confidential Exempt Personnel, Article V

and will address:

- _____ Investigative Report: _____, concerning your non-compliance with
- _____ Miami-Dade County School Board Policy (ies) _____,
- _____ non-compliance with site directives regarding _____,
- _____ performance related issues,
- _____ attendance-to-date,
- _____ other _____.

**a review of the record, and
your future employment status with Miami-Dade County Public Schools.**

- _____ You are contractually entitled to have up to two member advocates from the _____ UTD Union.
- _____ You are contractually entitled to have up to two bargaining agent representatives from the _____ AFSCME Union. _____ DCSMEC Union.
- _____ You are contractually entitled to have representation from the _____ FOP Union. _____ DASA Organization. _____ DCSAA Organization.
- _____ Confidential Exempt Steering Committee

If you are not a union member, you are entitled to have up to two representatives.

_____ Failure to attend this conference will not preclude it from taking place or disciplinary action from ensuing.

- cc: _____ Superintendent, Region/District
- _____ Administrative Director, OPS
- _____ Administrative Director, Region/District
- _____ District Director, OPS
- _____ (Union)

(Do not include titles, only names of designated individuals)

I AM IN RECEIPT OF THIS MEMORANDUM.

Employee Signature

Date

**TEMPLATE
NOTICE FOR CONFERENCE-FOR-THE-RECORD
ADMINISTRATOR**

MEMORANDUM

Date _____

TO: Mr. William O. Knight, Assistant Principal

FROM: Leslie B. Goode, Principal
Palm Lake Middle School

SUBJECT: CONFERENCE-FOR-THE-RECORD

You are directed to report for a conference in the principal's office on _____ at _____ (a.m./p.m.).

This meeting is held in accordance with Section C-3 of the **Manual of Procedures for Managerial Exempt Personnel (MEP)** and will address your: (attendance-to-date), (performance assessments-to-date), (_____), (_____), (_____), a review of the record, and your future employment status with Miami-Dade County Public Schools.

Failure to attend this conference will not preclude it from taking place or disciplinary action from ensuing.

You are contractually entitled to have representation from the Dade Association of School Administrators (DASA) present at this conference. If you are not a union member, you are entitled to have up to two representatives.

cc: Superintendent, Region/District
Administrative Director, OPS
Administrative Director, Region/District
DASA or DCSAA Representative
(Do not include titles, only names of designated individuals)

I AM IN RECEIPT OF THIS MEMORANDUM.

Employee Signature

Date

**TEMPLATE
NOTICE FOR CONFERENCE-FOR-THE-RECORD
INSTRUCTIONAL**

MEMORANDUM

Date _____

TO: Jane Doe, Teacher

FROM: Ulysses R. Wright, Principal
Pine Valley High School

SUBJECT: CONFERENCE-FOR-THE-RECORD

You are directed to report for a conference in the principal's office on _____ at _____ (a.m./p.m.).

This meeting is being held in accordance with Article XXI, Section I of the United Teachers of Dade Contract and will address your (attendance-to-date), (performance assessments-to-date), _____, _____, _____, a review of the record, and your future employment status with Miami-Dade County Public Schools. You are contractually entitled to have up to two union representatives from the UTD Union present at this conference. If you are not a union member, you are entitled to have up to two representatives.

Failure to attend this conference will not preclude it from taking place or disciplinary action from ensuing

cc: _____ Superintendent, Region/District
_____ Administrative Director, OPS
_____ Administrative Director, Region/District
_____ District Director, OPS
_____ United Teachers of Dade

(Do not include titles, only names of designated individuals)

I AM IN RECEIPT OF THIS MEMORANDUM.

Employee Signature

Date

**TEMPLATE
NOTICE FOR CONFERENCE-FOR-THE-RECORD
NON-INSTRUCTIONAL**

MEMORANDUM

Date _____

TO: John Doe, Custodian I
FROM: Joseph J. Doe, Principal
Pine Valley High School

SUBJECT: CONFERENCE-FOR-THE-RECORD

You are directed to report for a conference in the principal's office on _____ at _____ (a.m./p.m.).

This meeting is being held in accordance with Article XI, Section 1 of the AFSCME Contract and will address your (attendance-to-date), (performance-related issues), _____, a review of the record, and your future employment status with Miami-Dade County Public Schools. You are contractually entitled to have up to two bargaining agent representatives from the AFSCME Union present at this conference. If you are not a union member, you are entitled to have up to two representatives.

The successful resolution of these issues is of paramount importance to Miami-Dade County Public Schools. Therefore, your attendance at the conference is mandatory and will provide evidence of our continuing efforts to counsel you. Failure to attend this conference will not preclude it from taking place or disciplinary action from ensuing.

cc: _____ Superintendent, Region/District
_____ Administrative Director, OPS
_____ Administrative Director, Region/District
_____ District Director, OPS
_____ AFSCME

(Do not include titles, only names of designated individuals)

I AM IN RECEIPT OF THIS MEMORANDUM.

Employee Signature

Date

PROCEDURES FOR WRITTEN SUMMARY OF CONFERENCE-FOR-THE-RECORD

TIME AND SUBSTANCE OF SUMMARY:

1. Prepare the summary within reasonable timeframe.
2. State the place, date, and time of the conference.
3. List the participants, titles, and affiliation(s), as applicable.
4. Cite the topics, as noted on the notice of the conference.
5. State notification of right of union representation and decision of employee not to have representation, if applicable.
6. Note contract status and service history of employee.
7. Discuss all informal communication and written documentation given to, and reviewed with, the employee.
8. Record employee's awareness of governing rules, regulations, and procedures, including receipt of documents.
9. Note any connection(s) between the employee's behavior/actions to prior warning(s) and/or discipline.
10. Note any connection(s) between the employee's behavior/actions to prior employment decisions (reappointment, suspension, dismissal).
11. Note objections, alternate opinions, direct challenges, bases, and sources.
12. State clearly and precisely any warning, admonition, directive, or reprimand (if applicable).
13. Point out the implications and consequences of any recurring inappropriate conduct, unlawful actions or unprofessional behavior.
14. Note any and all pending determinations that may lead to further disciplinary action(s).
15. Note that employee's signature acknowledges only receipt, not agreement.
16. Note that employee was notified of his/her right to append his statement/response to the summary.

DELIVERY OF SUMMARY:

1. Obtain the employee's signature and date on the summary acknowledging receipt.*
2. Give a copy of the signed summary to the employee.
3. File a signed copy in the worksite personnel file.
4. File a copy, and support documentation, with any disciplinary recommendation in the worksite personnel file.

* *CFR documentation pertaining to investigative issues is forwarded to OPS and placed in the OPS File, not in the worksite personnel file.*

*** NOTE: If employee refuses to sign for receipt of document, make a note of the refusal on the document, obtain the signature of the administrative witness, and date the document.**

**TEMPLATE
SUMMARY OF CONFERENCE-FOR-THE-RECORD**

MEMORANDUM

Date _____

TO: _____, Employee

Emp. # 000039

FROM: _____, Principal/Supervisor

_____, School/Work Location

SUBJECT: SUMMARY OF CONFERENCE-FOR-THE-RECORD

A conference-for-the-record was held with you in my office on (Day of the Week), (Date and Time).

____ You reported that the United Teachers of Dade (UTD)/Dade Association of School Administrators (DASA)/Dade County School Administrators' Association (DCSAA)/American Federation of State, County, and Municipal Employees (AFSCME)/Dade County School Maintenance Employee Committee (DCSMEC)/Fraternal Order of Police (FOP)/ Confidential Exempt Steering Committee declined to represent you since you are not a member.

Present at the conference were: _____, Assistant Principal; employee; _____, Principal; and _____, DASA/DCSAA/AFSCME/DCSMEC/Confidential Exempt Steering Committee Representative(s) or UTD Union Representative(s).

The conference was held to address: (must be same language used in Notification of CFR)

____ Investigative Report Case Number: _____ concerning _____;
____ your non-compliance with Miami-Dade County School Board Policy (ies);

- School Board Policy 1121.01, 3121.01, or 4121.01, Employment Standards and Fingerprinting.
- School Board Policy 1124, 3124, or 4124, Drug-Free Workplace.
- School Board Policy 1129, 3129, or 4129, Conflict of Interest.
- School Board Policy 1139, 3139, or 4139, Educator Misconduct
- School Board Policy 1210, 3210, or 4210, Standards of Ethical Conduct.
- School Board Policy 1210.01, 3210.01, or 4210.01, Code of Ethics.
- School Board Policy 1213, 3213, or 4213, Student Supervision and Welfare.
- School Board Policy 1217, 3217, or 4217, Weapons.
- School Board Policy 1231, Outside Activities of Administrators, 3231, Outside Activities of Staff, or 4231, Outside Activities of Support Staff.
- School Board Policy 1232, 3232, or 4232, Political Activities.
- School Board Policy 1362, 3362, or 4362, Anti-Discrimination/Harassment.
- School Board Policy 1362.02, 3362.02, or 4362.02, Anti-Discrimination/Harassment Complaint Procedures. .
- School Board Policy 1380, 3380, or 4380, Threatening Behavior Toward Staff Members.
- School Board Policy 1430, 3430, or 4430, Leaves of Absence. .
- School Board Policy 5630, Corporal Punishment and Use of Reasonable Force.
- School Board Policy 7540.04, Staff Network and Internet Acceptable Use and Safety.
- School Board Policy 8600, Transportation.

- School Board Policy 8606, Restrictions on Use of Communication and Transmission Devices on Board-Owned Vehicles.
- School Board Policy 8670, Post Trip Inspections of School Buses.

_____noncompliance with worksite directives regarding _____;
 _____other _____;
 _____a review of the record,
 _____and your future employment status with Miami-Dade County Public Schools (M-DCPS).

Service History

As you reported in this conference, you were initially employed by Miami-Dade County Public Schools as a Position on Date, and you were assigned to Location School where you remained through _____.

To date, you have worked at the following locations (in the identified positions):

<u>Site(s)</u>	<u>Service Dates</u>	<u>Positions (if varying)</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

Conference Data Reviewed

A packet of written documents was provided to you and your Bargaining Agent Representative(s) prior to the conference for review in its entirety.

A review of the record included reference to the following issues:

- X (Date) _____
- X (Date) _____
- X (Date) _____
- X (Date) _____
- X (Date) _____
- X (Date) _____
- X (Date) _____

You were advised that the above-cited violation was determined as Probable Cause by Investigative Report, Case # - conducted by _____.

Copies of the aforementioned documents were presented to and reviewed with you. I asked you if you understood the seriousness of this matter. You replied that you did. I provided you the opportunity to respond. You indicated that _____

Action Taken

You were advised of the high esteem in which M-DCPS employees are held and of the District's concern for any behavior which adversely affects this level of professionalism.

_____ You were reminded of the prime directive to maintain a safe learning environment for all students.

_____ You received a supervisory referral to the District's support referral agency. The following directives are herein delineated which were issued to you during the conference.

1. _____
2. _____
3. _____
4. _____

These directives are in effect as of the date of the conference and will be implemented to prevent adverse impact to

_____ students and their academic progress; (instructional)

_____ the operation of the work unit and to the services provided to students; (non-instructional)

_____ ensure continuity of the education program.

_____ Other: _____

_____ Noncompliance with these directives will necessitate further review for the imposition of additional disciplinary measures and will be deemed as insubordination.

_____ During the conference, you were provided with a copy of:

- School Board Policy 1121.01, 3121.01, or 4121.01, Employment Standards and Fingerprinting was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1124, 3124, or 4124, Drug-Free Workplace was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1129, 3129, or 4129, Conflict of Interest was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1139, 3139, or 4139, Educator Misconduct was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1210, 3210, or 4210, Standards of Ethical Conduct was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1210.01, 3210.01, or 4210.01, Code of Ethics was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.

- School Board Policy 1213, 3213, or 4213, Student Supervision and Welfare was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1217, 3217, or 4217, Weapons was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1231 Outside Activities of Administrators, 3231, Outside Activities of Staff, or 4231, Outside Activities of Support Staff was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1232, 3232, or 4232, Political Activities was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1362, 3362, or 4362, Anti-Discrimination/Harassment was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1362.02, 3362.02, or 4362.02, Anti-Discrimination/Harassment Complaint Procedures was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1380, 3380, or 4380, Threatening Behavior Toward Staff Members was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1430, 3430, or 4430, Leaves of Absence was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 5630, Corporal Punishment and Use of Reasonable Force was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 7540.04, Staff Network and Internet Acceptable Use and Safety was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 8600, Transportation was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 8606, Restrictions on Use of Communication and Transmission Devices on Board-Owned Vehicles was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 8670, Post Trip Inspections of School Buses was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- **How to Use Common Sense and Professional Judgment to Avoid Legal Complications in Teaching**, was discussed with the employee and a copy of this document was given to employee and directed to comply.
- **Common Sense Suggestions for Non-Instructional Personnel** was discussed with the employee and a copy of this document was given to employee.
- State Board of Education Rule 6B-1.001, FAC, and State Board of Education Rule 6B-1.006, FAC. The Code of Ethics and the Principles of Professional Conduct of the Education Profession in Florida was issued and reviewed with the employee and directed to comply.
- The employee was made aware of the District's support referral agency.
- The employee was issued a supervisory referral to the District's support referral agency which is attached.

Other: _____

_____ You were advised to keep the information presented in this conference confidential and not discuss this with students and staff.

Action To Be Taken

You were advised that the information presented in this conference, as well as subsequent documentation, would be reviewed with the Administrative Director in the Office of Professional Standards, the Region Superintendent and Administrative Director of _____Region, and Administrative/District Director of OPS.

The following actions will be taken by this administrator:

- _____ You were advised of the issuance of a letter of reprimand.
- _____ You were directed to adhere to the specific directives issued to you in the conference.
- _____ You were notified that all investigative data will be transmitted to Professional Practices Services (PPS), Florida Department of Education (FDOE), for review and possible licensure action by the Educational Practices Commission (EPC). (Applies only to employees holding Department of Education Certificates.)
- _____ Other _____

Any noncompliance with these directives will compel district disciplinary measures.

You were told that any recurrences of this violation will result in (further) disciplinary action. This administrator asked you if you had any further comments. Your response was _____. The conference was concluded at Time .

(Please be aware/You were apprised) of your right to clarify, explain, and/or respond to any information recorded in this conference by this summary, and to have any such response appended to your record.

cc: _____

I AM IN RECEIPT OF THIS MEMORANDUM.

Employee Signature

Date

NOTE: If the employee is absent for a prolonged time period, send the summary by both U.S. First Class and Certified Mail Return Receipt Requested. Indicate that you have done so on the summary. When it is returned to you, retain the green receipt of certified mail for your records or obtain confirmation of delivery from the Postal Service website (www.usps.com).

A conference-for-the-record
must be conducted **PRIOR** to
any disciplinary
action, including a written
REPRIMAND

TEMPLATE - REPRIMAND

MEMORANDUM

DATE _____

TO: _____, Employee

FROM: _____, Principal/Supervisor

SUBJECT: REPRIMAND

On _____ (Date) _____, you (Briefly indicate circumstances of inappropriate action(s), including place and subject). Probable Cause was found for this infraction by the (General Investigative Unit/ Civilian Investigative Unit/ Administrative Review), Case# _____. These actions were in violation of School Board Policy(ies) _____.

It is your responsibility as a Miami-Dade County Public School (M-DCPS) employee to conduct yourself in a manner that reflects credit upon yourself and the district. Therefore, you are hereby officially reprimanded for the infraction detailed above.

You are directed to: (repeat all directives issued in CFR).

- 1.
- 2.

Any recurrence of the above infraction may lead to further disciplinary action.

I AM IN RECEIPT OF THIS MEMORANDUM.

Employee Signature

Date

cc: _____ Superintendent, Region/District
_____ Administrative Director, OPS
_____ Administrative Director, Region/District
_____ District Director, OPS
(Do not include titles, only names of designated individuals)

INSTRUCTIONAL MID-YEAR CONFERENCE-FOR-THE-RECORD OUTLINE FOR CONTINUING CONTRACT TEACHERS

Employees whose performance is rated Below Standards or who have demonstrated noted deficiencies must participate in a mid-year **conference-for-the-record**. This conference is to be conducted by the principal or site supervisor in **December**.*

As a result of the conference-for-the-record, the following data must be submitted to the Region/District Office no later than the last workday in December before winter recess.

1. Notification of conference-for-the-record to the employee.
2. Summary of conference-for-the-record.

At the conference, the principal/site supervisor is to:

1. Review the performance assessments-to-date.
2. Delineate assistance given by administration to remedy indicators of teaching and learning that do not meet standards (Region/District supervisory assistance, inservice workshops, website materials).
3. Emphasize the positive elements of supervision yielding improved performance.
4. Apprise **instructional** personnel of the possible end-of-year summative evaluation decisions and frozen salary status if performance remains below standards.
5. If appropriate, recommend the employee to the District's Support Referral Agency for problems of stress, burnout, or family concerns through a supervisory referral to the District's Support Referral Agency.

Additional assistance is available from Region and District offices.

*Note: If performance deficiencies are identified after December, a conference-for-the-record must be conducted with teachers who hold continuing contracts following the report of Below Standards and must contain the components of the mid-year conference.

**TEMPLATE
SUMMARY MID-YEAR/END OF YEAR
CONFERENCE-FOR-THE-RECORD
INSTRUCTIONAL (CONTINUING CONTRACT ONLY)**

MEMORANDUM

Date _____

TO: _____, Employee Name

FROM: _____, Principal/Supervisor

_____, School/Work Location

SUBJECT: **CONFERENCE-FOR-THE-RECORD SUMMARY**

Overview:

On _____ (date), a conference-for-the-record was held with you to address: (select one or more)

(must be the same language used in Notification of CFR)

- _____ performance assessments-to-date
- _____ non-compliance with Improvement Plan (IP) activities regarding: (select one or more)
- _____ discipline of students
- _____ fulfillment of prescriptive activities
- _____ meeting timelines
- _____ lesson plans
- _____ maintenance of accurate records
- _____ discuss parent complaints (delineate here, if not formalized previously)
- _____ investigative issues (refer to any pending case or substantiated personnel report)
- _____ excessive absences
- _____ a review of the record
- _____ and future employment status with Miami-Dade County Public Schools
- _____ professional development requirements
- _____ and future employment status with Miami-Dade County Public Schools

In attendance were _____ (principal) _____, _____ (second administrator) _____, _____ (member advocate[s]).

Professional Service History: (optional)

You have been employed with Miami-Dade County Public Schools since _____ (employment date), and at this school site since _____ (site employment date) _____. You currently hold a continuing contract with the District and a teaching certificate in the following area(s): (list area(s)), which is valid through June 30, 20__.

Conference Data Reviewed:

Your performance during the _____ (year-year) school year includes:

Observation Dates	Indicators Below Effective Standards
_____	_____
_____	_____
_____	_____

Assistance Provided:

An Improvement Plan (IP) was provided to remedy performance standards that are unsatisfactory. Additionally, the following support was provided to you to improve teaching/learning: (Select one or more)

- release time to observe other teachers
- inservice workshops (specify)
- district/supervisory assistance
- teacher education courses (specify)
- resources materials (specify)
- demonstration lessons
- referral to District support agency

The IPEGS Summative Performance Evaluation for (year - year) was rated Unsatisfactory in the following areas: (list areas)

If performance standards are not met, the following will occur: (select one)

- Recommendation for frozen salary status and carry-over IP
- Recommendation to not re-employ
- Performance probation carry-over
- Recommendation to the District for termination of employment

Specific Performance Issues:

(Insert pertinent sections from below as necessary)

• **Compliance:**

You have been advised that an IP was provided to remedy performance standards of teaching and learning that are not satisfactory. IPs are contractual obligations (reference Article XXI, M-DCPS/UTD Contract). You are non-compliant with IP timelines.

The IP timeline for the Record of Observed Deficiencies issued on (date) was due on (date) . You did not submit the activities/materials in a timely manner and were duly notified of your requirement to comply.

• **Complaints:**

Complaints have been forwarded to this administrator or the school administration and transmitted to you as stipulated in the M-DCPS/UTD Contract, Complaint Section [Article XXI, The complaints received include: (select one or more)

- poor relationship with students
- failure to maintain safe learning environment
- excessive absences
- inconsistent grading policy
- inequitable treatment of students
- poor communication with parents
- failure to maintain designated records
- inappropriate comments to students
- altercations with other staff members
- other (explain)

Conferences have been conducted with you to address these concerns on (list dates) , and directives were issued to you to promote your improved performance. (If specific directives were given, delineate them here.)

• **Attendance:**

It has been determined that you have been excessively absent during the (year - year) school year. To date, you have been absent (#) days. The following directives were issued to you during the conference, concerning future absences:

1. Intent to be absent must be communicated directly to the designated administrator.
2. Absences for illness must be documented by your treating physician and a written medical note presented to the designated administrator upon your return to the site.

AND/OR

3. Site procedures for provision of lesson plans and materials for the substitute teacher when absent must be adhered to in the event of an absence from the worksite.

If it is determined that future absences are imminent, leave must be considered and procedures for Board-approved leave implemented.

These directives are in effect as of the date of the conference and will be implemented to:
(select one or more)

- maintain good attendance
- maintain support services to students
- continue the academic progress of students
- continue the effective operation of the worksite
- ensure continuity of the educational program.

Non-compliance with these directives will engender further disciplinary measures.

Employee Responses:

You were provided with an opportunity to respond to:
(Include employee responses or remarks here.)

Concluding Remarks:

During the conference, you were provided a copy of School Board Rule Policy 3210, Standards of Ethical Conduct, and Chapter 6B-1.001(3), Code of Ethics of the Principles of Professional Conduct of the Education Profession of Florida. You were advised of the high esteem in which teachers are held and of the District's concern for any action which adversely affects this level of professionalism.

Please be advised that the school administration is available to assist you in your professional development and will make every effort to accommodate your requests related to performance improvement.

You are hereby notified of your right to clarify, explain, and/or respond to any information recorded in this conference by this summary, and to have such response appended to your record.

- cc: _____ Superintendent, Region/District
 _____ Administrative Director, OPS
 _____ Administrative Director, Region/District
 _____ District Director, OPS

(Do not include titles, only names of designated individuals)

I AM IN RECEIPT OF THIS MEMORANDUM

Employee Signature

Date

**TEMPLATE
CONFERENCE-FOR-THE-RECORD FOR
EMPLOYEES ON LEAVE OR ABSENT
INSTRUCTIONAL (APPLIES TO CONTINUING
CONTRACTED EMPLOYEES)**

MEMORANDUM

Date _____

TO: _____ (Employee)

FROM: _____ (Principal)

_____ (Site)

SUBJECT: CONFERENCE DATA DELINEATED FOR _____ MID-YEAR CONFERENCE
 _____ UNSATISFACTORY END OF YEAR
 SUMMATIVE PERFORMANCE
 EVALUATION

This memorandum takes the place of the conference-for-the-record that would have been conducted, had you not been on leave/absent, to address the unacceptable performance standards identified this school year.

During the ___ year - year ___ school year, assessment of your performance was as follows:

<u>Observation Date</u>	<u>Unsatisfactory Standards</u>	<u>IP Timeline</u>
_____	_____	_____

_____ Please be advised that the assessment process will continue upon your return to the worksite to remedy indicators of teaching and learning that do not meet standards.

_____ Please be advised that the assessment process will continue upon your return to the worksite to remedy indicators of teaching and learning that do not meet standards and, as such, the annual evaluation is rated unacceptable in:

_____ Please be advised that the enclosed employment action has been recommended because your performance remains Below Standards at this time.

_____ The End of Year Summative Performance Evaluation ___(year)_ is enclosed for your signature. Please return a signed copy to me in the enclosed, stamped envelope and retain a copy.

A conference will be conducted upon your return to the worksite to clarify any concerns you may have.

Attachment(s)

cc: _____ Superintendent, Region/District
 _____ Administrative Director, OPS
 _____ Administrative Director, Region/District
 _____ District Director, OPS

(Do not include titles, only names of designated individuals)

Certified - Return Receipt Requested
US Mail

**TEMPLATE DISCIPLINARY ACTION
POST OPS CONFERENCE SITE DISPOSITION
REQUEST FROM OPS TO WORKSITE**

MEMORANDUM

Date _____

TO: _____ (Principal/Site Administrator)

_____ (School/Worksite)

FROM: _____ (Administrative Director)
Office of Professional Standards

SUBJECT: DISCIPLINARY ACTION POST OPS CONFERENCE SITE DISPOSITION

CASE: _____ - _____

**SUBJECT: PRELIMINARY PERSONNEL INVESTIGATION
SCHOOL BOARD POLICY (IES)
PROBABLE CAUSE**

NAME: _____ **EMPLOYEE #** _____

POSITION: _____

LOCATION: _____

The Office of Professional Standards seeks to establish a final disposition for the above-indicated case.

Because the report references administrative action at the worksite which shall be sufficient to bring closure to the issue, your written implementation of actions related to the cited case must be reviewed with the Region/District Office and provided to this office.

This disciplinary action should include:

- Letter of reprimand
- Written directives as delineated in the conference-for-the-record (CFR).

The disciplinary actions should be forwarded to the Office of Professional Standards within **10** working days from the date of this memorandum, with a copy to the Region/District Office.

The disciplinary report is available for review in the Office of Professional Standards.

The investigative report is maintained in the Office of Professional Standards and is not to be placed in a site file.

Attachment - CFR Summary

cc: _____, Superintendent, Region/District
_____, Administrative Director, OPS
_____, Administrative Director, Region/District
(Do not include titles, only names of designated individuals)

IX.

MEP
MANAGERIAL EXEMPT PERSONNEL
SCHOOL SITE
NON-SCHOOL SITE

PROFESSIONAL RIGHTS

Probationary Period

The first 97 days of an initial contract to an administrative position is a probationary period pursuant to §1012.33. During the probationary period, the employee may be dismissed without cause or may resign from the contractual position without breach of contract. A dismissal during the probationary period shall be final and not subject to a hearing in accordance with Section E-2(B) or other provision of law or School Board Rule. This probationary period applies to the employee's first MEP administrative position with Miami-Dade County Public Schools.

DUE PROCESS

Conference-for-the-Record

1. Any administrator summoned for a Conference-for-the-Record shall have the right to representation by the organization granted meet and confer status with the Superintendent and shall be informed of this right. An administrator may not be represented by an attorney in a Conference-for-the-Record.
2. Administrators shall be given 48 hours notice in writing and a written statement of the reason(s) for the Conference-for-the-Record. If the administrator requests representation, a good faith effort shall be made to schedule the conference at a time when representation can be present.
3. Any conference not held in accordance with the aforementioned conditions shall not be recorded for inclusion in the administrator's personnel file.

Appeal/Hearing Rights

1. No administrator shall be subject to disciplinary action, including dismissal, unless detailed specifics have been made known to that administrator in writing. A hearing, with the right to representation, shall be provided to an administrator who has been recommended for disciplinary action during the term of the administrator's contract provided a written request for hearing is made within 15 calendar days of the Board Action.
2. Any administrator who has been recommended for non-renewal/non-reappointment shall, upon written request submitted within 15 calendar days of the non-reappointment/non-renewal notice, be provided with a review conference directly with the Superintendent or designee.

Complaints

1. For purposes of this section complaint shall mean a written or verbal statement that (1) communicates allegations of a violation of: Federal or State Laws, School Board Policies, the Code of Ethics, the Principles of Professional Conduct of the Education Profession in Florida or (2) the nature of the allegations require action or intervention from the District (“Complaint”).
2. No anonymous complaint shall be placed in an administrator’s personnel file. All anonymous complaints and other materials shall be filed with the Office of the Inspector General and maintained by the Inspector General as a public record, pursuant to §1012.31(1)(b)F.S.
3. All complaints, either verbal or written, shall be directed initially to the immediate supervisor of the subject of the Complaint.
4. All Complaints regarding the commission of a crime shall be reported to School Police.
5. All Complaints regarding allegations of unlawful discrimination or sexual harassment must be forwarded to the Office of Civil Rights Compliance within two (2) business days.
6. When a Complaint is received, the immediate supervisor contacts his/her supervisor at the next administrative level and they jointly make an initial determination whether the allegation is so serious in nature that further fact-finding and an investigation is warranted. If no further fact-finding is warranted, disposition actions are then taken and the complaint is officially closed. The disposition shall include a notification to the employee of the determination, and as appropriate, a conference-for-the-record, and/or any warranted disciplinary action.
7. If a determination is made that further action is justified, the supervisor shall hold a meeting with the affected administrator within fifteen (15) calendar days of a receipt of the initial Complaint. At that meeting, a copy of the Complaint and all related documentation shall be provided to the administrator who is the subject of the Complaint. After meeting with the administrator, the immediate supervisor shall make a determination about further fact-finding. If further fact-finding is warranted due to the serious nature of the allegations made, the Complaint shall be forwarded to the School Police in accordance with District procedures.
8. All Complaints whether anonymous, verbal or written and related records are to be maintained pursuant to the Public Records Retention Schedule.

Below Expectations on Performance Standards:

Performance not satisfactorily meeting the prescribed job requirements listed for each standard in Categories I and II will result in a rating of Below Expectations on Performance Standards. Also, meeting less than 80% of Performance Related to Job Targets (Category III) will result in an overall rating Below Expectations on Performance Standards. An overall rating Below Expectations on Performance Standards requires a written Professional Improvement Plan specifying how performance is to be improved. This rating will result in appropriate employment action(s) which may include recommendation for non-renewal of the employment contract (hereinafter “non-reappointment”).

Employees who receive this rating on the annual evaluation and are reappointed are not eligible in the subsequent school year to apply for transfers or promotions, and are not eligible for any increases made to the salary schedule.

REQUIRED FORMS AND TIMELINES

REQUIRED FORMS	TIMELINE
PLANNING PHASE for all administrators	By the end of September
PLANNING FORM for completion by assessee EVALUATION FORM from previous year for reference	<ul style="list-style-type: none"> • Planning conference(s) between assessor and assessee will be conducted. • A written plan will be developed and placed on file using the Planning Form of the Performance Planning and Assessment System. • Subsequent formal Progress Conferences(s) will occur at the discretion of the assessor according to the performance of the assessee. • The Progress Form and the Evaluation Form will be discussed with the reviewer in advance of the Progress and Evaluation Conferences.
Administrators assigned to a work location after September shall participate in all of the PLANNING PHASE activities as part of their orientation to their new work assignment within their first month's assignment to the new work location.	

PROGRESS PHASE	By the end of January
<p>PROGRESS FORM for completion by assessor</p> <p>PLANNING FORM for reference & updating</p> <p>PROFESSIONAL IMPROVEMENT PLAN</p>	<ul style="list-style-type: none"> • A mid-year Progress Conference, initiated by the assessor will be held with every administrator. Copies of this completed Progress Form are to be filed in the office of the assessor and assessee. <p>For each administrator whose overall performance rating is Below Expectations on Performance Standards, a written professional improvement plan will be provided. This plan will specify activities which address the designated performance standards to be improved. A copy of the Progress Form and the Professional Improvement Plan Form shall be forwarded to the Office of Professional Standards.</p>
	<p>Any administrator in a probationary period whose official performance rating is Below Expectations on Performance Standards will be notified of the recommendation for non-renewal/non-reappointment if unsatisfactory performance continues.</p> <p>Any continuing contract administrator whose official performance rating is Below Expectations on Performance Standards will be notified of the recommendation for non-renewal/non-reappointment pursuant to §1012.33(4)(b)F.S., if unsatisfactory performance continues.</p>
	<p>By March 15 for Continuing Contracts and by mid-April for all others</p>
	<ul style="list-style-type: none"> • An Evaluation Form will be completed and filed in Office of Human Resources for school site administrators being recommended for non-renewal/non-reappointment. If the administrator holds a continuing contract as an administrator or supervisor, the recommendation for non-reappointment must meet the requirements of §1012.33(4)(b)F.S. • Assessment of performance will continue for the balance of the contract year.
<p>Administrators not on the regular planning and assessment schedule as a result of re-assignment to a work location during the year shall be scheduled for a progress conference within three months after the date of their planning conference.</p>	

EVALUATION PHASE	By the end of June
<p>EVALUATION FORM for completion</p> <p>PLANNING FORM from current year for reference</p> <p>CHECKLIST for School- Site and Non-School Site Administrator's Evaluation Form</p>	<ul style="list-style-type: none"> • Evaluation forms for all administrators will be completed and filed in the Office of Human Resources and a copy distributed to the reviewer, assessor, and assessee. Progress Forms previously filed may be amended or supplemented and filed at this time.

X.

DCSAA
DADE COUNTY SCHOOL ADMINISTRATORS'
ASSOCIATION

EVALUATION PROCEDURES

The following procedures are set forth in the contract between M-DCPS and the Dade County School Administrators' Association (DCSAA).

UNACCEPTABLE PERFORMANCE

Performance not exhibiting the specific number of indicators for each component of the Job Performance Competencies (Category I), and/or that has not satisfactorily met the overall Job Targets with "progress has been demonstrated" shall result in a rating of *Unacceptable* and shall require a Professional Improvement Plan.

An overall rating of *Unacceptable* shall require a written Professional Improvement Plan specifying the manner in which performance in deficient categories will be improved. An unacceptable rating, determined by the mid-year Progress Conference, may result in appropriate employment action(s), which may include a recommendation for non-reappointment.

Employees who receive an unacceptable rating on the year-end evaluation and are reappointed are not eligible in the subsequent school year to apply for transfers or promotions. Further, they are not eligible for any salary improvements until an acceptable performance level, as required by the Professional Improvement Plan, is attained.

REQUIRED ACTIONS - PLANNING PHASE

- a. The employee shall complete the Planning Form (FM-5944) for the year.
- b. A conference shall be scheduled between the employee and the evaluator.
- c. The job description, responsibilities and possible desirable professional growth activities of the employee shall be reviewed by the evaluator.
- d. Mutual agreement shall be reached on:
 1. individual job targets of the employee that are not part of the job description for the position;
 2. activities which shall provide evidence of progress and/or accomplishment; and
 3. dates of projected completion of job targets.
- e. Resources available and/or needed to reach the job targets shall be identified.

- f. Copies of the completed Planning Form shall be made available to:
 - 1. the evaluator;
 - 2. the employee; and
 - 3. the reviewer (evaluator's supervising employee).

REQUIRED ACTIONS - PROGRESS PHASE

- a. One or more progress conferences shall be conducted between the evaluator and the employee. Each conference shall:
 - 1. be a confidential meeting within a dedicated timeframe;
 - 2. take place during normal working hours; and
 - 3. be a data source for the evaluation phase of the cycle.
- b. The progress conference shall be documented by the completion of the Progress Form (FM-5943) by the evaluator. The completed form shall be discussed with the reviewer in advance of the progress conference. Subsequent to the conference, the form shall be signed and dated by the employee, evaluator, and reviewer.
- c. The employee may wish to provide the evaluator with a written summary of major accomplishments to date. These may be listed on the Planning Form next to each job target.
- d. The evaluator shall schedule sufficient contact with the employee in his/her working situation to:
 - 1. gain needed firsthand information to assess the employee's competencies and performance;
 - 2. gather evidence and documentation to support judgment of effectiveness; and
 - 3. provide appropriate assistance and training.
- e. If the employee is rated Unacceptable overall, the evaluator shall indicate such rating on the Progress Form and attach documentation to support the rating.

Additionally, a Professional Improvement Plan (FM-5940), with the tasks and timelines necessary for the employee to meet acceptable performance standards or competencies, and dates for review of progress not to exceed 90 days, shall be provided to the employee.

There shall be periodic monitoring of progress made under the Professional Improvement Plan.

Those tasks successfully accomplished shall be dated and signed by the evaluator upon presentation and request by the employee.

- a. The Progress Form and the Professional Improvement Plan must then be signed and dated by the employee, the evaluator, and the reviewer. The employee's signature represents receipt, not concurrence.
- b. The employee shall have the right to append a progress report within 10 working days of the conference.
- c. The appendage shall be provided to the evaluator and the reviewer and shall be attached to the Progress Form.

EVALUATION PHASE

The final phase in the cycle is the EVALUATION PHASE. This phase involves a comprehensive review of performance related to the Job Performance Competencies and Performance Related to Job Targets. This phase involves the completion of the Evaluation Form (FM-5942) and, if applicable, the Professional Improvement Plan Form. The Evaluation Phase completes the evaluation cycle for the current year.

Employees, whose performance is rated as acceptable, as evidenced on the year-end evaluation, are eligible for salary increases in accordance with the provisions of the collective bargaining agreement.

Employees whose performance is rated as unacceptable on the year-end evaluation, and are reappointed, are not eligible in the subsequent school year to apply for transfers or promotions. These employees are also not eligible for any salary improvements until an acceptable performance level is attained, as set forth in the Professional Improvement Plan.

Employees leaving a work location before the end of the school year for any reason shall be evaluated in accordance with the procedures set forth for the EVALUATION PHASE. Completed Evaluation Forms are to be sent to Human Resources within two weeks of the employee's departure from the work location.

REQUIRED FORMS AND TIMELINES

REQUIRED FORMS	TIMELINE
<p>PLANNING PHASE for all administrators</p>	<p>Commencing no later than June 30 of the closing year, and in conjunction with the End-of-Year Evaluation Conference. (An amended plan may be developed on or before September 15)</p>
<p>PLANNING FORM for completion</p> <p>EVALUATION FORM from previous year for reference</p>	<ul style="list-style-type: none"> • Planning conference(s) between assessor and employee will be conducted. • A written plan will be developed using the Planning Form of the Performance Planning and Evaluation System. • Subsequent formal Progress Conferences(s) shall occur at the discretion of the evaluator according to the performance of the employee. • The Progress Form and the Evaluation Form shall be discussed with the reviewer in advance of the Progress and Evaluation Conferences.
<p>Employees not on the regular schedule of planning and evaluation activities because of assignment to a new work location during the year shall be scheduled for a conference within two months of their initial planning conference to review performance to date.</p>	

PROGRESS PHASE	By January 31
<p>PROGRESS FORM for completion</p> <p>PLANNING FORM for reference and updating</p> <p>PROFESSIONAL IMPROVEMENT PLAN</p>	<ul style="list-style-type: none"> • A mid-year Progress Conference shall be held with every employee. Copies of this completed Progress Form are to be filed in the evaluator's and employee's offices. • For each employee whose overall performance rating is Unacceptable, a written Professional Improvement Plan shall be provided. This plan shall specify timelines and activities, which address the designated performance standards and/or competencies to be improved. A copy of the Progress Form and the Professional Improvement Plan Form shall be forwarded to the Office of Professional Standards. • Any employee whose official performance rating is Unacceptable shall be notified of the possible recommendation for non-reappointment if unsatisfactory performance continues.
	By April 15:
	<ul style="list-style-type: none"> • A Progress Form shall be completed and filed in the Office of Professional Standards for non-school site employees being recommended for non-reappointment who have been on a professional improvement plan. • Evaluation of performance shall continue for the balance of the contract year.
<p>Employees not on the regular schedule of planning and evaluation activities because of assignment to a new work location during the year shall be scheduled for a conference within two months of their initial planning conference to review performance to date.</p>	

EVALUATION PHASE	By June 30
EVALUATION FORM for completion	An End-of-Year Evaluation Conference shall be conducted with the employee.
PLANNING FORM from current year-for reference	Evaluation forms for all employees shall be completed and filed in Human Resources and in the office of the reviewer, evaluator, and employee.
CHECKLIST for Non- School Employee's Evaluation Form	An initial Planning Form for the upcoming year shall be developed as part of the End-of-Year Evaluation procedure. (See Planning Phase timeline)



**MIAMI-DADE COUNTY PUBLIC SCHOOLS
PERFORMANCE PLANNING AND EVALUATION
PROFESSIONAL AND TECHNICAL PERSONNEL
PROFESSIONAL IMPROVEMENT PLAN**

EMPLOYEE'S NAME _____ AREAS TO BE STRENGTHENED	WORK LOCATION _____ ACTION PLAN	TIMELINE									
SAMPLE											
RECOMMENDED RESOURCES	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Employee</td> <td style="width: 30%;">Signature _____</td> <td style="width: 40%;">Date _____</td> </tr> <tr> <td>Evaluator</td> <td>Signature _____</td> <td>Date _____</td> </tr> <tr> <td>Reviewer</td> <td>Signature _____</td> <td>Date _____</td> </tr> </table>		Employee	Signature _____	Date _____	Evaluator	Signature _____	Date _____	Reviewer	Signature _____	Date _____
Employee	Signature _____	Date _____									
Evaluator	Signature _____	Date _____									
Reviewer	Signature _____	Date _____									

XI.

INSTRUCTIONAL PERSONNEL
PERFORMANCE IMPROVEMENT

IMPROVING PROFESSIONAL PERFORMANCE

The Student Success Act of 2011 designates evaluation and support guidelines for professionals that are differentiated by contract status (i.e., Probationary, Annual, Professional Service, and Continuing).

Two (2) formal tools are provided in IPEGS to improve performance. The first is the *Support Dialogue* (SD), a school/worksite-level discussion between the administrator and the professional. A *Support Dialogue* begins the formal process of providing support and assistance when a professional's performance is unsatisfactory. However, *Support Dialogue* is neither required nor appropriate to address compliance issues pertaining to Performance Standard 7: Professionalism regarding rules, punctuality and attendance, after appropriate progressive discipline has been applied. The second is the *Improvement Plan*, which is more structured and meets the requirements of the Florida Statute related to notifying a professional of unsatisfactory performance. The *Improvement Plan* follows a *Support Dialogue* when a professional's job performance has not improved within the *Support Dialogue* time frame.

SUPPORT DIALOGUE

The *Support Dialogue* is initiated by the assessor at any point during the school year when the professional's performance is unsatisfactory. *Support Dialogue* is designed to facilitate discussion about identified performance standard(s) and to identify ways to address improvement. During the SD, both parties share what each will do to support the professional's growth. Mutually agreed upon supportive assistance and resources, including responsible parties who will provide support, will be identified.

If as a result of an observation, *the collective evidence indicates that the professional requires support in meeting the standard(s)*, a SD is held within ten (10) calendar days of the observation. The professional is notified of a scheduled SD via a *Support Dialogue (SD) Meeting Notification Form* which must be issued no later than forty-eight (48) hours prior to the SD meeting. At this SD meeting, the professional has the right to union representation and/or may request a peer support professional who is mutually agreed upon by the professional and the assessor. The SD process is intended to be completed within a twenty-one (21) calendar day period, while the professional receives support and implements changes in his/her performance. After the twenty-one (21) calendar day period has elapsed, the same assessor must observe the professional again.

During the school year, when there is collective evidence that indicates a professional is in need of assistance and support to meet one or more of the performance standards in an effective manner (i.e., developing/needs improvement), the *Support Dialogue* process is not applicable; however, informal support is made available to the professional. It is incumbent upon the assessor to clearly communicate such to the professional at any time during the evaluation cycle when a professional's performance is deemed to require assistance and

support. Through a collegial and supportive process, the professional and the assessor discuss these specific standards and what appropriate assistance and support will be provided. In addition, the professional may seek other professional development/growth opportunities. It is the responsibility of the professional and the administrator to informally document the professional support and assistance process.

Professionals develop and improve their job performance over time and with support and assistance. Some professionals will need more time to develop and improve their performance to ensure it reaches an effective standard of performance. Therefore, a professional may be considered “developing/needs improvement” for more than one evaluation cycle. However, to assess a professional as “developing/needs improvement” for more than one evaluation cycle, the professional must have been provided evidence in a timely manner throughout the evaluation cycle to allow the professional to seek and take advantage of opportunities to receive assistance and support for the purpose of improving his/her performance.

The following are sample guiding questions for the SD conversation.

<p><i>Sample Prompts for the SD Conversation</i></p> <ol style="list-style-type: none">1. Tell me about your instructional setting.2. What challenges have you encountered in addressing _____ (tell specific concern)?3. What professional development have you taken to address instructional delivery/student achievement? How does this align with your IPDP?4. What strategies have you tried to implement to address the concern of _____ (tell specific concern)?5. What support can I or others provide you? (may include the following types of assistance to the professional: professional development/professional growth activities, shadowing, mentoring, peer review, and/or modeling, support from the school site/regional center and/or district curriculum specialists.) <p>The assessor shares some support ideas and asks,</p> <ol style="list-style-type: none">1. What do you think of these ideas?2. Do you have any new suggestions for change?

Any subsequent observation to an unsatisfactory observation must start at the beginning of the class and last for the complete lesson. However, for classes extending beyond the standard elementary/secondary scheduled class/subject (e.g., block schedules, 3 hour auto mechanics, etc.), the assessor must have observed a lesson from the beginning of the class and remained for a minimum of one (1) hour. The following chart delineates Step 1 of 2 in the Support Dialogue process for improving professional performance.

**Step 1 to Improve Professional Performance
Probationary/Annual Contract (AC)
Professional Service Contract (PSC) / Continuing Contract (CC)**

Support Dialogue	
Purpose	For professionals who are in need of additional support, SD is initiated.
Initiator	Assessor Site administrator must contact the Region Center and the Office of Professional Standards.
Documentation	Observation of Standards Form (OSF) <ul style="list-style-type: none"> ◦ Examples/Evidence that clearly describe unsatisfactory deficiencies ◦ The specific standards that are unsatisfactory and require assistance must be identified. ◦ The SD box must be checked “yes.”
Assistance	Assistance that may be offered, but is not limited to: <ul style="list-style-type: none"> ◦ The use of sample prompts for initial conversation. ◦ Professional growth activities. ◦ Shadowing, mentoring, peer review, and/or modeling.
Outcomes	<ul style="list-style-type: none"> • Professional improves and no additional support is required or support continues through the informal professional assistance and support process, or • Professional has demonstrated some progress and the assessor may extend the time of the SD, or • No progress and performance is unsatisfactory — the professional is placed on an Improvement Plan (IP).

The desired outcome for engaging in SD is for the professional’s practice to improve. However, in the event that limited improvements in performance have been made, the assessor may extend the timeline of the Support Dialogue for an additional ten (10) work days. If the professional’s performance is unsatisfactory, the professional must be placed on an Improvement Plan (IP). Once placed on an IP, the professional will be provided with a 90-Calendar Day Probation period to demonstrate that identified deficiencies have been corrected.

If an assessor and a professional have completed Step 1, Support Dialogue, and performance is unsatisfactory, Step 2 is initiated. Step 2 is defined when a professional’s performance is unsatisfactory in any standard and the professional is placed on a 90-Calendar Day Probation and an Improvement Plan (IP). Ideally, the desired outcome of an IP is to improve the professional’s performance to an effective level. If the professional’s performance does not improve to a developing or needs improvement or effective level, the result will constitute a professional not being recommended for continued employment. The following chart delineates the Improvement Plan (IP) process which is Step 2 of 2 in improving professional performance.

**IMPROVEMENT PLAN (IP)
90-CALENDAR DAY
PROBATION**

**STEP 2 to Improve Professional Performance
Annual Contract (AC)/Professional Service Contract (PSC)**

Unsatisfactory Assessment	
Purpose	For professionals whose performance is unsatisfactory on one or more performance standards, an IP is initiated.
Initiator	Site administrator Site Administrator must notify the Region Center and Office of Professional Standards.
Documentation	<ul style="list-style-type: none"> • Minimum of two (2) Observation of Standards Forms (OSF) • Examples/Evidence that clearly describe(s) unsatisfactory deficiencies • The specific standards that are unsatisfactory must be identified. • The IP box must be checked “yes” for the second subsequent observation. • Conference for the Record (CFR)-Notification and Summary • Improvement Plan (IP) <p align="center">90-Calendar Day Probation begins (See Chart, page 34)</p>
Assistance	Assistance may include, but is not limited to: <ul style="list-style-type: none"> ◦ support from school site/regional center and/or district curriculum specialist; ◦ continued support and assistance; ◦ peer/mentor assistance; ◦ professional development and/or other professional growth activities on specific topics; and/or ◦ other resources to be identified.
Outcomes	<ul style="list-style-type: none"> • Performance improves to effective – recommended for continued employment, or • Performance improves to developing or needs improvement – recommended for continued employment, or • Performance is unsatisfactory – not recommended for continued employment.

Note: Florida Statute §1012.34 provides guidance on the activities that occur in conjunction with the IP (See summary in Appendix A).

An IP may be implemented at any point during the year provided that the professional has had an SD and a minimum of two (2) observations. The IP is designed to guide a professional in addressing areas of concern through targeted assistance with additional resources. If a professional's performance is being observed by the site administrator designee, he/she consults with the site administrator on the need for an IP. During the Conference-for-the-Record (CFR), the site administrator, the assessor (if different), the professional, and the union representative (if applicable) may advance suggestions to the IP. At a subsequent meeting, when the summary of the CFR is signed, the IP will be explained and signed. (The CFR meeting, CFR Summary meeting, and the IP initiation must be completed with signatures within ten (10) calendar days). The day after the IP is signed by the site administrator and the professional, the official start of the 90-Calendar Day Probation begins.

90-Calendar Day Probation/Improvement Plan (IP)

Instructional personnel whose performance is “unsatisfactory” are placed on a 90-Calendar Day Probation during which the Improvement Plan (IP) is implemented. The following charts delineate the procedures that are implemented as a result of unsatisfactory performance on one or more standard(s) for the annual contract, professional service contract, and continuing contract professionals, respectively.

In accordance with the Student Success Act and Florida Statute §1012.34, instructional personnel hired on or after July 1, 2011, are awarded a “probationary contract” for a period of one school year upon initial employment in a school district regardless of previous employment in another school district or state. Probationary contract employees may resign without breach of contract or be dismissed without cause. This “Probationary Contract Status” is not to be confused with 90-Calendar Day probationary period IP for professional who hold an Annual Contract or a Professional Service Contract described in this section.

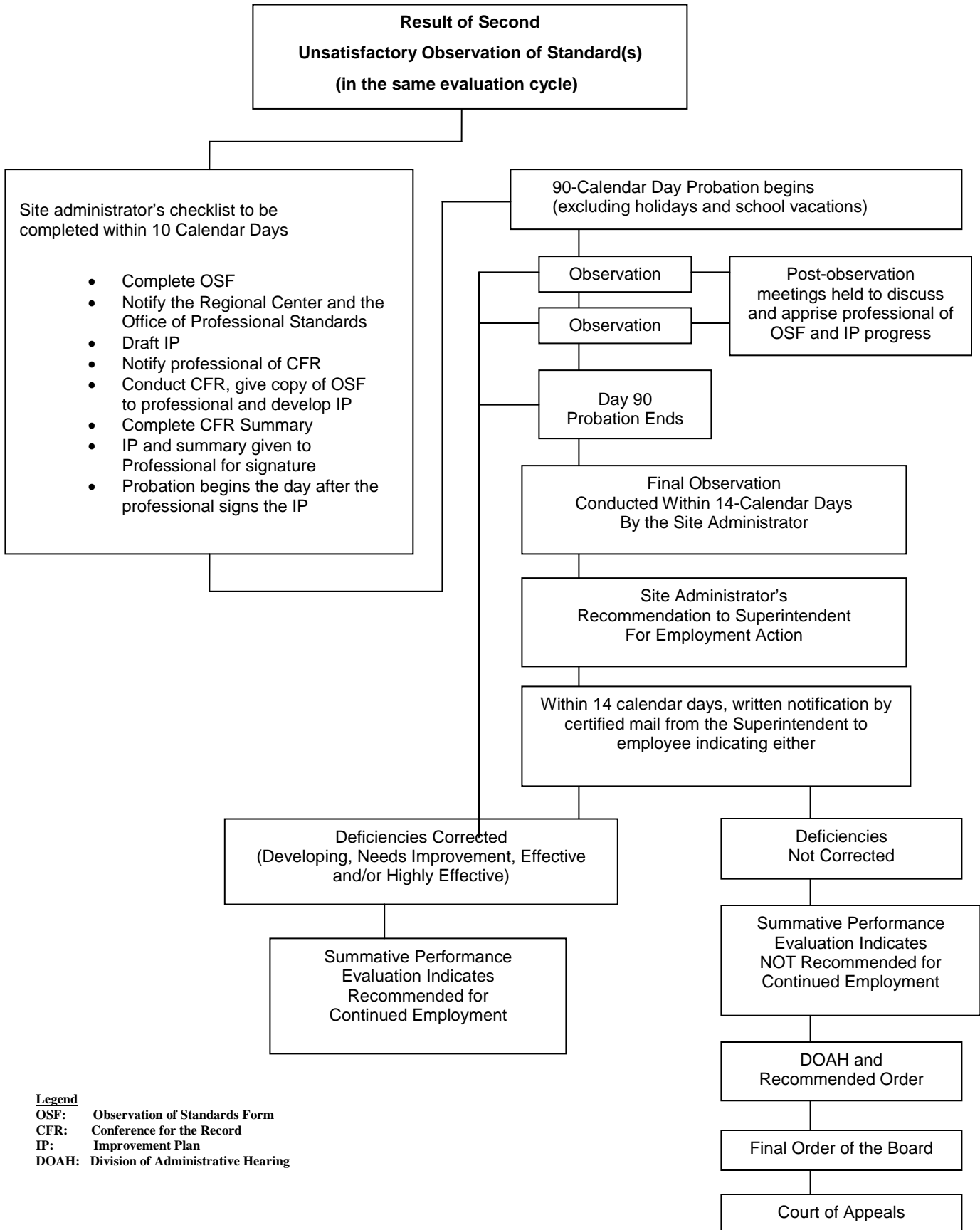
**90-Calendar Day Probation/Improvement Plan (IP)
Annual Contract (AC) and Professional Service Contract (PSC)
Professionals**

Professionals

CONTRACT STATUS	PERSON(S) RESPONSIBLE	PROCEDURES
Annual Contract (AC) Professionals or Professional Service Contract (PSC) Professionals	Site administrator	<p>If the examples/evidence of the subsequent observation conducted by the same assessor during the current school year results in unsatisfactory performance, an Observation of Standards Form (OSF) is completed and given to the professional at a Conference for the Record (CFR), which must take place within 10 calendar days excluding employee absence(s), holidays and recess. The professional has a right to union representation. In the event that a professional is absent on authorized leave in excess of 10 consecutive workdays, the 90-Calendar Day Probation is suspended until the professional returns to active duty, at which time it resumes. At the CFR, the following occurs:</p> <ul style="list-style-type: none"> • The site administrator and professional discuss the results of the observation in terms of all performance standards. • The site administrator and the professional shall sign the Observation of Standards Form (OSF) and a copy must be provided to the professional. • The site administrator develops the Improvement Plan (IP). During the development and review of the IP, the professional and the union representative, if applicable, may advance suggestions. Any changes resulting from clarifications made at the meeting must be reflected in the completed IP. • At a subsequent meeting, the summary of the CFR is signed and the completed IP is explained and signed. The site administrator advises the professional of specific support and resources in order to assist the professional to complete IP requirements, prior to the next observation. The site administrator then issues the IP. • The professional's signature on the OSF and IP merely signifies receipt and does not necessarily indicate agreement with its contents. • The site administrator and the professional shall discuss an approximate date for the next observation, which must be no later than 30 calendar days from the CFR. • Two (2) observations during the 90-Calendar Day Probation are required. After each additional observation, if deficiencies continue, a post-observation meeting must be held within 10 calendar days excluding employee absence(s) and a revised/new IP is developed and provided to the professional. The same procedures apply to all subsequent IPs. <p>If the 90-Calendar Day Probation cannot be completed before the end of the school year, the probation will be continued into the next school year and the summative evaluation withheld until the process is concluded. In this case, the professional is ineligible for summer employment and salary increases until deficiencies have been corrected.</p> <p>Prior to the site administrator making an employment recommendation, the site administrator conducts a final observation within fourteen (14) calendar</p>

	Professional	<p>days of the end of the 90-Calendar Day Probation. The recommendation must be forwarded to the Superintendent, who within fourteen (14) calendar days of receipt of the site administrator's recommendations notifies the professional of the final recommendation by certified mail. The final recommendation will be one of the following:</p> <ul style="list-style-type: none"> a) The performance deficiencies have been satisfactorily corrected: The professional is no longer on an Improvement Plan (IP)/probationary status. b) The deficiencies were not corrected: The professional is recommended for dismissal for just cause or non-renewal of contract.
	Office of Professional Standards/UTD/Professional	<p>Professionals may use provisions specified in Article XXI of the M-DCPS/UTD contract to address compliance issues. At any time during the 90 calendar days, the professional may request a transfer to another appropriate position with a different site administrator. However, a transfer does not extend the period for correcting performance standard(s) deficiencies. Additionally, state statute 1012.335 provides that "a principal may refuse to accept the placement or transfer of instructional personnel by the district school superintendent to his or her school unless the instructional personnel has a performance rating of "effective" or "highly effective" under s. 1012.34.</p> <p>If the professional wishes to contest the Superintendent's recommendation, the professional must, within fifteen (15) calendar days after receipt of the Superintendent's recommendation, submit a written request for a hearing.</p> <p>The Union, upon the professional's request, may meet with personnel from the Office of Professional Standards to review all pertinent documents and administrative actions relative to the observation(s) and IP procedures.</p>

90-Calendar Day Probation
Annual Contract / Professional Service Contract



Legend

- OSF:** Observation of Standards Form
- CFR:** Conference for the Record
- IP:** Improvement Plan
- DOAH:** Division of Administrative Hearing

Improvement Plan (IP) for CC Professionals

CONTRACT STATUS	PERSON(S) RESPONSIBLE	PROCEDURES
Continuing Contract (CC) Professionals	<p>Site administrator</p> <p>Professional</p> <p>Site administrator</p>	<p>If the examples/evidence of the second observation conducted by the same assessor of the current school year results in unsatisfactory performance, an Observation of Standards Form (OSF) is completed and a Conference for the Record (CFR) must take place within 10 calendar days excluding employee absence(s), holidays and recess. The professional has a right to union representation. At that meeting, the following occurs:</p> <ul style="list-style-type: none"> • The site administrator and professional discuss the results of the observation in terms of all performance standards. • The site administrator and the professional shall sign the Observation of Standards Form (OSF) and a copy must be provided to the professional. • The site administrator develops the Improvement Plan (IP). During the development and review of the IP, the professional and the union representative, if applicable, may advance suggestions. Any changes resulting from clarifications made at the meeting must be reflected in the completed IP. • At a subsequent meeting, the summary of the CFR is signed and the completed IP is explained and signed. The site administrator advises the professional of specific support and resources in order to assist the professional to complete IP requirements, prior to the next observation. The site administrator then issues the IP. • The professional's signature on the OSF and IP merely signifies receipt and does not necessarily indicate agreement with its contents. • The site administrator and the professional shall discuss an approximate date for the next observation, which must be no later than 30 calendar days from the CFR. • The professional takes corrective action to correct deficiencies. • The site administrator must conduct the first observation prior to the third quarter and a minimum of three (3) observations with examples and evidence of unsatisfactory performance standards required for the Summative Evaluation in order to not meet recommendation for continued employment. However, if only two (2) observations with unsatisfactory performance standard(s) are conducted by the end of the school year, the Summative Evaluation is withheld and carried over pending completion of the observation process the following school year. <p>The "Carry Over" Process (CC Professionals)</p> <ul style="list-style-type: none"> • The site administrator must conduct one (1) additional subsequent observation required to complete the process and must be conducted during the first thirty (30) work days with student contact, excluding the first ten (10) working days with student contact. • Upon completion of the carry-over observation a Summative Evaluation for the previous school year is rendered. • In the subsequent year, the assessor must conduct two (2) observations within the first 60 work days of student contact, excluding the first 10 working days with students. Three additional (3) observations with examples and evidence of unsatisfactory performance standards are required to render a decision on an accelerated summative evaluation in order to not meet recommendation for continued employment. <p>Upon completion of the summative evaluation, the site administrator must forward a recommendation to the Superintendent who, within fourteen (14) calendar days of receipt of the site administrator's recommendations, notifies the employee of the final recommendation. The final recommendation will be one of the following:</p> <ol style="list-style-type: none"> a) The performance deficiencies have been satisfactorily corrected: The professional is no longer on an Improvement Plan (IP). b) The deficiencies were not corrected: The professional is recommended for dismissal.

Improvement Plan (IP) for CC Professionals continued

CONTRACT STATUS	PERSON(S) RESPONSIBLE	PROCEDURES
	Professional Office of Professional Standards/UTD/ Professional	<p>Professionals may use provisions specified in Article XXI of the M-DCPS/UTD contract to address compliance issues. The professional may request a transfer to another appropriate position with a different supervising administrator. However, a transfer does not extend the period for correcting performance standard(s) deficiencies. Additionally, state statute 1012.335 provides that "a principal may refuse to accept the placement or transfer of instructional personnel by the district school superintendent to his or her school unless the instructional personnel has a performance rating of "effective" or "highly effective" under s. 1012.34.</p> <p>If the professional wishes to contest the Superintendent's recommendation, the professional must, within 15 calendar days after receipt of the Superintendent's recommendation, submit to the School Board clerk a written request for a hearing.</p> <p>The Union, upon the professional's request, may meet with personnel from the Office of Professional Standards to review all pertinent documents and administrative actions relative to the observation(s) and IP procedures.</p>

Employee Name: _____

Employee # _____

**BELOW PROFICIENT OBSERVATION
90 CALENDAR DAY PERFORMANCE PROBATION
DOCUMENTATION CALENDAR 2013-2014**

	Date		Date
Observation #1 (Initial)		Post observation mtg./issuance of IP	
Post Observation Mtg. (initial)		Observation #4	
Evidence of Support Dialogue <input type="radio"/> Yes <input type="radio"/> No		Post observation mtg./ issuance of IP	
Observation #2 (Follow-up)		Day 90	
Issuance of IP/CFR Summary (90 Day begins 1 day after)		Confirmatory Observation	
Observation #3		Carry Over	

2013

July							August							September						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
	1	2	3	4	5	6					1	2	3	1	2	3	4	5	6	7
7	8	9	10	11	12	13	4	5	6	7	8	9	10	8	9	10	11	12	13	14
14	15	16	17	18	19	20	11	12	13	14	15	16	17	15	16	17	18	19	20	21
21	22	23	24	25	26	27	18	19	20	21	22	23	24	22	23	24	25	26	27	28
28	29	30	31				25	26	27	28	29	30	31	29	30					
October							November							December						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
		1	2	3	4	5						1	2	1	2	3	4	5	6	7
6	7	8	9	10	11	12	3	4	5	6	7	8	9	8	9	10	11	12	13	14
13	14	15	16	17	18	19	10	11	12	13	14	15	16	15	16	17	18	19	20	21
20	21	22	23	24	25	26	17	18	19	20	21	22	23	22	23	24	25	26	27	28
27	28	29	30	31			24	25	26	27	28	29	30	29	30	31				

2014

January							February							March						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
			1	2	3	4						1							1	
5	6	7	8	9	10	11	2	3	4	5	6	7	8	2	3	4	5	6	7	8
12	13	14	15	16	17	18	9	10	11	12	13	14	15	9	10	11	12	13	14	15
19	20	21	22	23	24	25	16	17	18	19	20	21	22	16	17	18	19	20	21	22
26	27	28	29	30	31		23	24	25	26	27	28		23	24	25	26	27	28	29
														30	31					
April							May							June						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
		1	2	3	4	5					1	2	3	1	2	3	4	5	6	7
6	7	8	9	10	11	12	4	5	6	7	8	9	10	8	9	10	11	12	13	14
13	14	15	16	17	18	19	11	12	13	14	15	16	17	15	16	17	18	19	20	21
20	21	22	23	24	25	26	18	19	20	21	22	23	24	22	23	24	25	26	27	28
27	28	29	30				25	26	27	28	29	30	31	29	30					

**TEMPLATE
NOTICE OF CONFERENCE-FOR-THE-RECORD
90-CALENDAR DAY PERFORMANCE PROBATION**

MEMORANDUM

Date _____

TO: _____, Employee (Instructional and School Support/
Resource Personnel)

FROM: _____, Principal/Supervisor

_____, School/Worksite

**SUBJECT: CONFERENCE-FOR-THE-RECORD, 90-CALENDAR DAY PERFORMANCE
PROBATION**

You are directed to report for a conference in the principal's/supervisor's office on **(date, time)**. This meeting is held in accordance with Article XXI, Section 1 of the Miami-Dade County Public Schools (M-DCPS)/United Teachers of Dade (UTD) Contract and will address your performance assessments-to-date, your 90-Calendar Day Performance Probation, and your future employment status with M-DCPS.

Failure to attend this conference will not preclude it from taking place or disciplinary action from ensuing.

You are contractually entitled to have up to two Union Representatives from the UTD Union attend the conference. If you are not a union member, you are entitled to have up to two representatives.

cc: Superintendent, Region Office
Administrative Director, OPS
Administrative Director, Region Office
District Director, OPS
United Teachers of Dade
(Do not include titles, only names of designated individuals)

I AM IN RECEIPT OF THIS MEMORANDUM.

Employee Signature

Date

**TEMPLATE
SUMMARY CONFERENCE-FOR-THE-RECORD
90-CALENDAR DAY PERFORMANCE PROBATION**

MEMORANDUM

TO:

FROM:

SUBJECT: SUMMARY OF CONFERENCE-FOR-THE-RECORD

A conference-for-the-record was held with you in my office on date, time. Present at the conference were _____, Assistant Principal, _____ UTD Union Representatives, and this administrator.

_____ You were provided the option for union representation, but the union declined because you are not a member.

_____ You were provided the option for union representation, but you declined.

The purpose of this conference is to recount the procedures relating to the 90-Calendar Day Performance Probation. A formal observation, was conducted on (Date) , and revealed below proficient performance on one or more standard(s). These standard(s) were reviewed with you on (Date) in a post observation meeting and Support Dialogue was initiated. At that meeting, you were advised that you would be again formally observed at a later date.

Subsequent to the initial observation, a second observation was conducted on _____ (Date) which identified below proficient performance on one or more IPEGS performance standard(s) as follows: _____ . At this scheduled conference-for-record, your input was solicited, resulting in the attached Improvement Plan (IP). It is your professional responsibility to complete the requirements of the IP within the noted timelines.

You were reminded that the 90-Day Calendar Day Probation period commences the day after receipt of the written IP as evidenced by your signature and the date.

Subsequent to the conclusion of the 90-Calendar Day Performance Probation, a determination will be made as to whether performance deficiencies have been satisfactorily corrected within the probation period. A recommendation by the principal will be made to the Superintendent that may lead to termination of your employment contract as stipulated in Chapter 1012.33, Florida Statute.

You were apprised of your right to clarify or explain any information recorded in this conference by this summary.

cc: Superintendent, Region Office
Administrative Director, OPS
Administrative Director, Region Office
District Director, OPS
United Teachers of Dade
(Do not include titles, only names of designated individuals)

I AM IN RECEIPT OF THIS MEMORANDUM.

Employee Signature

Date

**TEMPLATE
NOTICE OF CONFERENCE-FOR-THE-RECORD
ISSUANCE OF A IMPROVEMENT PLAN (IP) FOR
CONTINUING CONTRACT TEACHERS**

MEMORANDUM

Date _____

TO: _____, Employee (Instructional and School Support/
Resource Personnel)

FROM: _____, Principal/Supervisor
_____, School/Worksite

**SUBJECT: CONFERENCE-FOR-THE-RECORD FOR CONTINUING CONTRACT
TEACHERS**

You are directed to report for a conference in the principal's/supervisor's office on **(date, time)**. This meeting is held in accordance with Article XXI, Section 1 of the Miami-Dade County Public Schools (M-DCPS)/United Teachers of Dade (UTD) Contract and will address your performance assessments-to-date, the issuance of an Improvement Plan (IP), and your future employment status with M-DCPS.

Failure to attend this conference will not preclude it from taking place or disciplinary action from ensuing.

You are contractually entitled to have up to two Union Representatives from the UTD Union attend the conference. If you are not a union member, you are entitled to have up to two representatives.

cc: Superintendent, Region Office
Administrative Director, OPS
Administrative Director, Region Office
District Director, OPS
United Teachers of Dade
(Do not include titles, only names of designated individuals)

I AM IN RECEIPT OF THIS MEMORANDUM.

Employee Signature

Date

**TEMPLATE
CONFERENCE-FOR-THE-RECORD SUMMARY
IMPROVEMENT PLAN (IP)
FOR CONTINUING CONTRACT TEACHERS**

MEMORANDUM

Date _____

TO:

FROM:

SUBJECT: SUMMARY OF CONFERENCE-FOR-THE-RECORD FOR CONTINUING CONTRACT TEACHERS

A conference-for-the-record was held with you in my office on date, time. Present at the conference were _____, Assistant Principal, _____, UTD Union Representatives, and this administrator.

_____ You were provided the option for union representation, but the union declined because you are not a member.

_____ You were provided the option for union representation, but you declined.

The purpose of this conference is to recount the procedures relating to your demonstrated below proficient performance on one or more standard(s) within the ***Instructional Performance Evaluation and Growth System (IPEGS)***. A formal observation was conducted on (Date) and revealed below proficient performance on one or more ***IPEGS*** standard(s). These standards were reviewed with you in a post-observation meeting and Support Dialogue was initiated. At that meeting, you were advised that you would again be formally observed at a later date.

Subsequent to the initial observation, a second observation was conducted on (Date) which identified below proficient performance on one or more ***IPEGS*** standard(s) as follows:

_____.

At this scheduled conference-for-the-record, your input was solicited, resulting in the attached Improvement Plan (IP). It is your professional responsibility to complete the requirements of the IP within the noted timelines.

Formal observations will continue and if necessary an IP will be issued subsequent to future observations. This process will continue until you satisfactorily correct your performance deficiencies.

You were apprised of your right to clarify or explain any information recorded in this conference by this summary.

cc: Superintendent, Region Office
Administrative Director, OPS
Administrative Director, Region Office
District Director, OPS
United Teachers of Dade
(Do not include titles, only names of designated individuals)

I AM IN RECEIPT OF THIS MEMORANDUM.

Employee Signature

Date _

MEMORANDUM

Date _____

TO: Region Superintendent
Region Administrative Director

FROM: Principal
School Name

**SUBJECT: 90-CALENDAR DAY PERFORMANCE PROBATION EMPLOYEE
RECOMMENDATION FOR EMPLOYMENT CONTRACT TERMINATION**

EMPLOYEE:

CONTRACT STATUS:

EMPLOYEE #

AREAS OF CERTIFICATION:

A chronology of observations and results and/or investigative cases for the above employee is provided for your review. Data indicate that this employee has not demonstrated corrective action. Of particular concern during the confirmatory observation in _____ was:

subject area/grade*

(Provide a brief narrative of specific deficiencies.) _____

	Date		Date
Observation (Initial)		Observation #3	
Post Observation Mtg. (Initial)		Post observation mtg./issuance of IP	
Evidence of Support Dialogue <input type="radio"/> Yes <input type="radio"/> No		Observation #4	
Observation #2 (Follow-up)		Post observation mtg./issuance of IP	
Issuance of IP/CFR Summary (90 Day begins 1 day after)		Day 90	
		Confirmatory Observation	
		Carry Over	

Complete the Recommendation Transmittal and forward to the Office of Professional Standards. OPS will send all documentation to the Superintendent for his review and approval.

cc: Administrative Director, Region Office
(Do not include titles, only names of designated individuals)

90-CALENDAR DAY PERFORMANCE PROBATION CHECKLIST FOR PRINCIPALS

- ___ Verify the **eligibility (contract)** status of the professional.
- ___ Conduct a first formal observation. Complete Observation of Standards Form (OSF).
- ___ Notify the Region Office and the Office of Professional Standards.
- ___ Initiate Support Dialogue within 10 calendar days of the observation. The Support Dialogue (SD) Process is to be completed within a 21 calendar day period.
- ___ Conduct second formal observation. If the second formal observation indicates below proficient performance, begin the 90-Calendar Day Performance Probation.
- ___ DRAFT the Improvement Plan (IP).
- ___ Share the IP with the Region Administrative/District Director for Personnel and OPS before obtaining employee's signature.
- ___ Keep in contact with OPS and the Region Administrative Director for help at each step of the process.
- ___ Notify the professional in writing of a **conference-for-the-record** at least 2 days in advance of the conference.
- ___ Conduct a **conference-for-the-record** in which:
 1. The site administrator and professional discuss the results of the observation in terms of all performance standards.
 2. The site administrator and the professional shall sign the Observation of Standards Form (OSF) and a copy must be provided to the professional.
 3. The site administrator develops the Improvement Plan (IP). During the development and review of the IP, the professional and the union representative, if applicable, may advance suggestions. Any changes resulting from clarifications made at the meeting must be reflected in the completed IP.
 4. The site administrator and the professional shall discuss an approximate date for the next observation, which must be no later than 30 calendar days from the CFR.
 5. Two (2) additional observations during the 90- Calendar Day Probation are required. After each additional observation, if deficiencies continue, a post observation meeting must be held within 10 calendar days excluding employee absence(s) and a revised/new IP is developed and provided to the professional. The same procedures apply to all subsequent IPs.
- ___ At a subsequent meeting:
 1. The site administrator issues the IP. The professional's signature on the IP and CFR summary merely signifies receipt and does not necessarily indicate agreement with its contents.
 2. **The IP and the CFR summary should be signed at a subsequent meeting (at the same time) no later than 10 calendar days after the second formal observation.**
 3. The site administrator advises the professional of specific support and resources in order to assist the professional to complete IP requirements, prior to the next observation.
- ___ Obtain the professional's **signature** on the **summary** and the **IP**.
(DAY #1 OF THE 90-CALENDAR DAY PERFORMANCE PROBATION BEGINS THE DAY AFTER THE EMPLOYEE SIGNS RECEIPT OF THE IP and CFR Summary)
- ___ Provide copies of the signed summary and IP to the Region Administrative/District Director and OPS.
- ___ Schedule, in collaboration with OPS, the next **two observations** that must occur within the 90-Calendar Day Performance Probation.

- _____ Prepare an IP after each observation, if performance continues to be below proficient. A post-observation meeting is conducted after each subsequent evaluation, but an additional conference-for-the-record is **not** required. Remember: contact the Region Administrative/District Director and OPS to review the IP before it is issued to the professional.
- _____ Monitor the IP and timelines and continue to **provide assistance**.
- _____ Keep in contact with the Region Administrative Director and OPS.
- _____ Verify the need for a **confirmatory observation** after the 90 days with OPS and the Region Administrative/District Director. (This is required if last assessment is below standards within the 90 day period.) **Remember: Only the principal may conduct the confirmatory observation.**
- _____ Maintain **clear records and logs of assistance** for possible administrative hearing.

Remember: The **NEAT** process is as necessary in improving teaching and learning as in any due process situation.

- N-** **Notify** the employee of what you observed that did not meet standard during the class.
- E-** **Explain** why this practice/method or absence had an adverse impact or did not promote learning.
- A-** **Assist** the teacher to understand through relevant PIP activities how the required indicator standard(s) can be met.
- T-** **Timeline** provided in which to complete the IP activity as well as fit within the suggested timeframe for the 90-Calendar Day Performance Probation.

****All IP documents must be reviewed by Region Administrative/District Director prior to 10-day time limit and submitted to the Office of Professional Standards.***



MEMORANDUM

TO: _____
(Region/District Assistant Superintendent)

Date

FROM: _____
(Principal)

(Work Location)

SUBJECT: 90-CALENDAR DAY PERFORMANCE PROBATION EMPLOYEE RECOMMENDATION FOR EMPLOYMENT CONTRACT CONTINUATION/TERMINATION

(Employee Name)

(Employee Number)

Pursuant to Section 1012.34, Florida Statutes, the above-named employee was placed on a 90-Calendar Day Performance Probation, commencing _____, 20____. During the probationary period, the employee was provided assistance. The employee **has/has not** satisfactorily corrected the noted performance deficiencies within the provided timeframe. Therefore, **I am/ am not** recommending the employee's contract be terminated. _____
(Signature of Administrator)

SAMPLE

(Signature of Administrator)

(Title)

(Date)

I am aware of this recommendation and

(Signature of Employee)

(Employee Number)

(Date)

I am **supportive/non-supportive** of the site administrator's recommendation.

(Comments)

(Signature of Regional Center/District Assistant Superintendent)

(Date)

I am **supportive/non-supportive** of this employment recommendation and am herein transmitting this record to the Superintendent of Schools for **approval or disapproval**.

(Comments)

Assistant Superintendent
Office of Professional Standards

(Date)

Superintendent of Schools

Approval

Disapproval

(Date)

**END-OF-YEAR GUIDELINES
10-MONTH PERSONNEL
(INSTRUCTIONAL AND SCHOOL SUPPORT/RESOURCE PERSONNEL)
WITH BELOW PROFICIENT PERFORMANCE OR PENDING PERSONNEL
INVESTIGATIONS**

1. All official observations of Annual Contract (AC), Professional Service Contract Professionals, and Continuing Contract Professionals must be concluded by the end of the third grading period.
2. For those **employees absent or on leave** and with an incomplete IP, do an end-of-the-year meeting summary by mail.
 - ✓ **Send** a summary of the meeting that would have been conducted had the employee been present, and send an annual evaluation completed and marked below standards.
 - ✓ **Mail** both regular mail and certified with return receipt requested.
 - ✓ **Include** two sets of the below standards end of year summative evaluation and support documentation in each packet with a stamped envelope addressed to the principal.
 - ✓ **Direct** the employee in the mailed correspondence to sign and return one copy of the annual evaluations and keep a duplicate set of support documentation for his/her personal record.
3. The Office of Professional Standards will forward notification regarding the freezing of salary and also will notify personnel regarding preclusion from working summer school.

NOTE:

- a. **If the employee receives a below standards annual evaluation or is on an alternate assignment pending an open investigation, NO SUMMER EMPLOYMENT MAY BE OFFERED.**
- b. **If control of re-entry from absence/leave is effected by OPS, DO NOT ACCEPT EMPLOYEE'S RETURN WITHOUT CLEARANCE FROM OPS.**

MIAMI-DADE COUNTY PUBLIC SCHOOLS
IPEGS ANNUAL OBSERVATION SCHEDULE

Work Location Name _____

Year _____

Employee Name	Contract Status	AUGUST		SEPTEMBER		OCTOBER		NOVEMBER		DECEMBER	
		Date	*Observer	Date	Observer	Date	Observer	Date	Observer	Date	Observer

SAMPLE

- *Observer = Name of Anticipated Observer List employees in the following order: FM-6264 (09-11)
- ** All observations other than teachers with IPs, must be completed by end of third grading period
1. Previous year below standard
 2. Employees new to the work location should be observed by end of first grading period.
 3. Probationary Contract (two observations; one per semester; first observation must be conducted by end of first grading period; second observation must be conducted by end of third grading period)
 4. Annual Contract (one observation by end of third grading period)
 5. Professional Service Contract (one observation by end of third grading period)
 6. Continuing Contract (one observation by end of third grading period)

MIAMI-DADE COUNTY PUBLIC SCHOOLS
IPEGS ANNUAL OBSERVATION SCHEDULE (continued)

Work Location Name _____

Year _____

Employee Name	Contract Status	JANUARY		FEBRUARY		MARCH		APRIL		MAY	
		Date	*Observer	Date	Observer	Date	Observer	Date	Observer	Date	Observer
											**

S A M P L E

*Observer = Name of Anticipated Observer
 ** All observations other than teachers with IPs, must be completed by end of third grading period

- List employees in the following order: FM-6264 (09-11)
1. Previous year below standard
 2. Employees new to the work location should be observed by end of first grading period.
 3. Probationary Contract (two observations; one per semester; first observation must be conducted by end of first grading period; second observation must be conducted by end of third grading period)
 4. Annual Contract (one observation by end of third grading period)
 5. Professional Service Contract (one observation by end of third grading period)
 6. Continuing Contract (one observation by end of third grading period)

XII.

OFFICE EMPLOYEE PERSONNEL
PERFORMANCE IMPROVEMENT
AND
CONFIDENTIAL EXEMPT PERSONNEL
REQUIRED EVALUATION

**THE FOLLOWING PROCEDURES ARE SET FORTH IN THE CONTRACT BETWEEN
THE MIAMI-DADE COUNTY PUBLIC SCHOOLS AND THE UNITED TEACHERS OF
DADE**

**OFFICE EMPLOYEES
EVALUATION PROCEDURES**

Section 1. General Provisions

- A. All employees within the bargaining unit shall receive an annual evaluation each year by no later than **June 1** of the current fiscal year. An interim evaluation shall be made when the employee's performance is unsatisfactory, in accordance with the provision of this Article. Probationary and promoted employees whose performance is unsatisfactory shall be evaluated as provided in Sections 3 and 4 of this evaluation procedure.
- B. The professional judgment of the supervisor is the key element in determining an employee's job-related competencies and performance. The observations of the employee's acts--what is done, how it is done, timeframe in which it is done--are the basis for the evaluation.
- C. Employees shall be given a copy of the official evaluation form. The employee's signature means only that he/she has seen and received the document.
- D. An unsatisfactory evaluation may be used as evidence to support termination or other action adverse to the employee.
- E. Intercommunication systems, electronic or photographic devices may not be used as part of any evaluation unless by prior mutual agreement between the supervisor and the employee.
- F. Regular and promoted employees may use grievance procedures in disputes over compliance with evaluation procedures.

Section 2. Regular Employees

- A. From the beginning of the year, administrators should make every reasonable effort to assist unit members to perform their duties successfully. In those instances where an employee's performance is unsatisfactory, the administrator shall **notify** the employee **in writing** of the deficiencies and corrective action to be taken.
- B. By **mid-December**, employees whose performance has continued to be unsatisfactory, shall be evaluated by their immediate supervisor. An interim evaluation which results in an unsatisfactory rating must be followed by a conference-for-the-record with the employee to be held within **five** working days of receipt of the evaluation. At this conference, prescription(s) must be given for the deficient indicator(s). Such prescription(s) must be directly related to the deficiency(ies) and structured to include specific recommendations to be used in remediating the deficiency(ies). Timelines for the satisfactory completion of the prescription(s) must be appropriate to the nature of the prescription(s). Satisfactory completion of the prescription(s) shall be acknowledged in writing by the immediate supervisor.
- C. At least one additional interim evaluation shall be conducted subsequent to the December evaluation to address **continued** deficiencies or unsatisfactory performance. Additional evaluations may be made to continue monitoring the employee's performance.

- D. Subsequent to December, when an employee's performance is considered unsatisfactory, the provisions of paragraph B, Section 2 of this evaluation procedure shall apply.

Section 3. Probationary Employees

Probationary employees whose performance is unsatisfactory shall be evaluated during the probationary period. This interim evaluation shall be conducted as soon as concerns exist about the probationary employee's performance. A final evaluation shall be made during the probationary period if concerns continue to exist about the probationary employee's performance. If the probationary employee's performance is determined to be unsatisfactory, the probationary employee may be terminated without recourse in accordance with Article XVIII, Section 9 of the UTD contract.

Section 4. Promoted Employees

- A. Promoted employees shall be evaluated during the probationary period as soon as concerns exist about the promoted employee's performance. In such instances, pursuant to Article XVIII, Section 5 (F) of the UTD contract, the employee shall be advised of the concern, given suggestions for improvement, and allowed a reasonable amount of time for improvement to occur. In no case, however, shall such amount of time extend beyond the contractual probationary period. A final evaluation shall be made at the end of such amount of time. If the promoted employee's performance is determined to be unacceptable during the probationary period, the provisions of Article XVIII, Section 5 (F) of the UTD contract shall apply.
- B. When the promoted employee is returned to a position substantially equivalent to the one held prior to the promotion, the provisions of Section 2 of this evaluation procedure shall apply.

OVERALL PERFORMANCE RATING

DECISION RULE: Check overall performance rating **Satisfactory** if all categories are marked **Satisfactory**. Check overall performance rating **Unsatisfactory** if one or more categories are marked **Unsatisfactory**.

ANNUAL EVALUATION

DECISION RULE: Check each category **Satisfactory**, if there are no current deficiencies and if prescription given during the year, if any, has been satisfactorily completed.

COMMENT SECTION: Comments which adversely or negatively impact the employee must be based on **documentation** processed in accordance with contractual provisions.

**INTERPRETIVE GUIDE
EVALUATION OF OFFICE PERSONNEL**

CATEGORY A - KNOWLEDGE

<u>Indicators</u>	<u>Commentary</u>
1. Skillful use of equipment to do assigned job.	An employee is expected to be able to operate standard office equipment, e.g. typewriters, adding machines, duplicating machines, etc. This indicator refers to the mechanical skills needed to operate equipment.
2. Ability to communicate effectively.	An employee is expected to communicate in verbal or written form in an accurate and precise manner. Accuracy here refers to correctness of information disseminated and the use of accepted grammatical form.
3. Knowledge of office procedures.	This indicator measures the employee's knowledge of standard procedures, the relaying of messages, processing and distribution of forms.
4. Knowledge of technical/secretarial skills required for positions.	Does the employee use correct format for assigned tasks? Are messages taken correctly? <u>If</u> a skill is required for the position (i.e. shorthand), does the employee possess that skill?

DECISION RULE: Check **A** Satisfactory if all four indicators are marked satisfactory.

Note: UOPD is now part of UTD.

CATEGORY B - QUALITY OF WORK

<u>Indicators</u>	<u>Commentary</u>
1. Accuracy of completed task.	Are completed tasks and assignments essentially error-free?
2. Use of appropriate format(s) for tasks.	Are the tasks and assignments presented in an appropriate format?

DECISION RULE: Check **B** Satisfactory if both indicators are marked satisfactory.

CATEGORY C - EFFICIENCY

<u>Indicators</u>	<u>Commentary</u>
1. Timely completion of assignments.	Are assignments completed in a reasonable period of time? Are deadlines met?
2. Effective use of time.	Does the employee use his/her work time productively towards completion of tasks?
3. Acceptable quantity of work produced.	Does the employee accomplish most of what has been planned or assigned each day?
4. Ability to adapt to volume fluctuation/priorities.	This indicator measures the employee's ability to accommodate and adjust to changes in priorities and volume fluctuations due to emergencies, seasonal demands, and district requirements.

DECISION RULE: Check **C** Satisfactory if all four indicators are marked satisfactory.

CATEGORY D - INTERPERSONAL SKILLS

<u>Indicators</u>	<u>Commentary</u>
1. Positive relationship with public.	Because office personnel are often the first contact the public has with a school, it is important that a positive image be reflected in terms of courtesy and promptness in responding to them.
2. Harmonious relationship with staff.	Does the employee relate in a positive manner with co-workers, administration, and other employees?

DECISION RULE: Check **D** Satisfactory if both indicators are marked satisfactory.

CATEGORY E - DEPENDABILITY AND JUDGMENT

<u>Indicators</u>	<u>Commentary</u>
1. Follow-through on assignments.	Does the employee take the necessary steps in carrying out assigned duties and responsibilities and see to it that each task is completed?
2. Ability to work independently.	Can the employee work with minimal supervision?
3. Ability to make sound decisions.	This indicator measures the employee's ability to recognize priorities, use common sense, recognize emergencies, and take appropriate action.

DECISION RULE: Check **E** Satisfactory if all three indicators are marked satisfactory.

CATEGORY F - ATTENDANCE AND PUNCTUALITY

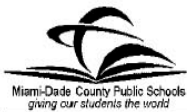
<u>Indicators</u>	<u>Commentary</u>
1. Regular attendance.	The employee's attendance is regular except when on authorized leave.
2. Adherence to work schedule (punctuality).	The employee is punctual, adheres to lunch/break time, and follows schedule of assigned duties, if any.

DECISION RULE: Check **F** Satisfactory if both indicators are marked satisfactory.

CATEGORY G - ADHERENCE TO RULES AND PROCEDURES

<u>Indicators</u>	<u>Commentary</u>
1. Adherence to School Board Rules	
2. Adherence to office procedures	

DECISION RULE: Check **G** Satisfactory if both indicators are marked satisfactory.



SCHOOL YEAR _____

EVALUATION OF OFFICE PERSONNEL

NAME (LAST)	(FIRST)	(M.I.)	WORK LOCATION & NUMBER
EMPLOYEE NUMBER	JOB TITLE		JOB CODE

EMPLOYEE STATUS: Regular Probationary

EVALUATION: Interim Annual/Final

DATE OF EVALUATION _____

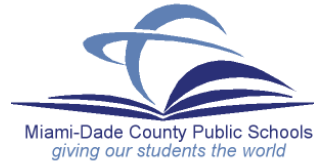
EVALUATOR _____

ALL CATEGORIES MUST REFLECT A RATING. UNSATISFACTORY RATING REQUIRES AN EXPLANATION.			
	Satisfactory	Unsatisfactory	Explanation (Use separate sheet if necessary.)
A. KNOWLEDGE	<input type="checkbox"/>	<input type="checkbox"/>	
1. Skillful use of equipment necessary to do assigned job.	_____	_____	_____
2. Ability to communicate effectively.	_____	_____	_____
3. Knowledge of office procedures.	_____	_____	_____
4. Knowledge of technical/secretarial/clerical skills required for position.	_____	_____	_____
B. QUALITY OF WORK	<input type="checkbox"/>	<input type="checkbox"/>	
1. Accuracy of completed task.	_____	_____	_____
2. Use of appropriate format(s) for task(s).	_____	_____	_____
C. EFFICIENCY	<input type="checkbox"/>	<input type="checkbox"/>	
1. Timely completion of assignments.	_____	_____	_____
2. Effective use of time.	_____	_____	_____
3. Acceptable quantity of work produced.	_____	_____	_____
4. Ability to adapt to volume fluctuation/priorities.	_____	_____	_____
D. INTERPERSONAL SKILLS	<input type="checkbox"/>	<input type="checkbox"/>	
1. Positive relationship with public.	_____	_____	_____
2. Harmonious relationship with staff.	_____	_____	_____
E. DEPENDABILITY AND JUDGMENT	<input type="checkbox"/>	<input type="checkbox"/>	
1. Follow-through on assignments.	_____	_____	_____
2. Ability to work independently.	_____	_____	_____
3. Ability to make sound decisions.	_____	_____	_____
F. ATTENDANCE AND PUNCTUALITY	<input type="checkbox"/>	<input type="checkbox"/>	
1. Regular attendance.	_____	_____	_____
2. Adherence to work schedule.	_____	_____	_____
G. ADHERENCE TO RULES AND PROCEDURES	<input type="checkbox"/>	<input type="checkbox"/>	
1. Adherence to School Board rules.	_____	_____	_____
2. Adherence to office procedures.	_____	_____	_____
OVERALL PERFORMANCE RATING:			
	<input type="checkbox"/> Satisfactory	<input type="checkbox"/> Interim	<input type="checkbox"/> Annual/Final
_____ Satisfactory (Comments): _____			

_____ Unsatisfactory (Required actions toward remediation of deficiency): _____			

Employee's Signature _____
(Date)

Evaluator's Signature _____
(Date)



OFFICE PERSONNEL

RECORD OF OBSERVED DEFICIENCIES/PRESCRIPTION

FOR PERFORMANCE IMPROVEMENT

Employee _____

*Signature _____

Date _____

Date of Evaluation(s) _____

Evaluator _____

Signature _____

Date _____

School/Department _____

Job Title _____

Employee Status _____

*Employee's signature means the employee has seen and received the document.



RECORD OF OBSERVED DEFICIENCIES/PRESCRIPTION FOR PERFORMANCE IMPROVEMENT (OFFICE PERSONNEL)

CATEGORY/ INDICATOR DEFICIENT	DEFICIENCY SUMMARY DESCRIPTION	EMPLOYEE EXPLANATION FOR DEFICIENCY(ies)	PRESCRIPTION PLAN ACTIVITIES	RESOURCES	TIMELINE

SAMPLE

6-11X



EXEMPT/CONFIDENTIAL PERSONNEL EVALUATION

20__ - 20__

NAME _____ EMPLOYEE NUMBER _____
 WORK LOCATION NAME _____ WORK LOCATION NO. _____

1. QUALITY OF WORK (Includes accuracy of completed tasks, achievement of objectives, effectiveness, responsibility and neatness of work product.)

EXEMPLARY ABOVE EXPECTATIONS MEETS EXPECTATIONS BELOW EXPECTATIONS

2. WORK HABITS (Includes satisfactory attendance, observance of work hours, adherence to School Board policies and guidelines.)

EXEMPLARY ABOVE EXPECTATIONS MEETS EXPECTATIONS BELOW EXPECTATIONS

3. INTERPERSONAL SKILLS (Includes participation and motivation of others, contribution to office department morale, maintenance of positive relations with the public and office staff.)

EXEMPLARY ABOVE EXPECTATIONS MEETS EXPECTATIONS BELOW EXPECTATIONS

4. DECISION MAKING AND JUDGMENT (Includes ability to make sound decisions, analyze/understand job complexities, respond in a timely and effective manner. Ability to work with minimal supervision.)

EXEMPLARY ABOVE EXPECTATIONS MEETS EXPECTATIONS BELOW EXPECTATIONS

5. PLANNING AND ORGANIZATION (Includes ability to plan and organize activities for effective utilization of personnel, equipment and material resources, clearly defines assignments and adheres to time-lines. Demonstrates initiative and resourcefulness in the discharge of responsibility.)

EXEMPLARY ABOVE EXPECTATIONS MEETS EXPECTATIONS BELOW EXPECTATIONS

6. COMMUNICATION (Includes ability to communicate effectively with various levels of administration, departments, public and private agencies, and parent and community groups. Ability to present ideas clearly.)

EXEMPLARY ABOVE EXPECTATIONS MEETS EXPECTATIONS BELOW EXPECTATIONS

COMMENTS (Attach additional pages if necessary)

SAMPLE

GUIDELINES FOR RATINGS

EXEMPLARY: Performance which consistently exceeds the job requirements and expectations of the position. Use of this rating requires documentation and examples describing exceptional performance. At least five categories must be rated Exemplary and none Below Expectations in order to receive an overall evaluation of Exemplary.

ABOVE EXPECTATIONS: Performance which is better than what is normally expected. The majority (4) of the categories must be rated as Above Expectations or Exemplary and none rated Below Expectations.

MEETS EXPECTATIONS: Performance is as required in an entirely satisfactory manner. All categories will be rated at least Meets Expectations and none rated Below Expectations.

BELOW EXPECTATIONS: Overall performance or specific aspects of performance is unacceptable. The rating of Below Expectations must be preceded by a formal conference for the record between the supervisor and the employee on or before December 31st. A written recommendation for remediation must be attached to the evaluation and given to the employee.

OVERALL EVALUATION RATING

EXEMPLARY ABOVE EXPECTATIONS MEETS EXPECTATIONS BELOW EXPECTATIONS

EVALUATOR'S SIGNATURE _____ (Date) _____

EMPLOYEE'S SIGNATURE _____ (Date) _____
 (Signature means only that the employee has seen and received the document.)

XIII.

REAPPOINTMENT/
NON-REAPPOINTMENT ACTIONS

NON-REAPPOINTMENT ACTIONS

Non-reappointment is a non-renewal of an employment contract of certain personnel as identified on the table provided on page XIII-5. School Board action of non-reappointment is preceded by an orderly process of documentation and a recommendation initiated at the worksite in conjunction with the Region/District Office and OPS. Non-reappointment actions are forwarded to the Office of Professional Standards by site administrators through the Region/District Office.

The Office of Personnel Operations identifies employees eligible for reappointment.

Florida Law has express provisions setting forth the timeline for when the Board must appoint administrative, supervisory, and instructional personnel. Florida Statute 1012.22 (1)(b) provides that the District School Board shall act to reappoint not later than three (3) weeks following the receipt of the FCAT scores and data, including school grade, or June 30, whichever is later. For this reason, reappointment actions are brought to the June Board meeting.¹ For Continuing Contract personnel, a written recommendation of non-reappointment is due to the Board by April 1. (§1012.33 (4)(b), Florida Statute)

NON-REAPPOINTMENT ACTIONS BASED ON PERFORMANCE

The following checklist is provided in order to assist principals and other site administrators with the determination as to whether a non-reappointment action based on performance may be applicable:

1. Has the employee been counseled during the school year regarding his/her performance?
2. Has the employee been performing in an acceptable manner?
3. Was the employee placed on an Improvement Plan, if required by the applicable labor/management agreement?
4. Has progress been monitored with employee within Improvement Plan timelines?*
5. Have all applicable performance evaluation procedures been followed and have all labor/management agreement provisions been met?
7. Is there documentation available to show evidence that the required procedures have been implemented? Was written notice given of possible non-reappointment to DASA or the Union and the employee?
8. Has the process been monitored through regular monthly meetings with the Region/District Office and OPS?

If the answer to **any** of the above questions is **NO**, **consult the Region/District Office and OPS for assistance.**

If **performance deficiencies** are noted for an employee who is eligible for non-reappointment, and remediation does not take place within a reasonable time period, contact the Region/District Office and OPS for assistance.

When in doubt as to whether the applicable requirements have been met, consult with the Region/District Office and OPS, prior to making a recommendation.

¹ "Non-Instructional personnel can be reappointed/non-reappointed in June."

NON-REAPPOINTMENT ACTIONS BASED ON INVESTIGATIVE ISSUES

Certain employees are subject to non-reappointment due to investigative issues. In order to be subject to non-reappointment based on investigative concerns, employees must meet the following criteria:

1. Is the employee on annual contract, or is a continuing contract teacher, an administrator governed by MEP or a member of the school police? (AFSCME, DCSAA, and PSC instructional personnel are not subject to non-reappointment based on investigative issues.)
2. Have the applicable investigative procedures been followed and have applicable labor/management agreement provisions been met?
3. Does the employee have an open investigative issue or records check?

When in doubt as to whether the applicable requirements have been met, consult with the Region/District Office and OPS, prior to making a recommendation.

CERTIFICATION

The absence of certification is **not** a reappointment issue for work sites. Any issues or concerns relative to certification must be referred to the Department of Certification for appropriate action.

REVIEW OF DOCUMENTATION

Once the principal or other site administrator has determined the recommendation that is warranted for each employee, then he/she must forward the Reappointment Recommendation Form (FM-6581, p. X-6) to the Region/District Office for signature and support of recommendation. Prior to submitting a recommendation for non-reappointment, the principal or other site administrator must contact the Region/District Office and OPS. The signature of the immediate supervisor indicates that the recommendation followed a careful review of:

1. Adherence to appropriate provisions of negotiated contracts, as applicable
2. The substantive issues of performance, if applicable
3. The timeliness of notice of deficiency, if applicable
4. The appropriateness of the prescribed remedy/penalty
5. The reasonableness of the recommendation

EMPLOYEES SUBJECT TO THE REAPPOINTMENT/NON-REAPPOINTMENT PROCESS

Labor Contract or Agreement	Positions	Period of Eligibility	Hearing Rights	Performance-based	Investigative-based	Notice to Union Required
AFSCME	All Employees, including Permanent Part-time (except temporary, hourly or substitute) XI §4D; XI §4A; V §31	0-5 years	No	Yes	No	Yes
UTD	Paraprofessionals Educational Support Personnel XXI §3 §1012.40(b)	0-3 years	No	Yes	Yes	Yes
	Office Personnel XVIII §18c	0-1 year	Yes	Yes	Yes	Yes
	Instructional: Annual 1012.335 PSC 1012.34 XXI §1B-6 CC 1012.33(4)(b) XXI §1B-5	Annually Annually Annually ³	No Subject to 90-day procedures Appeal to Court of Appeals	Yes ¹ Yes ² Yes	Yes No Yes	Yes Yes Yes
DCSAA	All Employees VII §2D and §3B	Annually	No Upon request, a conference with Superintendent or designee	Yes Special procedures apply	No	Yes
MEP	All Employees §E-2(B) Supervisors/Principals §1012.22 (1)(b)	Annually	No Upon request, a conference with Superintendent or designee	Yes	Yes	No
	Supervisors/Principals §1012.33(4)(b) continuing contract		Yes			
CEP	All Employees V.C.3	Annually	No	Yes	Yes	No

1. Subject to *IPEGS* evaluation instrument including student performance data and unified rating.
2. In limited cases only. Consult OPS.
3. Strict compliance with F.S. 1012.33(4)(b) required.



OFFICE OF PROFESSIONAL STANDARDS REAPPOINTMENT RECOMMENDATION

Complete the following information for any outstanding reappointment recommendation.

_____ (School or Department) _____ (Phone Number)

_____ (Principal/Administrative Department Head) _____ (Date)

I am recommending _____ for:
(Name of Employee)

Select only one.

- Reappointment
- Reappointment subject to resolution of pending issues. (The resolution of pending issues may be favorable or unfavorable to you. The reappointment will be rescinded **ONLY** if the resolution of the matter is unfavorable to you.)
- Non-reappointment
- Reappointment to a different position (specify) _____

SAMPLE

_____ (Supervising Administrator) _____ (Date)

_____ (Reviewing Administrator) _____ (Date)

I am aware of this recommendation.

_____ (Signature of Employee) _____ (Date) _____ (Employee Number)

_____ (Current Mailing Address) _____ (City) _____ (State) _____ (Zip Code)

_____ (Home Phone Number)

FM-6581 Rev. (02-10)

XIV.

OTHER PERSONNEL CONCERNS

OTHER CONCERNS IMPACTING EMPLOYEE PERFORMANCE

If an administrator has cause to question an employee's performance because of, but not limited to, the following:

- absenteeism
- tardiness/lateness
- need to leave the worksite frequently
- loss of temper
- emotional outbursts
- drowsiness
- inappropriate use of prescriptive drugs
- verbal threats or violent acts

The administrator should consider implementing one or more of the following:

1. **Maintain a log of employee actions** and administrator interaction.
2. **Notify the employee** of the concerns and/or discuss the problem with the employee. Provide a verbal warning when appropriate.
3. **Express to the employee how the actions adversely affect the learning environment**, academic progress of students, morale of other employees, and/or effectiveness of the worksite.
4. **Provide written warning** if a conference-for-the-record (CFR) is not held. Provide **written directives** if a CFR is conducted.
5. **Receive the employee's signature on written communications** acknowledging receipt of the document(s).
6. **Require medical notes upon return to work** that state an unconditional release to return to full duties or, in the alternative, that the employee obtain accommodations from the Americans with Disabilities Act (ADA) District Consultative Committee. (Make referral to Employee Assistance Program at (305- 995-7111)).
7. **Direct the employee to call or speak directly to an administrator** about intended absence or lateness.
8. **Refer the employee to the Employee Assistance Program (District's support agency).**

When you have exhausted all site actions, contact the Region/District Office and the Office of Professional Standards (OPS) for purposes of consultation.

Certain employees may qualify for leave under The Family and Medical Leave Act (FMLA) of 1993. Please refer to the United States Department of Labor website (www.dol.gov/esa/), for further information about FMLA. **Do not contact the physician to obtain medical information about the employee.**

Questions regarding FMLA should be directed to the Office of Leave, Retirement, and Unemployment Compensation.

**TEMPLATE
EXCESSIVE ABSENCES DIRECTIVE
NOTE: PLEASE TRANSFER TO MEMORANDUM
FORMAT.**

MEMORANDUM

Date _____

TO: _____ (Employee) Emp.# 000039
_____ (Work location) or
_____ (Address)

FROM: _____ (Principal/Supervisor, Title)
_____ (Site)

SUBJECT: ABSENCE FROM WORKSITE DIRECTIVES

Attendance and punctuality are essential functions of your job position. Please be advised that you have been absent from the worksite during the _____ school/fiscal year on the following days:

[List dates; indicate personal, sick, or leave without pay authorized (LWOPA) and leave without pay unauthorized (LWOPU).

Because your absence from duties adversely impacts the educational/work environment, particularly in the

- _____ support services to students and/or (non-instructional)
- _____ effective operation of this worksite, (non-instructional)
- _____ academic progress of the students and/or (instructional)
- _____ continuity of instruction and/or (instructional)

you are apprised of the following procedures concerning future absences:

- _____ Be in regular attendance and on time.
- _____ Intent to be absent must be communicated directly to a designated site supervisor, B
- _____ Absences for illness must be documented by your treating physician and a written medical note presented to the designated site supervisor upon your return to the site.
- _____ Your future absences will be reported as Leave Without Pay Unauthorized (LWOPU) unless you provide the required documentation to show that you qualify for Family Medical Leave Act (FMLA) or other leave of absence.
- _____ Upon return to the worksite, you must provide an unconditional medical release to return to full duties or you must obtain accommodations from the Americans with Disabilities Act (ADA) District Consultative Committee.
- _____ Site procedures for provision of lesson plans and materials for the substitute teacher must be adhered to in the event of your absence from the school site.
- _____ If it is determined that future absences are imminent, leave must be requested and procedures for Board approved leave implemented, and the FMLA or ADA requirements, if applicable, must be complied with.
- _____ Unless future absences are covered by state or federal law, when the absences exceed the number of days accrued, the absences will be considered to be leave without pay unauthorized (LWOPU).

These directives are in effect upon receipt of this notice and are necessary to

- _____ prevent adverse impact to students and their academic progress, and to ensure continuity of the educational program.
- _____ maintain effective worksite operations.

Please be assured that assistance may continue to be provided to facilitate your regular attendance, as appropriate. Non-compliance with these directives will be considered a violation of professional responsibilities and will be deemed as insubordination.

cc: Region/District Office
Office of Professional Standards

EMPLOYEE SIGNATURE
ACKNOWLEDGES RECEIPT

DATE

CERTIFIED RETURN RECEIPT
REQUESTED AND US MAIL

**TEMPLATE
EXCESSIVE ABSENCES EMPLOYMENT INTENTION
PLACE ON WORKSITE LETTERHEAD**

Date

Mr./Ms. _____

Mr./Ms. _____:

Attendance and punctuality are essential functions of your job position. Please be advised that you have been absent from the worksite (and/or) you have failed to comply with the worksite procedures regarding attendance on the following days: (**List LWOPU only.**)

These absences are unauthorized absences which warrant dismissal on the grounds of job abandonment.

Because these absences have caused the

- _____ academic progress of the students to be impeded, and/or
- _____ effective operation of the worksite to be impeded, and/or
- _____ efficient services to students to be impeded,

I am requesting your immediate response to any of the following options:

1. **Notify** the worksite of your need for a leave and your intended date of return;
2. **Effect** leave procedures (request for leave form attached);
3. **Implement** resignation from Miami-Dade County Public Schools (resignation letter attached);
4. **Implement** retirement process (if applicable).

You are directed to notify the worksite within **three days** of the date of this memorandum. Your absences will be considered unauthorized until you communicate directly with this administrator. Failure to respond as directed will result in termination due to abandonment.

Sincerely,

Site Administrator

Attachment

cc: _____ Administrative Director, OPS
_____ Region/District Office
(Do not include titles, only names of designated individuals)

CERTIFIED RETURN RECEIPT
REQUESTED AND US MAIL

TEMPLATE SUPERVISORY REFERRAL EMPLOYEE ASSISTANCE PROGRAM (EAP)
--

**CONFIDENTIAL
MIAMI-DADE COUNTY PUBLIC SCHOOLS
SUPERVISORY REFERRAL**

MEMORANDUM

DATE

TO: _____
Employee Assistance Program

FROM: _____
Supervisor's Name/Title

Work Location Name/ Number

SUBJECT: SUPERVISORY REFERRAL TO THE EMPLOYEE ASSISTANCE PROGRAM

Employee Name	Job Title	Employee #
Employee's Address	Zip Code	

I am referring the above-named person to the Employee Assistance Program for the following behavioral/medical concerns observed on the job:

Pattern of Attendance:

- ____ Excessive absences
- ____ Excessive tardiness
- ____ Unauthorized absences
- ____ Prolonged lunch hours
- ____ Absences Mon. and/or Fri.

Interpersonal Behavior:

- ____ Altercations-students
- ____ Altercations-staff
- ____ Altercations-public
- ____ Borrowing money-students
- ____ Borrowing money-staff

Personal Behavior:

- ____ Changes in personal appearance
- ____ Marked changes in mood
- ____ Marked changes in activity level
- ____ Frequent trips to restroom

Performance of Professional Duties:

- ____ Poor judgment
- ____ Assignment failures

Health Impairment:

Comments: _____

This referral is in accordance with School Board Policy:

- ____ 1170.01 Administrator
- ____ 3170.01 Instructional
- ____ 4170.01 Non-Instructional

I have been advised of the referral to the Employee Assistance Program.

Employee Signature

Date

Please fax the completed form to EAP at (305) 995-7117.

FM-4167 Rev. (9-11)

EMPLOYEE ASSISTANCE PROGRAM (EAP)

SUGGESTIONS

1. **Do** refer to School Board Policies 1170.01, Administrator, 3170.01, Instructional or 4170.01, Non-Instructional, and EAP Guidelines for program philosophy and procedures.
2. **Do** remain aware that EAP participation is both voluntary and on-going in nature.
3. **Do** consult directly with EAP staff for specific referral and follow-up concerns.
4. **Do** utilize the EAP Supervisory Referral Form (**See page XIV-6**).
5. **Do** observe confidentiality in all verbal and written communication.
6. **Do** differentiate between documentation for the public record and confidential material; i.e., in a conference-for-the-record refer to “the district’s referral support agency” rather than to EAP.
7. **Do** focus on job performance and worksite interpersonal relationships and proceed with necessary documentation and discipline in your role as a supervisor.

Due Process Suggestions for Employees
Re: Unauthorized Absences and/or Abandonment of Position

Suggested Steps to Implement Process to Correct a Pattern of Excessive Absences:

Upon accrual of one (1) through three (3) absences which appear to be unauthorized:

- Request documentation to verify whether the absences are authorized or unauthorized.
- Provide a verbal warning.
- Advise on the availability of the District's support agency.

If the employee does not correct the pattern, upon accrual of four (4) through six (6) absences which appear to be unauthorized:

- Request documentation to verify whether the absences are authorized or unauthorized.
- Issue **Absence from Worksite Directive** found on page XIV-4 of this manual.
- Issue a supervisory referral to the District's support agency (acknowledged with signature).
- Review worksite procedures.

If the employee does not correct the pattern, upon accrual of seven (7) through ten (10) absences which appear to be unauthorized:

- Request documentation to verify whether the absences are authorized or unauthorized.
- Conduct first Conference-for-the-Record (CFR) (notify employee of insubordination for failure to comply with attendance directives).
- Issue a supervisory referral to the District's support agency (acknowledged with signature).
- Issue attendance directives (during CFR).
- Advise during CFR that non-compliance with directives will be deemed gross insubordination.
- Issue and review School Board Policies 1210, 3210, or 4210, Standards of Ethical Conduct and 1430, 3430, or 4430, Leaves of Absence.
- Issue and review Leave History.
- Advise the employee that his/her performance is deficient due to excessive absences.

If the employee does not correct the pattern, upon accrual of eleven (11) through fifteen (15) absences which appear to be unauthorized:

- Request documentation to verify whether the absences are authorized or unauthorized.
- Conduct second Conference-for-the-Record.
- Issue a supervisory referral to the District's support agency (acknowledged with signature).
- Advise of noncompliance with previously issued directives and gross insubordination.
- Review and re-issue School Board Policies 1210, 3210 or 4210, Standards of Ethical Conduct and 1430, 3430, or 4430, Leaves of Absence.
- Issue and review Leave History.
- Advise the employee that his/her performance is deficient due to excessive absences.
- Advise employee that documentation will be forwarded for disciplinary action due to excessive absenteeism.**

Suggested Steps to Implement Abandonment of Position Process:

Upon accrual of three (3) consecutive unauthorized absences, if the employee is unaccounted for:

- Contact OPS to open a case file.
- Send Abandonment Packet* via certified return receipt and first class mail.
(* Letter of Intent, Leave form, Resignation form)
- Upon confirmation of delivery by website or by receipt of the Certified Mail Receipt, contact OPS and forward a copy of the Return Receipt of the Certified Mail Receipt to OPS.

- OPS will attempt to contact the employee by US Mail and Certified Mail. If the attempt is not successful, School Board-approved procedures for abandonment of position will ensue.

** Note: Employee absences for medical reasons involving themselves or their families may be covered by the Family Medical Leave Act (FMLA). For assistance in the area, contact the Office of Retirement/Leave/Unemployment Compensation at (305) 995-7051. Additionally, reasonable accommodations may be afforded an employee by the Americans with Disabilities Act (ADA). For information on the ADA, contact Employee Support at (305) 995-7111.*

CONTRACTUAL REFERENCES TO UNAUTHORIZED ABSENCES AND ABANDONMENT OF POSITION

AMERICAN FEDERATION STATE, COUNTY, MUNICIPAL EMPLOYEES (AFSCME)

AFSCME Contract ARTICLE V, Section 27

Unauthorized Absence – Any absence without pay, which has not been requested by the employee and approved by the supervisor, in writing, at least five days in advance.

Employees are required to notify the work location, prior to the beginning of the workday, when they are unable to report to work or intend to be absent.

Absences of the employee, where notice of absence is made prior to the start of the workday, but are not covered by the employee having accrued sick or personal leave, shall be charged as unauthorized absence and may result in disciplinary action in accordance with Article XI. **Upon the employee reporting back to work, the employee shall be apprised of the unauthorized leave status; however, if the employee can demonstrate that there were extenuating circumstances (e.g., hospitalization or other unanticipated emergency), then consideration will be given to changing the status of leave. The work location supervisor has the authority to change an unauthorized leave; however, nothing herein precludes requested leave being determined to be unauthorized where the employee does not have available sick or sufficient personal leave.**

AFSCME Contract ARTICLE XI, Section 4 B

Excessive Absenteeism/Abandonment of Position -- An unauthorized absence for three consecutive workdays shall be evidence of abandonment of position. Unauthorized absences totaling 10 or more workdays during the previous 12-month period shall be evidence of excessive absenteeism. Either of the foregoing shall constitute grounds for termination.

UNITED TEACHERS OF DADE (UTD)

Article XIV, Section 2.

- A. When a teacher, for whom an emergency temporary instructor is employed, will be absent from work, due to illness or injury or due to personal reasons, he/she shall notify the supervising administrator (or designee), as soon as possible, but no later than one hour before the start of his/her scheduled workday, in order that an emergency temporary instructor can be employed or other arrangements made. If said absence/leave is for a specified period of time, no further notice is necessary. In the event of a change in this specified period of absence, the employee will proceed pursuant to the stipulations herein. Where an absent teacher does not notify his/her supervising administration, as stipulated herein, and where there are not extenuating circumstances, as determined by the supervising administrator, such teacher will have the option to utilize personal leave or leave without pay. However, such determination by the supervising administrator shall not be made arbitrarily.
- B. When a teacher, for whom an emergency temporary instructor is employed, is absent from work, he/she shall notify the supervising administrator (or designee) by no later than 30 minutes prior to the scheduled student dismissal time as to whether or not he/she will report to work on the next workday. The absent teacher shall have the option to utilize personal leave or leave without pay when appropriate notice is not made and the emergency temporary instructor is re-employed as specified in Article XIV, Section 2.

The Family Medical Leave Act (FMLA)

The Family Medical Leave Act (FMLA) requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Please contact the Office of Leave/Retirement/Unemployment Compensation at (305) 995-7090 or at <http://leaveretirement.dadeschools.net> for additional information.

**TEMPLATE
REQUEST FOR FITNESS-FOR- DUTY
FROM WORKSITE TO REGION CENTER
SUPERINTENDENT**

MEMORANDUM

Date

TO: Region/District Superintendent

FROM: Principal/Site Supervisor

SUBJECT: REQUEST FOR FITNESS-FOR-DUTY DETERMINATION

I am respectfully requesting that a fitness-for-duty evaluation be conducted on the following person:

NAME: _____

EMPLOYEE #: _____

POSITION: _____

This request is being made after observing the following concerns:

The following fitness procedures have been implemented and supporting documentation is included for your review:

- ___ Supervisory Referral to the Employee Assistance Program (FM-4167)
- ___ Written memorandum of Professional Responsibilities to employee outlining concerns
- ___ Assistance provided (evidence of action taken at the worksite)
- ___ Chronology of incidents of concern
- ___ Witness(es) statements (If applicable)
- ___ Additional supporting documentation (if applicable)

Attachments

cc: Administrative Director (Region/District Office)
(Do not include title, only name of designated individual)

**MIAMI-DADE COUNTY PUBLIC SCHOOLS (M-DCPS)
HUMAN CAPITAL MANAGEMENT
INSTRUCTIONAL STAFFING**

GUIDELINES FOR TEMPORARY INSTRUCTORS

Miami-Dade County Public Schools welcomes you as a temporary instructor. This information has been provided to make you aware of selected school policies and to assist you in the performance of your duties. You are asked to read this carefully and to sign the acknowledgment at the bottom of this page. You will receive the original and a copy will be retained in your file.

1. **DUTY HOURS:** Temporary instructors are expected to work the same hours as the regular teacher.
2. **SUPERVISION OF CHILDREN:** Temporary instructors shall not leave their classes unsupervised. If any emergency occurs, the principal or principal's designee must be notified to provide temporary supervision.
3. **ACCIDENT REPORT:** When a student is injured in any way, the temporary instructor must be certain that an accident report is filled out and filed in the office. It is imperative that complete and accurate information be included. Notify the office immediately if any injury occurs.
4. **TEACHERS LOUNGE:** Eating and drinking of beverages are restricted to designated areas.
5. **CORPORAL PUNISHMENT:** School Board Policy 5630 prohibits the use of corporal punishment. Staff members may not use hands, rulers, paddles, or other instruments either for the administration of corporal punishment, no matter how lightly administered, or as the threat to administer corporal punishment.
6. **DISCIPLINE:** It is the professional responsibility of the temporary instructor to handle routine disciplinary problems. When it becomes necessary for a student to be removed from the classroom, the teacher should seek assistance from the principal or the principal's designee.

No student is to be removed from the classroom and placed in the hall as a form of punishment. If a student is injured while unsupervised, the temporary instructor can be liable.

7. **LESSON PLANS:** Detailed lesson plans **SHOULD** be provided. It is the temporary instructor's responsibility to secure lesson plans from the principal or the principal's designee, and follow these plans accordingly.
8. **ATTENDANCE:** It is the responsibility of the temporary instructor to accurately record attendance.
9. Temporary Instructors must work at least one day during the school year to remain eligible on the active substitute list.
10. Temporary Instructors are bound by all M-DCPS Board Policies and are expected to firmly adhere to them.

It is your responsibility to review each school's Faculty Handbook pertaining to additional policies, procedures, and regulations. The Faculty Handbook is available for your review from the principal or principal's designee.

ACKNOWLEDGMENT: I have read and fully understand the specific policies stated above. I also understand that any violation of these policies on my part is cause for disciplinary action.

PRINT NAME _____ DATE _____

SIGNATURE _____ EMPLOYEE NUMBER _____

REFINGERPRINTING

Pursuant to Florida Statute 1012.32, Qualifications of Personnel, and School Board Policies 1121.01, 3121.01, or 4121.01, Employment Standards and Fingerprinting of all Employees, Miami-Dade County School Employees must be refingerprinted every five years.

Employees found through the refingerprinting process to have been convicted of a crime, regardless of adjudication or guilty plea, no contest plea and pretrial intervention, may be subject to disciplinary action up to, and including dismissal as per School Board Policies 1121.01, 3121.01, or 4121.01, Employment Standards and Fingerprinting of all Employees, records of criminal offenses that were properly disclosed and previously cleared will not be a cause for disciplinary action under this School Board Policy. However, if the prior criminal offense or conviction was in any way related to child abuse, child neglect, sexual assault or sexual battery, the prior criminal offense or conviction shall be considered for the purpose of taking appropriate employment or disciplinary action, regardless of whether it was previously disclosed by the employee or previously cleared by OPS.

REMINDER: Certificated employees are held under Policies 1121.01, 3121.01, or 4121.01, Employment Standards and Fingerprinting of all Employees, the Code of Ethics and the Principles of Professional Conduct of the Education Profession in Florida to self-report any and all arrests within 48 hours. Employees who fail to self-report are in violation of the School Board Policies and will be cause for disciplinary action.

**Refingerprinting
Site Disposition from OPS
to Worksite.**

MEMORANDUM

Date _____

TO: _____,

FROM: _____ Administrative/District Director
Office of Professional Standards

SUBJECT: DISPOSITION OF REFINGERPRINTING

NAME: _____ **EMPLOYEE #** _____
POSITION: _____
LOCATION: _____

The Office of Professional Standards (OPS) seeks to establish a final disposition for the above-indicated Refingerprinting file. A review of the file with the District's Office/Region Office has led to the determination that the facts of the case warrant site review relative to standards of employee conduct. Administrative action at the worksite may be sufficient to bring closure to the issue.

The disposition **must** reference the following actions:

- Review of the arrests with employee (**required**)
- Meeting with employee/Notification of conference-for-the record, with employee's signature (**required**)
- Summary of conference-for-the record, with employee's signature (**required**)

Disposition action taken **must** include issuance of administrative directive(s)

- Verbal warning
- Letter of reprimand
- School Board Policy 1121.01, 3121.01, or 4121.01, Employment Standards and Fingerprinting was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1124, 3124, or 4124, Drug-Free Workplace was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1129, 3129, or 4129, Conflict of Interest was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1139, 3139, or 4139, Educator Misconduct was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1210, 3210, or 4210, Standards of Ethical Conduct was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1210.01, 3210.01, or 4210.01, Code of Ethics was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1213, 3213, or 4213, Student Supervision and Welfare was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1217, 3217, or 4217, Weapons was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.

- School Board Policy 1231, Outside Activities of Administrators, 3231, Outside Activities of Staff, or 4231, Outside Activities of Support Staff was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1232, 3232, or 4232, Political Activities was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1362, 3362, or 4362, Anti-Discrimination/Harassment was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1362.01, 3362.01, or 4362.01, Anti-Discrimination/Harassment Complaint Procedures was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1380, 3380, or 4380, Threatening Behavior Toward Staff Members was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1430, 3430, or 4430, Leaves of Absence was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1121.01, 3121.01 or 4121.01, Employment Standards and Fingerprinting was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 5630, Corporal Punishment and Use of Reasonable Force was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 7540.04, Staff Network and Internet Acceptable Use and Safety was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 8600, Transportation was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 8606, Restrictions on Use of Communication and Transmission Devices on Board-Owned Vehicles was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 8670, Post Trip Inspections of School Buses was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- **How to Use Common Sense and Professional Judgment to Avoid Legal Complications in Teaching**, was discussed with the employee and a copy of this document was given to employee and directed to comply.
- **Common Sense Suggestions for Non-Instructional Personnel** was discussed with the employee and a copy of this document was given to employee.
- State Board of Education Rule 6B-1.001, FAC, and State Board of Education Rule 6B-1.006, FAC. The Code of Ethics and the Principles of Professional Conduct of the Education Profession in Florida was issued and reviewed with the employee and directed to comply.
- The employee was made aware of the District's support referral agency.
- The employee was issued a supervisory referral to the District's support referral agency which is attached.
- No further action needed at this time.

The report of the administrative actions **must** be forwarded to the Office of Professional Standards within **10** working days.

This case has been administratively assigned to _____, **District Director, Office of Professional Standards**. If you have any questions, please contact this administrator at **305-995-** .

cc: _____

**REFINGERPRINTING
SITE DISPOSITION FROM
WORKSITE TO OPS**

MEMORANDUM

Date _____

TO: _____, Administrative/District Director
Office of Professional Standards

FROM: _____ X (Please be sure to sign.)

SUBJECT: REFINGERPRINTING SITE DISPOSITION

NAME: _____ EMPLOYEE # _____

POSITION: _____

LOCATION: _____

I. Administrative actions taken relative to the case:

- The Region/District office has reviewed this case.
- The site disposition of the Refingerprinting documents has been completed.
- The arrest(s) for _____ was/were **confirmed/not confirmed** by the FDLE Report submitted by The Office of Fingerprinting, Miami-Dade County Public Schools, with final court disposition(s) on _____.
- The case was adjudicated as guilty/not guilty.
- The employee was required to participate in and successfully completed a Pretrial Intervention Diversion Program (PTI). (if applicable)
- The charges were dismissed/dropped/abandoned.
- Other _____

II. Administrative actions taken at the worksite. (Choose from below all that apply.)

- A conference-for-the-record notification, signed by the employee, is attached.
- A conference-for-the record was held on _____.
Date(s)
- A summary of the conference-for-the-record is completed/signed by the employee and is attached.
- Investigative arrest(s) was/were discussed with the employee on _____.
Date(s)
- **Verbal warning(s)** was/were issued to employee on _____.
Date(s)
- **Letter of reprimand** was issued to employee (only with CFR). Attached.

III. Action Taken (Choose from below all that apply.)

- **Specific directives** were issued to employee (only in CFR).
- The employee was notified that all investigative data has been transmitted to Professional Practices Services (PPS), Florida Department of Education (FDOE), for review and possible licensure action by the Educational Practices Commission (EPC). (Applies only when it is a certified employee)
- School Board Policy 1121.01, 3121.01, or 4121.01, Employment Standards and Fingerprinting was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1124, 3124, or 4124, Drug-Free Workplace was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1129, 3129, or 4129, Conflict of Interest was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1139, 3139, or 4139, Educator Misconduct was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1210, 3210, or 4210, Standards of Ethical Conduct was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1210.01, 3210.01, or 4210.01, Code of Ethics was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1213, 3213, or 4213, Student Supervision and Welfare was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1217, 3217, or 4217, Weapons was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1231, Outside Activities of Administrators, 3231, Outside Activities of Staff, or 4231, Outside Activities of Support Staff was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1232, 3232, or 4232, Political Activities was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1362, 3362, or 4362, Anti-Discrimination/Harassment was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1362.02, 3362.02, or 4362.02, Anti-Discrimination/Harassment Complaint Procedures was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1380, 3380, or 4380, Threatening Behavior Toward Staff Members was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 1430, 3430, or 4430, Leaves of Absence was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.

- School Board Policy 1121.01, 3121.01 or 4121.01, Employment Standards and Fingerprinting was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 5630, Corporal Punishment and Use of Reasonable Force was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 7540.04, Staff Network and Internet Acceptable Use and Safety was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 8600, Transportation was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 8606, Restrictions on Use of Communication and Transmission Devices on Board-Owned Vehicles was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- School Board Policy 8670, Post Trip Inspections of School Buses was discussed with the employee. A copy of this policy was provided to the employee and a directive was issued to comply.
- **How to Use Common Sense and Professional Judgment to Avoid Legal Complications in Teaching**, was discussed with the employee and a copy of this document was given to employee and directed to comply.
- **Common Sense Suggestions for Non-Instructional Personnel** was discussed with the employee and a copy of this document was given to employee.
- State Board of Education Rule 6B-1.001, FAC, and State Board of Education Rule 6B-1.006, FAC. The Code of Ethics and the Principles of Professional Conduct of the Education Profession in Florida was issued and reviewed with the employee and directed to comply.
- The employee was made aware of the District's support referral agency.
- The employee was issued a supervisory referral to the District's support referral agency which is attached.
- No further action needed at this time.

cc: _____ Superintendent, Region/District
 _____ Administrative Director, Region
 (Do not include titles, only names of designated individuals)

Thank you for your efforts in this personnel action.

*** Please note the following regarding School Board Policies: 1000 Administrators; 3000 Instructional Staff; 4000 Support Staff; 5000 Students; 7000 Property; 8000 Operations**

XV.

DRUG-FREE WORKPLACE
PROCEDURES

SCHOOL BOARD POLICY DRUG-FREE WORKPLACE

The School Board of Miami-Dade County, Florida recognizes that substance abuse in our nation and our community exacts staggering costs in both human and economic terms. Substance abuse can be reasonably expected to produce impaired job performance, lost productivity, absenteeism, accidents, wasted materials, lowered morale, rising health care costs, and diminished interpersonal relationship skills. Miami-Dade County Public Schools (M-DCPS) and its employee unions share a commitment to solve this problem and to create and maintain a drug-free work environment.

Miami-Dade County Public Schools is responsible for the instruction and well-being of the students entrusted to its care. A consistent message needs to be communicated to Miami-Dade County Public Schools' students and staff; the use of illegal drugs, the abuse of alcohol, and the misuse of prescription drugs is unacceptable and will not be tolerated.

The purpose of this policy is to:

- A. promote a healthy, safe working and learning environment.
- B. seek the rehabilitation of permanent employees with a self-admitted or detected substance abuse problem.
- C. eliminate substance abuse problems in the workplace.
- D. provide a consistent model of substance-free behavior for students.
- E. provide a clear standard of conduct for District employees.
- F. communicate that persons who violate the standards of conduct cited in this rule and who refuse or cannot be assisted by rehabilitation or who have negatively impacted students and/or staff shall be dismissed.
- G. hire drug-free employees.

Illegal Drugs

Drug abuse by employees interferes with the educational and work process, and compromises the safety and well-being of staff and students. Employees are expected to conduct themselves in a manner consistent with the following provisions:

- A. Employees on duty or on School Board property will not manufacture, distribute, dispense, possess or use illegal drugs, nor will they be under the influence of such drugs.
- B. Employees on or off duty will not influence students to use illegal or abuse legal drugs.
- C. An employee convicted, adjudicated guilty, or who has entered a plea of guilty for any criminal drug statute violation occurring in the workplace shall notify Miami-Dade County Public Schools within forty-eight (48) hours after final judgment.

One time only, prior to testing, the District shall provide all applicants and part-time employees transitioning to full-time employment a written statement of its policy on a drug-free workplace.

Alcohol and Prescription Drugs

Alcohol, prescription and over-the-counter drugs are legal and readily available. Generally safe and acceptable, these drugs, when abused over time or used in combination with one another, can result in chemical dependency or poly-drug addiction. Employees are expected to conduct themselves in a manner consistent with the following provisions:

- A. Employees on duty or on School Board property shall not be under the influence of alcohol. Employees in safety sensitive positions, as defined in the Drug-Free Workplace Technical Guide, which is incorporated by reference into this rule, and made a part thereof, will be free of measurable alcohol concentrations. Further, employees will not manufacture or use alcoholic beverages while on School Board property or on duty.
- B. Employees on duty will not use or take prescription drugs above the level recommended by the prescribing physician, and will not use prescribed drugs for purposes other than what the prescribed drugs were intended. In addition, the employee will not distribute or dispense such drugs, except as provided in School Board Policy 5330.

Pre-Employment Drug Screening

- A. The District shall require pre-employment drug screening of applicants in the manner set forth in the **Drug-Free Workplace Technical Guide**.
- B. Applicants will be referred to Board approved, independent, certified laboratories utilizing recognized techniques and procedures, as described in the **Drug-Free Workplace Technical Guide**.
- C. Specimens collected will not be used to conduct any other analysis or test unless otherwise authorized by law.
- D. The validity period for pre-employment drug screening is one year.
- E. Applicants will be informed in advance of the requirement of a negative drug screen as a condition of employment. Applicants testing positive will not be eligible for employment by Miami-Dade County Public Schools for three years from the date of the test. Applicants for designated positions will be informed of the requirement for a random drug screening test, without prior notification, after employment, under existing labor contracts, statutes, OTETA, and Board policies.

Employee Physical Examinations/Screening/Health Services:

- A. Drug screening will be included in all physical examinations; existing employees and contracted persons in covered positions will be screened under the Omnibus Transportation Employee Testing Act of 1991 (OTETA), and as required under existing labor contracts, statutes, State Board Rules, and Board policies.
- B. Circumstances under which testing may be considered include, but are not limited to, the following:
 - 1. observed use of illegal drugs and/or abuse of alcohol during work hours;
 - 2. apparent physical state of impairment of motor functions;
 - 3. marked changes in personal behavior on the job not attributable to other factors;
 - 4. employee involvement in serious or repetitive accidents on the job causing personal injury to self or others and/or significant property damage;
 - 5. employee involvement in an accident requiring the vehicle to be towed or medical treatment away from the scene of the accident; and
 - 6. any vehicular fatality.
- C. Drug and/or alcohol screening shall be conducted by Board approved, independent, certified laboratories utilizing recognized techniques and procedures as described in the **Miami-Dade County Public Schools Drug-Free Workplace Technical Guide**. The Technical Guide shall be located in the Board Office, Citizen Information Center, and the Office of the School Board Clerk.
- D. Medical records and information relating directly thereto shall be maintained in strict confidentiality, with the highest regard for employee privacy consistent with Florida's Public Records Act and the purpose of achieving and maintaining a drug-free workplace. Any laboratory contract shall provide that the contractor's records are to be kept confidential under provisions of Florida Laws. M-DCPS shall establish a system of maintaining records to include both the district's and the contractor's record of applicant and employee urinalysis and blood alcohol results.
- E. Chemical dependency is an illness that can be successfully treated. It is the policy of Miami-Dade County Public Schools, where possible, to seek rehabilitation of permanent employees with a self-admitted or detected drug problem.

Disciplinary Sanctions

Employees who violate these standards of conduct and who the Board determines will not be assisted by rehabilitation or who have negatively impacted students and/or staff shall be dismissed. A refusal to submit to a drug test or a second violation of this policy shall constitute an inability to be assisted by rehabilitation. Nothing will preclude the Board from seeking criminal prosecution for violation of this policy where the Board deems appropriate.

F.S. 440.101, 440.102

34 C.F.R. 34-86.201

34 C.F.R. Parts 85, 86,104

20 U.S.C. 86-201

20 U.S.C. 701-706 Rehabilitative Act 1973

20 U.S.C. 3171 et seq.

20 U.S.C. Omnibus Transportation Testing Act 1991

29 U.S.C. 705 (20), 794,794A

41 U.S.C. 701 et seq.

Vocational Rehabilitation Act of 1973

Drug-Free Schools and Communities Act of 1986

Drug-Free Workplace Act of 1988

The official Policies of the School Board Of Miami-Dade County, Florida are maintained by the School Board Clerk.

This is not an official copy.

REASONABLE SUSPICION

- A. An employee who is on the job visibly impaired and deemed unable to perform required duties, will not be allowed to work. If possible, the employee's supervisor shall seek another supervisor's opinion to confirm the employee's impaired status. The supervisor shall consult privately with the employee to determine the cause of the observation. If, in the opinion of the supervisor, the employee is considered impaired, the supervisor **immediately** notifies the Region/District Office and the Office of Professional Standards for instructions on reasonable suspicion testing. The employee shall be transported by taxi or other safe transportation alternative, accompanied by the supervisor and/or another employee to the approved laboratory for drug and alcohol testing. **An impaired employee shall not be allowed to drive.**

- B. The supervisor shall immediately contact the Region/District Office and OPS to advise the appropriate case manager of the facts regarding the question of the employee's fitness to work. **A decision, based upon the factual circumstances presented by the supervisor, will be made by (the administrative line) and the Office of Professional Standards.** Medical screening, if required, shall be arranged as expeditiously as possible and shall be considered as a condition of continued employment. The appropriate bargaining agent representative/union representative will be notified.

- C. If evidence exists of a substance abuse problem, OPS will conduct a CFR and provide the employee with a supervisory referral to the District's support agency. However, it is the responsibility of each employee to seek assistance and to engage in treatment to resolve problems associated with controlled substance use or alcohol misuse.

- D. Based upon the specific substance abuse report attesting to the employee's fitness to work, the District's support agency and OPS will facilitate appropriate follow-up actions.

- E. Substance abuse records, and information relating directly thereto, will be maintained in strict confidentiality.

GENERAL DRUG TESTING EFFECTIVE PRACTICES

IN ORDER TO AVOID COMMON PROBLEMS AT THE SITES AUTHORIZED FOR SPECIMEN COLLECTION, PLEASE ADHERE TO THE FOLLOWING:

1. ACCEPTABLE IDENTIFICATION MUST BE ANY OF THE FOLLOWING: STATE ISSUED I.D, DRIVER'S LICENSE THAT IS **NOT** EXPIRED, U.S. PASSPORT, GREEN CARD OR NATURALIZATION PAPERS.
2. THE NAME ON THE AUTHORIZATION FORM AND I.D. **MUST** MATCH. THOSE WHO HAVE MARRIED OR DIVORCED MUST BRING A MARRIAGE LICENSE OR DIVORCE PAPERS.
3. THE DRUG TEST AUTHORIZATION FORM **MUST** HAVE AN ORIGINAL WORK SITE SUPERVISOR'S SIGNATURE; NO PHOTOCOPIES WILL BE ACCEPTED.
4. **UNDER NO CIRCUMSTANCES** WILL A FORM WITH CROSSOUTS OR WHITE OUT BE ACCEPTED.
5. DRUG TEST AUTHORIZATION FORM **MUST** BE COMPLETELY FILLED OUT WITH THE APPROPRIATE EXPIRATION DATE.
6. **NO** FAXES OR PHONE CALLS WILL BE ACCEPTED AT THE CENTER FROM ANYONE EXCEPT the EXECUTIVE DIRECTOR, PERSONNEL OPERATIONS AND NETWORK, (995-7258), OR THE APPOINTED DESIGNEE TO AUTHORIZE ANY TESTING OUTSIDE OF THE ESTABLISHED GUIDELINES.
7. ANY IDENTIFICATION WHICH APPEARS TO BE TAMPERED WITH WILL **NOT** BE ACCEPTED.
8. **NO** CHILDREN WILL BE ALLOWED IN THE COLLECTION AREA AND THE COLLECTION SITE **CANNOT** PROVIDE CHILD CARE SERVICES.
9. **ONLY** THE APPLICANT IS ALLOWED IN THE COLLECTION AREA. ANY COMMUNICATIONS REGARDING THE TESTING, PROCEDURES OR DECISIONS WILL BE COMMUNICATED TO THE APPLICANT ONLY.

APPLICANTS AND/OR EMPLOYEES ARE ADVISED TO PRESENT THEMSELVES AT THE APPROVED COLLECTION SITES AT LEAST ONE HALF (1/2) HOUR BEFORE THE DESIGNATED CLOSING TIME. THIS WILL PROVIDE FOR AN ADEQUATE AMOUNT OF TIME FOR SPECIMEN COLLECTION IF A PROBLEM IS ENCOUNTERED

The General Drug Test Authorization Form can be found by accessing Records and Forms Management on the Miami-Dade County Public Schools web page at <http://forms.dadeschools.net/> and searching for Form 4453.

The **Drug-Free Workplace Technical Guide** is available from Personnel Support Programs

XVI.
FEDERAL REGULATIONS

AMERICANS WITH DISABILITIES ACT

ADA compliance questions and concerns should be directed to Employee Support at
(305) 995-7116.

**BLOODBORNE PATHOGEN PROGRAM
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
(OSHA)**

Information regarding OSHA Procedures and testing sites/dates for Hepatitis-B are provided by the Office of Risk and Benefits Management, **(305) 995-7182**, or the Department of Safety, **(305) 995-4900.**

**CIVIL RIGHTS COMPLIANCE
(CRC)**

The Civil Rights Compliance Office provides technical assistance to Miami-Dade County Public Schools (M-DCPS) personnel focusing on compliance with various federal laws, state statutes and regulations, and School Board Policies regarding equal opportunity and access in employment and in the provision of educational services and programs. It investigates complaints and/or charges of discrimination and harassment, including sexual harassment, filed against the District by applicants, employees, students and their parents. Questions and/or concerns should be addressed to the CRC Office, **(305) 995-1580.**

**FAMILY MEDICAL LEAVE ACT
(FMLA)**

Certain employees may qualify for leave under The Family Medical Leave Act (FMLA) of 1993. Please refer to the U.S. Department of Labor website (www.dol.gov/esa/), for further information about FMLA. Questions regarding FMLA should be directed to the Office of Leave, Retirement, and Unemployment Compensation, **(305) 995-7090.**

OMNIBUS TRANSPORTATION EMPLOYEE TESTING ACT (OTETA)

The provisions of the Omnibus Transportation Employee Testing Act (49 CFR, Part 382), which impact Miami-Dade County Public Schools as an employer and the District's covered employees, became effective on January 1, 1995. These requirements are incorporated into the existing School Board Policies 1124, 3124, or 4124, Drug-Free Work Place.

A covered employee is one who is required to hold a Commercial Driver's License (CDL) as a condition of employment and drives a vehicle of certain specifications.

Administrative responsibilities for the implementation of the federal regulations and the Board Policies are assigned as follows:

- Implementation and supervision of drug and alcohol testing and Federal Highway Administration (FHWA) requirements and record-keeping;
- Program Coordination with the Substance Abuse Professional and the vendor;
- Supervisor professional development; and
- OPS case management for disciplinary referrals.

The OTETA Drug Test Authorization Form can be found by accessing Records and Forms Management on the Miami-Dade County Public Schools web page at <http://forms.dadeschools.net/>, Form number 5332.

APPENDIX A
CONTRACT DUE PROCESS MATRIX

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Contract Due Process Matrix

	AFSCME	DCSMEC	UTD OFFICE EMPLOYEES	UTD PARA-PROFESSIONALS AND SUPPORT PERSONNEL	UTD TEACHERS PB=Prob. AC=Annual PSC=Prof. Services CC=Continuing	DCSAA	FOP	MEP	CONFIDENTIAL EXEMPT
Probationary Period <ul style="list-style-type: none"> upon initial employment upon promotion 	3 calendar mo. Article IX, Section 4A 3 calendar mo. Article IX, Section 4B	4 calendar mo. Article IX, Section 12 4 calendar mo. Article IX, Section 12	90 workdays Article XVIII, Section 9 60 workdays Article XVIII, Section 5F	90 workdays Article XVII, Section 1G1, 2D1 60 workdays Article XVII, Section 1G2, 2D2	Florida Statutes 1012.335 1 Year 90 Days	90 Workdays Article XI, Section 8 3 Calendar Months Article XI, Section 8	1 Year Appendix B2 1 Year Appendix B2	First 97 days of an initial contract to an administrative position Section E-1 Florida Statutes 1012.33	First 90 workdays Section V-B First 60 days Section II-E
Abandonment of Position Clause	3 consecutive workdays of unauthorized absences Article XI, Section 4B	3 consecutive workdays of unauthorized absences Article XI, Section 2A	3 consecutive workdays of unauthorized absences Article XVIII, Section 19 A, B	Florida Statutes 1012.67	Florida Statutes 1012.67	3 Consecutive workdays of unauthorized absences Article VII, Section 2B	3 Consecutive workdays of unauthorized absences Article X, Section 1D	No specific language in Contract	No specific language in Contract
Due Process Provision	Article XI, Section 1, 2, 4D	Article XI, Section 1, 2, 3,4	Article XXI, Section 1	Article XXI, Section 1, 3	Article XXI, Section 1 20 Days Notice	Article VII, Sections 1-9	Article X, Sections 1-4	Section E-2A/B/C/X	Section V-C
Excessive Absences Clause	10 workdays of unauthorized absences within last 12-month period Article XI, Section 4B F.S. 1012.67	5 workdays or 3 consecutive workdays of unauthorized absences within last 12-month period Article XI, Section 2A F.S. 1012.67	10 workdays of unauthorized absences within last 12-month period Article XVIII, Section 19B F.S. 1012.67	Florida Statutes 1012.67	Florida Statutes 1012.67	10 workdays of unauthorized absences within last 12 month period Article VII, Section 2B	No specific language in Contract	No specific language in Contract	No specific language in Contract
Right to Appeal: <ul style="list-style-type: none"> Dismissal Action Suspension Non-reappointment Demotion 	Article XI, Section 2 Yes (20 calendar days) Yes (20 calendar days) No Yes (20 calendar days)	Article XI, Section 3 Yes (20 calendar days) Yes (20 calendar days) No Yes (20 calendar days)	Article XVIII, Section 18 Yes (20 work days) Yes (20 work days) Yes (20 work days) Yes (20 work days)	Article XXI, Section 1, 3 Yes (20 calendar days) Yes (20 calendar days) No N/A	Article XXI, Section 1 Yes (15 cd - AC, PSC; 20 cd - CC) Yes (15 cd - AC, PSC; 20 cd - CC) No N/A cd =calendar days	Article VII, Section 3 Yes (20 calendar days) Yes (20 calendar days) No Yes (20 calendar days)	Article X, Section 2 Yes (20 calendar days) Yes (20 calendar days) N/A Yes (20 calendar days)	Section E-2A/B Yes (Hearing granted upon timely request) E-2B1 & SB 6Gx13-8C-1.064 Yes (Hearing granted upon timely request) E-2B1 Yes (Review conference with Superintendent or designee) E-2B2 Yes (Review conference with Superintendent or designee) E-2B1	Section V-A2 Yes (within 10 workdays) Yes (within 10 workdays) Yes (Section II-F,G,H)
Grievance Procedures	3 Step Procedure Article VII	3 Step Procedure Article VII	3 Step Procedure Appendix A	3 Step Procedure Appendix A	3 Step Procedure Appendix A	3 Step Procedure Article XVIII	3 Step Procedure Article XI	No specific language in Contract	No specific language in Contract
Other Concerns	Article IX, Section 14	Article IX, Section 21	Article XXI, Section 2F	Article XXI, Section 2F	Article XXI, Section 2F	Article XIX, Section 2	Article XXII, Section A-F	Section G-1-2	
Performance Evaluation	N/A	N/A	Yes	N/A	Article XIII	Yes Article VIII	N/A	School-Site: Section C-1-11 Non-School Site: Section D-1-11	Section II-D

C-3

*Pending contract revision

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APPENDIX B
PROCEDURES FOR RESIGNATIONS
AND TRANSFERS

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PROCEDURES FOR RESIGNATIONS AND TRANSFERS

Any employee who resigns for any reason must complete the appropriate form labeled **Letter of Resignation (FM-6020)**. Upon receipt of a completed letter of resignation from the employee, the site must do the following:

§ Place a copy of letter of resignation in the personnel file.

§ Send a copy of letter of resignation to:

**Executive Director
Personnel Actions
Mail Code 9319 - Room 336**

§ Update the District's computer records by indicating the termination of employment as allowed by password using the specific code from the BAS header that best corresponds to the reason described in the resignation letter.

In addition, if the resignation follows or occurs during a personnel investigation/performance issue, a copy of the **Letter of Resignation** must be forwarded to:

**Administrative Director
Office of Professional Standards
Mail Code 9320 – Suite P-102**

The District offices listed above will effect the changes in the District's computer records only for employees with performance or investigative issues.



MIAMI-DADE COUNTY PUBLIC SCHOOLS
OFFICE OF HUMAN RESOURCES
1500 BISCAYNE BLVD. SUITE 241
MIAMI, FLORIDA 33132

_____ Date

LETTER OF RESIGNATION

The School Board of Miami-Dade County, Florida
1450 N. E. 2nd Avenue
Miami, Florida 33132

Dear Board Members:

Please accept my resignation from the Miami-Dade County Public Schools for the following reason(s):

SAMPLE

I am requesting that this resignation become effective _____ which will be my last day of employment.

Respectfully,

Print Last Name, First Name

Signature	Employee Number
Current Position	Work Location
Home Address	
.....	

Check One:

_____ I recommend that this resignation be accepted.

_____ I recommend that this resignation not be accepted.

Signature of Principal/Department Head

cc: Administrator, Personnel Records, WL 9324, Annex, Room 141-L

NOTE: Work sites must enter the correct termination code in the PERS system and forward the original letter of resignation to Personnel Records. Please maintain a copy of the letter in the employee's work site file folder. The employee's work site folder must be kept at the location for one year. After one year, forward file to WL 9324, Annex, Room 141-L for imaging.

APPENDIX C
NOTIFICATION OF INCIDENT FORM

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Miami-Dade County Public Schools

giving our students the world

Superintendent of Schools
Superintendent of Schools
Alberto M. Carvalho
Rudolph F. Crew, Ed.D.

Miami-Dade County School Board
Miami-Dade County School Board
Perla Tabares Hantman, Chair
Austin J. Barrera, Chair
Dr. Martin Karp, Vice Chair
Perla Tabares Hantman, Vice Chair
Dr. Dorothy Bendross-Mindingall
Renier Diaz de la Portilla
Susie V. Castillo
Evelyn Langley Greer
Carlos L. Curbero
Dr. Wilber Tee Followay
Dr. Lawrence S. Feldman
Renier Diaz de la Portilla
Ana Rives Logan
Dr. Wilber Tee Followay
Dr. Marta Pérez
Dr. Raquel A. Regalado

Mr./Ms. _____

Mr./Ms. _____:

An investigation is being conducted with reference to the incident(s) listed below. You have been named as the subject in the complaint.

NAME OF COMPLAINANT(S): _____
Juvenile Confidential

NATURE OF THE COMPLAINT(S): _____
Clearly state incident as it appears on the Incident Reporting Form

You will be given an opportunity to respond to this complaint, in accordance with your rights as guaranteed by contract and/or policy. When the investigation is complete, you will be notified. As this is an open investigation, no other information can be provided at this time. You are prohibited from contacting any complainant(s) and/or witness(es), with the intent to interfere with the investigation of the above listed allegation(s).

At the conclusion of this investigation, this case will be forwarded to the Office of Professional Standards.

Should you require additional information, please contact this administrator at (305) () – ().

Sincerely,

Principal/Site Supervisor

cc: Office of Professional Standards

Signature acknowledges receipt of memorandum only

Date

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APPENDIX D

ALTERNATE ASSIGNMENT GUIDELINES

ALTERNATE ASSIGNMENTS

Alternate assignments are considered exclusively when an allegation made is serious enough in nature to warrant the removal of an employee from the site to an alternate assignment until the resolution of the case (i.e. those that the health, safety, and welfare of students and/or employees may be affected).

The determination is made jointly by the Region/District Office, the Office of Professional Standards and the Office of Human Capital Management. Affected employees placed in an alternate assignment, if possible, will be assigned job duties similar to their current job responsibilities.

The School Board of Miami-Dade County, Florida, adheres to a policy of nondiscrimination in employment and educational programs/activities and programs/activities receiving Federal financial assistance from the Department of Education, 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 Policies 1362, 3362, and 4362 - prohibit harassment and/or discrimination against a student or employee 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, pregnancy, 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.