

CHAPTER 6.00 – HUMAN RESOURCES

CHAPTER 6.00 HUMAN RESOURCES

EMPLOYMENT OF PERSONNEL

6.01

- I. All personnel shall be appointed or reappointed as prescribed by Florida Statutes and in conformance with applicable State Board of Education rules and School Board rules.
- II. The Superintendent shall develop appropriate employment procedures governing the recruitment, screening, selection, appointment and employment of all personnel consistent with Florida Statutes, State Board of Education rules, federal requirements and School Board rules.
- III. The District shall implement a recruitment program to attract and maintain a well qualified, ethnically diverse workforce to the greatest extent practicable.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

**1000.05, 1001.42, 1001.43, 1001.51,
1012.22, 1012.27, 1012.32, 1012.39,
F.S.**

STATE BOARD OF EDUCATION RULE(S):

**6A-1.0502, 6A-1.064, 6A-4.0081, 6A-
4.0082, 6A-4.0083, 6A-4.0084**

HISTORY:

**ADOPTED: 4/1/97
REVISION DATE(S): _____
FORMERLY: GBA**

CHAPTER 6.00 – HUMAN RESOURCES

EMPLOYMENT DEFINED

6.02

- I. Full-time – A full time employee is a person who is employed for a regular work week for the number of hours each day as established by the Board for that position or job, but not less than 35 hours a week, except for employees approved for job-sharing and food service employees who work ten (10) months/four (4) hours.
- II. Part-time – A part-time employee is a person who is employed for less than the number of hours each day as established by the Board for a regular full time employee but not more than 25 hours a week. Part-time employment is employment-at-will.
- III. Temporary – A temporary employee is a person whose employment is expected to be for a limited time to fill a vacancy for which a permanent employee is not available or to perform some work of a temporary nature. For non-instructional employees, such employment may not be longer twelve (12) months in duration in the same position with no extensions. For instructional employees, such employment may not be longer four (4) months in duration in the same position with no extensions.

A temporary employee may work as many hours as needed, but in no case more than 40 hours in a week; therefore, no temporary employee should be assigned overtime hours. Temporary employment is employment-at-will.

The above procedures and employee classification terms and definitions are not intended to be, nor do they constitute, an express or implied contract of any kind in favor of employees, nor shall any employee or applicant for employment have any contractual rights, claims or privileges against the Board by virtue of these procedures. Nothing in these procedures shall be interpreted to provide any employee with a right to continuing employment for any fixed period of time, nor are these procedures intended to create any type of agreement for employment or continued employment or guarantee of compensation or hours of work.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.22, F.S

HISTORY: **ADOPTED: 11/10/08**
REVISION DATE(S): _____
FORMERLY: NEW

CHAPTER 6.00 – HUMAN RESOURCES

DEFINITION OF PERSONNEL

6.03

Instructional, administrative, noncertificated and instructional support personnel shall be defined in accordance with the provision of Florida Statutes.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.01, F.S.

HISTORY: ADOPTED: 11/10/08
REVISION DATE(S): _____
FORMERLY: NEW

CHAPTER 6.00 – HUMAN RESOURCES

INSTRUCTIONAL STAFF

6.04

The instructional staff shall be composed of school-based personnel, as defined in Florida Statutes, other than administrators and school support personnel. The instructional staff shall be assigned direct responsibility for the supervision, instruction, and evaluation of students in disciplines which promote individual growth and development for becoming a member of society. Instructional staff members shall hold a valid Florida Educator's Certificate or the equivalent as prescribed by Florida Statutes and State Board of Education rules.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

**1001.43, 1012.01, 1012.32, 1012.39,
1012.53, 1012.54, 1012.56, 1012.57,
F.S**

HISTORY:

**ADOPTED: 11/10/08
REVISION DATE(S): _____
FORMERLY: NEW**

CHAPTER 6.00 – HUMAN RESOURCES

NEPOTISM/FAVORITISM

6.06

- I. An employee may not be recommended for employment or be supervised by a close relative or a person with whom he/she has a romantic involvement.
- II. Close relatives, for the purpose of this policy, are defined as mother, father, son, daughter, brother, sister and spouse and in-laws of the same.
- III. Supervised, for the purpose of this policy, is defined as being an administrator in the same department or school as the close relative or being an administrator who evaluates, disciplines, gives direction to or reviews the evaluations or goals of the close relative.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

112.3135, 1001.42, 1001.43, 1012.22, 1012.27, F.S.

HISTORY:

**ADOPTED: 4/1/97
REVISION DATE(S): 11/10/08
FORMERLY: GB**

CHAPTER 6.00 – HUMAN RESOURCES

RECRUITMENT OF FACULTY AND ADMINISTRATIVE STAFF 6.07

It is the policy of the Duval County School Board to promote and encourage the presence of a diverse faculty and administrative staff at each school, because diversity has educational benefits for all students. *Diversity* for purposes of this policy shall include gender and race. *Faculty* for purposes of this policy shall include all certificated teachers, guidance counselors, social workers, media specialists, and school psychologists. *Administrative staff* for purposes of this policy shall mean principals, vice-principals, assistant principals and others who are paid pursuant to an administrator's salary schedule. It is the Board's goal that it demonstrates its commitment to equal employment by providing a faculty at each school in the District that approximates the district-wide faculty composition by race and gender to the extent practicable.

I. Recruitment

The Division of Human Resource Services is responsible for maintaining and publishing an up-to-date listing of all employment opportunities for faculty. The Division of Human Resource Services also shall establish and implement a year-round recruitment program to ensure that there are an adequate number of qualified and diverse candidates for available faculty positions. The Division of Human Resource Services shall undertake efforts to advertise faculty vacancies and recruit applicants at local, regional and national colleges and universities, particularly those with significant numbers of minority students enrolled in education programs. The Division of Human Resource Services also shall recruit qualified faculty through a variety of appropriate techniques in order to encourage a large and diverse pool of applicants for faculty posts in the District. Faculty and administrative staff shall be recruited, selected, and assigned to duty solely on the basis of experience, qualifications, and requirements of the position. Teachers, particularly minority teachers, shall be encouraged to participate in training for certification for the gifted and academically talented program. This training shall be provided at District expense. Employment practices shall comply with all local, state, and federal laws and court orders.

II. Faculty and Administrative Staff Assignment

In preparing lists of eligible personnel to fill faculty and administrative posts, the Division of Human Resources shall seek to ensure that the lists reflect as diverse a pool of candidate as is practicable, and shall seek to achieve the goals of this policy.

III. Monitoring and Evaluation

Each year, the Superintendent shall prepare a report for the Board detailing the gender and racial composition of the faculty and the administrative staff in each school within the District and describing the recruiting efforts undertaken by the Division of Human Resource Services to attract minority applicants for faculty posts. When a school has a faculty that is substantially unrepresentative of the district-wide

CHAPTER 6.00 – HUMAN RESOURCES

gender or racial composition, the Superintendent shall take appropriate steps to achieve the goal of diversity to the extent practicable.

STATUTORY AUTHORITY: 1001.41, 1001.42, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.51, 1012.22, 1012.23, F.S.

HISTORY: **ADOPTED: 4/1/97**
REVISION DATE(S): 11/10/08
FORMERLY: GCF

CHAPTER 6.00 – HUMAN RESOURCES

APPOINTMENT OR EMPLOYMENT REQUIREMENTS 6.08

- I. An online application form prescribed by the School District shall be filed by individuals seeking employment in a noninstructional position.
- II. Qualifications
 - A. Must be of good moral character.
 - B. Must have attained the age of eighteen (18) years if the individual is to be hired in an instructional capacity.
 - C. Must meet the qualifications established in the job description for the position and any certification or licensure requirements established by the State Board of Education or other federal, state or local agencies.

III. Certificate Requirements

Each applicant for an instructional or a certificated administrative position shall hold a certificate or have a receipt from the Florida Department of Education acknowledging that an application has been filed and that issuance of the certificate is pending, or have the proper license to perform services.

- A. To be considered for a position, an applicant shall be duly qualified for that position in accordance with state law, regulations of the Florida Department of Education and the approved job description. If it appears that the applicant is eligible for proper certification, appointment may be made subject to the conditions set forth in the annual contract of employment as approved by the School Board.
- B. Any person not holding a valid Florida certificate at the time of employment shall be required, upon initial employment, to make application to the Florida Department of Education for such a certificate, through the Human Resource Services office of the District. When such certificate is received, it must be filed with the office of the Superintendent. If the Department of Education declines to issue a certificate, the person's employment shall be terminated immediately. Failure to file such certificate, except for good cause as determined by the Superintendent, shall result in the termination of employment.

IV. Interviews and Appointments

- A. All applicants shall have a personal interview with a staff member of the Division of Human Resource Services, a principal/designee, or the appropriate administrative supervisor before they are hired.
- B. The Superintendent or designee shall monitor and ensure that appointments

CHAPTER 6.00 – HUMAN RESOURCES

and assignments are consistent with the District's intent of maintaining a diverse work force.

V. Nominations

The Superintendent shall submit in writing to the School Board a nomination to fill vacancies. The School Board may reject for good cause any nomination for an instructional staff position. If a rejection occurs, the School Board shall specify the reasons for its rejection in the minutes. The School Board may proceed on its own motion to fill the position if a third nomination of the Superintendent for any position is rejected for good cause.

VI. Initial Employment

- A. Any offer of employment with the School District is conditioned on submission of fingerprints as required by Florida Statute and a background investigation by District Staff. All candidates for all positions must undergo a criminal and employment background check to determine suitability for employment. The application for employment shall inform applicants they are subject to criminal background checks, and advise applicants that failure to be truthful on the application about prior criminal history will be grounds for ineligibility or dismissal from employment.
- B. As a condition of employment, an applicant who has received a conditional job offer must file a complete set of fingerprints taken by a District employee or vendor trained and authorized to take fingerprints. The fingerprints shall be processed by the Florida Department of Law Enforcement (FDLE) and the Federal Bureau of Investigation (FBI). The applicant shall be required to pay for full costs of processing at the time of fingerprinting. When the fingerprint or background check reports are returned, District staff shall review both the application and the report(s) concerning the individual. District staff will compare the information provided by the new employee with the information received from the FDLE and/or the FBI pursuant to Florida Statute.
- C. Based upon the facts of an application, criminal background check or other valid or reliable data sources, and hiring guidelines, applicants who are, or have been convicted of certain serious offenses may be denied employment by the School District. As used in this section the term conviction is defined as a finding of guilt, a plea of guilty, or a plea of nolo contendere, or a verdict of guilty. The withholding of adjudication or the entry of an order sealing or expunging the record requiring a pre-trial intervention or pre-trial diversion shall not be considered an exception to this section. Other information derived from the pre-employment investigation, which indicates the applicant may not be suitable for employment by the School District, may be grounds for denying employment to an applicant.
- D. Any instructional or noninstructional persons under contract to the School District to operate student programs, student teachers, persons participating in short-term

CHAPTER 6.00 – HUMAN RESOURCES

teacher assistance experiences or field experiences who have direct contact with students must meet the requirements of this section.

VI. Current Employees

- A. If it is discovered during the period of employment that a regular employee has a prior criminal record and that the employee was requested to provide this information at the time of hire, but did not do so, the employee may be subject to disciplinary action, including dismissal for submitting false information on the employment application, or otherwise having misled the District.
- B. Instructional personnel and noninstructional or contractual personnel who have direct contact with students or have access to or control of school funds must meet the screening requirements described in law every five (5) years.

VII. Acceptance of Appointment

Failure to signify acceptance of appointment within fifteen (15) days after receipt of the official notice of appointment shall be considered a rejection of the offer and the position shall be declared vacant.

VIII. Reconsideration and Appeal

Applicants who have been denied employment, and probationary employees who have been denied permanent employment, on the basis of their criminal record and/or background check, may request reconsideration by the Director, Professional Standards only if they present new information not previously available to the committee.

- IX. The District shall ensure that all aspects of the recruitment and selection process are job-related and are consistent with business necessity so as to ensure equal employment opportunity. Neither the District nor its agents shall engage in any discrimination with respect to employment in violation of any state or federal laws. Applicants shall be informed of the complaint procedure that may be used should they allege discrimination.

CHAPTER 6.00 – HUMAN RESOURCES

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 381.0056, 1001.43, 1012.22,
1012.27, 1012.32, 1012.39,
1012.465, 1012.51, 1012.56, F.S.

HISTORY: ADOPTED: 4/1/97
REVISION DATE(S): 11/10/08
FORMERLY: GCF, GCFA, GDF

CHAPTER 6.00 – HUMAN RESOURCES

NONCERTIFICATED INSTRUCTIONAL PERSONNEL

6.09

The Superintendent is hereby authorized to select and recommend noncertificated instructional personnel who may be utilized by the District pursuant to State Board of Education Rule 6A-1.0502 when special services are needed to deliver appropriate instruction. For the purpose of this School Board Policy, noncertificated instructional personnel does not include nondegreed vocational education teachers who are required to satisfy requirements in the School Board Policy entitled "Employment of Substitute and Nondegreed Vocational Education Teachers"

- A. Application and hiring requirements shall be identical to those for certificated instructional personnel.
- B. Employment procedures shall be the same as those for certificated instructional personnel except for:
 - 1. Documentation of a Florida Educator's Certificate or equivalent certificate; and,
 - 2. Issuance of an annual, continuing, or professional service contract as prescribed in Section 1012.33, Florida Statutes, and State Board of Education Rule 6A-1.064(1). This provision does not apply to occupational therapists, physical therapists, audiologists, or speech pathologists.
- C. The individual's expert skill or knowledge of a particular subject or talent shall be established by the School Board upon the Superintendent's recommendation. The individual's personnel record shall include detailed and verified documentation attesting to the individual's expertise in the area of employment. The Superintendent may require completion of a minimum number of college credits or inservice education points as a condition for reemployment.
- D. The District Office shall have on file a job description for each noncertificated instructional personnel position.
- E. Noncertificated instructional personnel shall perform only assigned teaching duties. They shall remain employed as long as the need exists and when no certificated person with similar qualifications is available. Noncertificated instructional personnel who do not perform their assigned duties shall be suspended immediately from duty and further action (e.g. dismissal) shall be recommended by the Superintendent.
- F. Each noncertificated person's performance shall be assessed against his/her specifically assigned duties. The supervisor recommending the appointment of these personnel shall monitor performance and provide a written evaluation at least once annually.
- G. The salary and benefits of noncertificated instructional personnel shall be pursuant to the salary schedule adopted by the School Board.
- H. The individual shall receive an orientation regarding his/her duties and responsibilities as prescribed by the Superintendent.

CHAPTER 6.00 – HUMAN RESOURCES

- I. Occupational therapists, physical therapists, audiologists, and speech pathologists shall file with the District Office a copy of the appropriate valid license as prescribed in State Board of Education Rule 6A-1.0502. It shall be the responsibility of each occupational therapist, physical therapist, audiologist, and speech pathologist to keep his/her license or registration current and to provide the District Office with a copy of the valid license or registration when renewed.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.32, 1012.36, 1012.39, F.S.

HISTORY: ADOPTED: 4/1/97
REVISION DATE(S):11/10/08
FORMERLY: GCFA

CHAPTER 6.00 – HUMAN RESOURCES

NONDEGREED VOCATIONAL INSTRUCTIONAL PERSONNEL

6.10

The Superintendent is authorized to develop procedures for the employment and certification of nondegreed vocational education teachers. These procedures shall be consistent with Florida Statutes, shall be approved by the School Board, and shall be available, upon request, for persons who are seeking employment in one (1) or more of these positions. Procedures to determine eligibility for District Certification for non-degreed vocational teachers must include a review of the teacher's credentials to ensure that each of the following has been met on the type of certificate being pursued by the teacher:

- A. Requirement for a 3-year Temporary Non-Degreed Vocational. Certificate
 - 1. Proof of occupational expertise
 - 2. Application and fee

- B. Requirements for a professional Non-degreed Vocational Certificate
 - 1. Complete Vocational Professional Preparation Education courses
 - 2. Take the Florida General Knowledge Test
 - 3. Take the Florida Professional Education Test
 - 4. Successfully complete the District's Teacher Induction Program (TIP)
 - 5. Submit application and pay fee

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.32, 1012.36, 1012.39, F.S.

HISTORY: **ADOPTED: 4/1/97**
REVISION DATE(S): 11/10/08
FORMERLY: GCFA

CHAPTER 6.00 – HUMAN RESOURCES

OPEN HIRING/EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION 6.11

- I. The Division of Human Resource Services shall implement a recruitment program to attract and maintain a well-qualified, ethnically-diverse workforce to the greatest extent practicable.
 - A. Applicants seeking employment in the District shall be cleared through the Division of Human Resource Services.
 - B. Staff in the Division of Human Resource Services shall work closely with administrators to determine employment needs and to identify prospective employees.
- II. The School Board shall promote and provide for equal opportunity in recruitment, selection, and promotion of all personnel and nondiscriminatory practices in employment and in employee rights regarding race, sex, age, religion, marital status, disability, creed, or national origin. Any School District employee who feels he/she has been discriminated against or who has been denied any rights described herein may file a complaint with the District's Supervisor of Affirmative Action. Any employee who has knowledge of any discrimination or other activities which violate this policy shall immediately report it according to established procedures and shall take any other appropriate steps necessary to procure its cessation.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1000.05, 1001.42(5); 1001.51(7), F.S.

HISTORY: ADOPTED: 4/1/97
REVISION DATE(S):
FORMERLY: GBA

CHAPTER 6.00 – HUMAN RESOURCES

EMPLOYMENT OF ATHLETIC COACHES WHO ARE NOT FULL TIME EMPLOYEES OF THE SCHOOL BOARD 6.12

Persons who are not full time employees of the School Board and hold an athletic coach's certificate, issued by the state of Florida, may be recommended by the Superintendent and appointed by the School Board to perform designated secondary school athletic coaching responsibilities, subject to the following conditions:

- I. The principal has determined that qualified full time employees of the School Board are not available to perform these responsibilities.
- II. The employment conforms to rules and regulations of the State Board of Education and the bylaws of the Florida High School Athletic Association (FHSAA).
- III. The employment procedures and services conform to standards and procedures provided by the Superintendent including, but not limited to,
 - A. Assessment of the qualifications of such persons.
 - B. Agreement by the contracted employee to abide by the *Code of Ethics of the Education Profession in Florida*.
 - C. Evaluation of performed services to be conducted by the principal and appropriate records maintained.
 - D. Payment for services shall be according to the approved District schedule of salary supplements for the services rendered.
- IV. The District shall attempt to ensure that community-based coaches reflect the diversity of racial, ethnic, and gender groups that the School Board believes to be important to the educational experiences of students.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

119.07, 1001.43, 1012.22, 1012.24, 1012.31, 1012.33, 1012.36, 1012.55, 1012.56, F.S.

HISTORY:

ADOPTED: 11/19/08
REVISION DATE(S): _____
FORMERLY: NEW

CHAPTER 6.00 – HUMAN RESOURCES

PART-TIME TEACHERS

6.13

Certificated employees may be hired to teach a specified number of periods which may be less than a full school day or full school week, but not more than 25 hours a week.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1012.36, 1012.39, 1012.55, 1012.56, F.S.

HISTORY: ADOPTED: 4/1/97
REVISION DATE(S): 11/10/08
FORMERLY: GCG

CHAPTER 6.00 – HUMAN RESOURCES

SUMMER SCHOOL EMPLOYMENT

6.14

Employment of instructional staff members for Summer School shall be pursuant to the Contract Agreement between the Duval County School Board and Duval Teachers United.

STATUTORY AUTHORITY: 1001.41, 1001.42, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, F.S.

HISTORY: ADOPTED: 4/1/97
REVISION DATE(S): 11/10/08
FORMERLY: GCFA

CHAPTER 6.00 – HUMAN RESOURCES

EDUCATIONAL PARAPROFESSIONALS

6.15

Paraprofessionals are persons assigned by the School Board to assist instructional staff member(s) in performing his/her instructional or professional duties or responsibilities. A paraprofessional has additional responsibilities consistent with the requirements of the federal No Child Left Behind Act.

- I. The conditions of employment of a or paraprofessional shall include the following:
 - B. A paraprofessional shall meet one of the following requirements:
 1. Hold an associate's or higher degree;
 2. Have 60+ college credit hours; or
 3. A rigorous state or local assessment of knowledge of and the ability to assist in instruction in reading, writing, and mathematics or reading readiness, writing readiness, or mathematics readiness.
 - C. Be at least eighteen (18) years of age.
 - D. Complete the background check as specified in 6.08.
- II. The principal shall ensure that the paraprofessional assigned to the school possesses a clear understanding of state and District rules relating to his or her responsibilities and to the safety, welfare, and health of students. It shall be the principal and the instructional staff member's responsibility to ascertain that an aide or paraprofessional possesses the necessary knowledge about rules to perform duties of a special nature in a proper and reasonable manner.
- III. It shall be the principal's responsibility to assure the School Board and the Superintendent that each paraprofessional possesses a clear understanding of all state and District instructional practices and rules relevant to his/her responsibilities if he/she is expected to assist a teacher in promoting learning activities. When an aide is assigned duties requiring knowledge of instructional practices and policies or providing prescribed physical care for students of a specialized nature, it is the instructional staff member's responsibility to ascertain in advance whether the aide possesses the necessary knowledge and skills.
- IV. The paraprofessional shall complete a period of supervised practice when assigned to a new instructional staff member or assigned a type of duty which he/she has not previously performed. The length of such supervised practice may vary depending upon previous experiences of the aide or paraprofessional. A record shall be

CHAPTER 6.00 – HUMAN RESOURCES

maintained in each school to show the length, nature, and inclusive dates of each supervised practice assignment for each aide or paraprofessional.

- V. A paraprofessional shall not perform any of the following:
- A. Establish instructional objectives;
 - B. Render decisions regarding the relevancy of certain activities or procedures to achieve instructional objectives;
 - C. Make decisions regarding the appropriateness of training materials for accomplishing instructional objectives; and,
 - D. Evaluate a student's attainment of instructional objectives unless clear and objective criteria such as a specific achievement standard on an objective test are defined.
- VI. The principal and instructional staff members who are assigned paraprofessional personnel shall be responsible for assigning duties which are consistent with Florida Statutes, State Board of Education rules, School Board rules, and other controlling regulations.

LAW(S) IMPLEMENTED: 1001.43, 1012.22, 1012.32, 1012.37, F.S. 34 CFR 200

STATE BOARD OF EDUCATION RULE(S):

6A-1.070, 6B-1.006

HISTORY:

**ADOPTED: 4/1/97
REVISION DATE(S): 11/10/08
FORMERLY: GDA/IJNA**

CHAPTER 6.00 – HUMAN RESOURCES

COPYRIGHTS AND PATENTS

6.16

During the time an individual is employed by the Duval County Public Schools, the person may be involved in creative or scientific endeavors including, but not limited to, conducting research, writing articles or books, developing computer [programs, inventing or modifying devices. Ownership of the product shall be determined as follows:

- I. If an employee develops a product on his/her own time and the product is clearly outside the job description of the employee, the results of the employee's work shall be considered the private property of the employee. The employee may procure a copyright or patent, may enter into a contract for the publication or production of the work or product, and may receive royalties as a result of the sale of the work or product.
- II. If an employee develops a product during work hours as part of his/her job responsibilities, the results of the employee's work shall be considered the property of the Duval County School Board.
- III. When an employee develops a product which is related to his/her assignment, but is not developed during work hours, the employee may request permission from the Superintendent to apply for a copyright or patent. The employee shall submit an overview of the product and a summary of the developmental process. The Superintendent or designee shall determine whether the employee may consider the product private property or whether the District shall have an interest in the property.

STATUTORY AUTHORITY:

1001.41, 1001.42, 1012.23, F. S.

LAW(S) IMPLEMENTED:

1001.43, 1012.23, F. S.

HISTORY:

ADOPTED:11/10/08

REVISION DATE(S): _____

FORMERLY: NEW

CHAPTER 6.00 – HUMAN RESOURCES

SUBSTITUTE TEACHERS

6.17

- I. Substitute teachers shall be provided in classrooms according to Florida Statute when an instructional staff member is unable to perform assigned duties.
- II. Substitute teachers shall meet the following minimum qualifications:
 - A. Have at least 60 college credit hours;
 - B. Be at least 18 years of age;
 - C. Submit a complete set of fingerprints taken by District staff or an authorized vendor to obtain a records check by the Florida Department of Law Enforcement and the FBI.

STATUTORY AUTHORITY:

1001.41, 1001.42, 1012.23, F. S.

LAW(S) IMPLEMENTED:

**1001.43, 1012.23, 1012.35, 1012.36,
1012.39, 1012.55, 1012.56 F. S.**

HISTORY:

**ADOPTED: 11/10/08
REVISION DATE(S): _____
FORMERLY: NEW**

CHAPTER 6.00 – HUMAN RESOURCES

OUTSIDE EMPLOYMENT OF STAFF MEMBERS

6.19

Outside employment or moonlighting of a School District employee shall not be prohibited. Under no conditions, however, shall outside employment conflict with the employee's performance of regular duties, with the extracurricular activities related to his/her position, with the conflict of interest provisions of Chapter 112, Florida Statutes dealing with public employees, with the *Code of Ethics of the Education Profession in Florida*, or with the *Principles of Professional Conduct for the Education Profession in Florida*

No School District employee shall be permitted to sell materials for personal gain to students or the parent(s) or legal guardians of a student who attends his/her school.

STATUTORY AUTHORITY: 1001.41. 1001.42, F.S.

LAW(S) IMPLEMENTED: Chapter 112, 1006.32, 1012.23, 1012.28, 1012.53, F.S.

STATE BOARD OF EDUCATION RULE(S): 6B-1.001, 6B-1.006,

HISTORY:

ADOPTED: 4/1/97
REVISION DATE(S): 11/10/08
FORMERLY: GBEA

CHAPTER 6.00 – HUMAN RESOURCES

TUTORING

6.20

- I. A person offering private instruction, tutoring or counseling for personal gain shall not use School Board property for this purpose unless approved by the Superintendent.
- II. School District employees shall not engage in tutoring, for personal gain, students assigned to the school(s) in which they work unless in a District approved program in which the employee is paid by the District such as one operated by the Community Education Program. Employees shall not engage in any activity that might be interpreted as using their official position to influence parents and teachers to employ them for providing private instruction.

STATUTORY AUTHORITY:

1001.41. 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.23, F.S.

HISTORY:

**ADOPTED: 4/1/97
REVISION DATE(S):11/10/08
FORMERLY: GCRD**

CHAPTER 6.00 – HUMAN RESOURCES

TRANSFERS OF PERSONNEL

6.21

- I. The Superintendent may transfer a staff member to a position for which he/she is qualified in the best interest of the District.
- II. Any transfer of an instructional staff member from one position or school to another position or school shall be in accordance with the Contract Agreement between the Duval County School Board and Duval Teachers United.
- III. Any transfer of a noninstructional staff member shall be in accordance with the appropriate bargaining agreement or Civil Services Rules if applicable.

STATUTORY AUTHORITY:

1001.41, 1001.42, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1001.51, 1012.27, F.S.

HISTORY:

**ADOPTED: 4/1/97
REVISION DATE(S):11/10/08
FORMERLY: GCK, GDJ**

CHAPTER 6.00 – HUMAN RESOURCES

REEMPLOYMENT OF PERSONNEL

6.23

I. Employment of Employees after Resignations

A resignation originated by an employee normally shall not prevent reemployment. The employee's file shall remain in the regular, inactive files. However, an employee who resigns for unacceptable conduct or for ineffectiveness which would have resulted in a recommendation for dismissal or failure to reappoint, shall not be reemployed without written instructions from the Superintendent or his/her designee.

II. Employment of Retired Personnel

Any member of the Florida Retirement System who has been retired for at least one (1) calendar month from any state administered retirement system and who has not retired on disability may be reemployed pursuant to provisions of Florida Statutes related to the reemployment of retired members. An instructional employee who held a tenure contract or a professional service contract when they retired and who is subsequently reemployed, will be reemployed under an annual contract.

STATUTORY AUTHORITY: 1001.41, 1001.42, 1012.23, F.S.

LAW(S) IMPLEMENTED: 121.091, 238.181, 1001.43, 1012.31, 1012.34, F.S.

HISTORY: **ADOPTED: 4/2/97**
REVISION DATE(S): 11/10/08
FORMERLY: GCQ, GCF

CHAPTER 6.00 – HUMAN RESOURCES

MEDICAL EXAMINATIONS

6.25

- I. The School District may request, at any time during the school term, a physical or psychiatric examination of a School District employee by a qualified physician(s). The employee may select a physician from a list approved by the School District. The list shall contain the names of at least three (3) physicians. The employee shall allow the report of the physician(s) or psychiatrist(s) to be submitted to the School District with a copy being forwarded to the employee.
- II. The provisions of this policy shall apply to all School District employees unless otherwise negotiated as part of the bargaining agreement.

STATUTORY AUTHORITY:

1001.41, F.S.

LAW(S) IMPLEMENTED:

1001.41, 1001.42, F.S.

HISTORY:

**ADOPTED: 4/1/97
REVISION DATE(S): 11/10/08
FORMERLY: GBGA**

CHAPTER 6.00 – HUMAN RESOURCES

CONTRACTS: INSTRUCTIONAL AND ADMINISTRATIVE PERSONNEL 6.27

Any person employed as a member of the instructional staff shall hold a valid Florida Educator Certificate or professional license except as noted elsewhere in policy. Any person employed as an administrator shall meet those qualifications as enumerated in the Board adopted job description. All instructional and administrative staff shall be entitled to and shall enter into a written contract with the School Board as provided by law. All contracts shall be on forms prescribed by the Commissioner of Education. Any member of the instructional or administrative staff who is willfully absent from duty without leave shall forfeit compensation for the time absent, and his/her contract shall be subject to cancellation by the Board.

I. Contracts with Instructional Staff

- A. Each member of the instructional staff shall receive an annual, professional services, or tenure contract in accordance with the provisions of law. The first ninety-seven (97) days of the initial contract shall be a probationary period during which the employee may be dismissed without cause. The contract shall be in accordance with the duly adopted salary schedule of the Board and shall be for a definite term of service.
- B. Instructional personnel who do not qualify for tenure under the Duval Teacher Tenure Act or a Professional Service Contract pursuant to Florida Statute shall receive an annual contract.
- C. A professional service contract shall be issued to instructional personnel who have completed three (3) years of probationary teaching service in the District during a period not in excess of five (5) successive years and who hold a Florida Educator certificate valid through the end of the academic year in which the professional service contract is issued. The professional service contract shall become effective at the beginning of the school fiscal year following the completion of all requirements. Instructors holding a tenure contract in this District subsequent to July 1, 1984, may, upon written request, exchange their tenure contract for a professional service contract.
- D. A tenure contract shall be effective at the beginning of the school year following the submission of proper documentation evidencing the completion of all requirements. Tenure contracts shall be issued when a professional staff member completes all of the requirements of the Duval County Tenure Act.

II. Contracts with Administrative Staff

- A. Each member of the administrative staff on initial employment shall be given a written contract for a period not to exceed one (1) year. The first ninety-seven (97) days of the initial contract shall be a probationary period during which the employee may be dismissed without cause.

CHAPTER 6.00 – HUMAN RESOURCES

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 120.57, 1001.43, 1012.22, 1012.32, 1012.33, 1012.56, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.0502, 6A-1.064

HISTORY:

ADOPTED: 4/1/97
REVISION DATE(S): 11/10/08
FORMERLY: GCB

CHAPTER 6.00 – HUMAN RESOURCES

PROBATIONARY STATUS FOR EDUCATIONAL SUPPORT PERSONNEL 6.28

Upon initial employment, noninstructional support employees shall serve a probationary period. If a collective bargaining agreement does not provide for the conditions of a probationary period then the following provisions shall govern the implementation of this policy:

- I. The probationary period shall begin the first day of regular employment.
- II. The probationary period shall be six (6) months in duration.
- III. Employment during the probationary period must be continuous for probation to be successfully completed.
- IV. The probationary period may be extended if
 - A. the fingerprinting process is pending completion, or
 - B. the Superintendent or designee determines that an additional probationary period is needed.
- V. The Superintendent shall determine whether to continue the employee's employment for the duration of the year based on the supervisor's recommendation.
- VI. A probationary employee who is recommended for termination (nonrenewed) shall not have rights of appeal nor have a written explanation.
- VII. Probationary noninstructional support personnel shall be entitled the same benefits that are provided other employees in the same work position.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.40, F.S.

HISTORY:

**ADOPTED: 4/1/97
REVISION DATE(S): 11/10/08
FORMERLY: GDF**

CHAPTER 6.00 – HUMAN RESOURCES

CERTIFICATION OF ADMINISTRATIVE AND INSTRUCTIONAL PERSONNEL 6.30

- I. Administrative personnel required to have a certificate and instructional personnel shall be eligible to hold or hold a valid Florida Educator Certificate or a Duval County Certificate. The staff member shall be responsible for maintaining a valid certificate. The staff member shall register his/her certificate and each certificate reissuance or renewal in the District office as soon as the Department of Education or school district issues the new validity period on the certificate.
- II. The Superintendent shall designate a certification contact person to work directly with the Bureau of Educator Certification, Florida Department of Education, to assist personnel with certification issues.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1011.60, 1012.24, 1012.54, 1012.55, 1012.56, 1012.57, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.0501, 6A-1.0502, 6A-1.0503

HISTORY: ADOPTED: 11/10/08
REVISION DATE(S): 4/1/97
FORMERLY: GCFC

CHAPTER 6.00 – HUMAN RESOURCES

TEACHING OUT OF FIELD

6.32

The School District may employ or assign instructional personnel out-of-field when a qualified and appropriately certified teacher is unavailable and when such assignment is consistent with state and federal laws regarding this subject. The School Board shall approve all instructional personnel who are assigned to teach out-of-field and the School Board's minutes shall reflect such approvals.

- I. An instructional staff member shall satisfy the course work requirements as specified in State Board of Education rule prior to being assigned, reassigned, or reappointed to instructional certificated position in a subsequent school year(s).
- II. Each principal shall report to the Staffing Office the need and justification to place a teacher in an assignment to teach a subject(s) for which he/she is not properly certified. The actual placement shall not be made until approval from the Staffing Supervisor has been granted.
- III. Teachers who are primary providers of Language Arts or Reading instruction must add the ESOL endorsement or coverage immediately upon the completion of the required inservice credit and/or subject area exam. (300 inservice points or a passing score on the ESOL area exam plus 120 inservice points).
- IV. Recommendations will be given to a teacher to assist in meeting in-field certification requirements.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.42, 1012.55, 1012.57, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.0503

HISTORY: ADOPTED: 4/1/97
REVISION DATE(S): 11/10/08
FORMERLY: GCA

CHAPTER 6.00 – HUMAN RESOURCES

ASSISTING TEACHERS TO BECOME HIGHLY QUALIFIED

6.33

The Superintendent shall develop procedures to assist experienced teachers to meet the highly qualified requirements of the No Child Left Behind Act under the provisions of the High, Objective, Uniform State Standard of Evaluation (HOUSSE).

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.22, 1012.27, 1012.42, F.S. No Child Left Behind Act of 2001, P.L. 107-110 20 USC 7801

STATE BOARD OF EDUCATION RULE(S): 6A-1.050

HISTORY: **ADOPTED:** 11/10/08
REVISION DATE(S): _____
FORMERLY: NEW

CHAPTER 6.00 – HUMAN RESOURCES

ORIENTATION OF STAFF MEMBERS

6.34

- I. An orientation program or materials shall be provided for all new instructional personnel as prescribed by the Superintendent.
- II. Each staff member, upon appointment, shall be fully informed of his/her job duties and responsibilities and of his/her immediate administrative supervisor and any other staff member to whom he/she may be responsible. The employee shall be advised immediately of any changes in his/her duties or in the person(s) responsible for the supervision of his/her work.

STATUTORY AUTHORITY:

1001.41. 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, F.S.

HISTORY:

**ADOPTED: 4/1/97
REVISION DATE(S): 11/10/08
FORMERLY: GCI, GDN**

CHAPTER 6.00 – HUMAN RESOURCES

STAFF TRAINING

6.35

All employees shall be provided opportunities for professional growth and development through participation in staff development activities.

I. Professional Education Competence

The School Board shall adopt a Professional Education Competence Program as described by Florida Statutes. The program shall be submitted to the Commissioner of Education for approval.

II. Professional Development Opportunities

A. Administrative and supervisory staff members are encouraged to join local, state, and national organizations and to attend professional meetings and workshops designed to promote professional development.

1. Supervisory staff shall attend state conferences and curriculum development workshops scheduled by the Florida Department of Education.
2. Administrative staff shall attend periodic inservice training workshops supported by the District.

B. The School District may pay travel expenses of administrative staff who attend any professional meetings outside the District provided a travel request is submitted in advance and approved by the supervisor and provided funds for these expenses are budgeted.

III. Instructional Professional Development

A. Special inservice credit activities may be developed by the District to meet special needs such as satisfying certification requirements, strengthening an area of professional competence, providing special training for a select group of personnel, or acquainting instructional personnel with a new subject content or technique to be integrated within the instructional program. These activities may be delivered through seminars, workshops, institutes, practicums, or special courses; and,

B. Inservice programs shall be considered as a means of improving instruction and supplementing supervisory services that are available to teachers, and shall be geared to the needs of the District.

C. Interschool visitations are encouraged as part of the inservice teacher education program.

CHAPTER 6.00 – HUMAN RESOURCES

IV. Inservice Training for Noninstructional Personnel

Various types of inservice training programs may be approved by the School District to assist noninstructional personnel in the performance of their assigned duties by improving their competencies, knowledge, and skills. After establishing programs, staff members who are involved in that particular type of work may be required to attend the training session.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

**1001.43, 1012.22, 1012.27, 1012.38,
1012.98, 1012.985, F.S.**

HISTORY:

**ADOPTED: 4/1/97
REVISION DATE(S): 11/10/08
FORMERLY: GCI, GDM**

CHAPTER 6.00 – HUMAN RESOURCES

AIDS, BLOODBORNE PATHOGENS AND ENVIRONMENTAL HAZARDS 6.36

The Board shall adopt appropriate procedures and guidelines consistent with federal and state regulations regarding the training and methods of handling and ameliorating the potential risks of exposure to bloodborne pathogens, other communicable diseases, and environmental hazards, such as asbestos, lead in drinking water, and radon gas.

STATUTORY AUTHORITY: 1001.41, 1001.42, 1012.22, 1012.23, F.S. LAW(S)

IMPLEMENTED: 381.0098, 1001.43, 1012.27, 1013.12, F.S. STATE

DEPARTMENT OF HEALTH RULE(S): 64E-16

HISTORY: **ADOPTED: 11/10/08**
REVISION DATE(S): _____
FORMERLY: NEW

CHAPTER 6.00 – HUMAN RESOURCES

TOBACCO-FREE WORKPLACE

6.37

To safeguard the health and safety of School District employees and students, the use of tobacco products on any School Board property is prohibited.

- I. School Board property as used herein shall mean any building owned or part thereof owned or used by the School Board, and the grounds upon which such buildings are located.
- II. Tobacco products shall be defined as all lighted tobacco products including, but not limited to, cigarettes, cigars, and pipe tobacco and all smokeless tobacco products including, but not limited to, snuff and chewing tobacco,

STATUTORY AUTHORITY:

1001.41, F.S.

LAW(S) IMPLEMENTED:

386.201 through 386.209, F.S.,

HISTORY:

ADOPTED: 4/1/97
REVISION DATE(S): _____
FORMERLY: GBED

CHAPTER 6.00 – HUMAN RESOURCES

ALCOHOL AND DRUG-FREE WORKPLACE 6.38

- I. No employee shall unlawfully possess, consume or sell alcoholic beverages or manufacture, distribute, dispense, possess, use or be under the influence of, on the job or in the workplace, any narcotic, drug, amphetamine, barbiturate, marijuana or any other controlled substance, as defined in the Controlled Substances Act (21 USC 812) and as further defined by regulations at 21 CFR 1300 or Florida Statutes, Chapter 893, without a valid prescription.
- II. *Workplace* is defined as the site for the performance of work done in connection with the duties of an employee of the School Board. That term includes any place where the work of the School District is performed, including a school building or other school premises; any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities; or off-school property during any school-sponsored or school-approved activity, event or function, such as a field trip, workshop or athletic event.
- III. As a condition of employment, each employee will
 - A. Abide by the terms of this policy, and
 - B. Notify his/her administrative supervisor of any criminal drug statute arrest or conviction for a violation occurring on the premises of the School Board, at the workplace, or during the conduct of any official activity related to the School Board within forty-eight (48) hours. Identified employees must be in compliance with Policy 6.72, section II I.
- IV. The School Board shall
 - A. Notify the appropriate agency within ten (10) days after receiving such notice from an employee or otherwise receiving actual notice of such conviction; and,
 - B. Take one of the following actions, within thirty (30) days of receiving such notice, with respect to any employee who is so convicted:
 1. Require such an employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency; or,
 2. If the employee fails to participate satisfactorily in such program, the employee may be nonrenewed or his or her employment may be suspended or terminated, at the discretion of the School Board; or,
 3. Take appropriate personnel action against such an employee, up to and including termination.
- V. The School District shall offer assistance and information on drug abuse to maintain a drug-free workplace by providing employees with

CHAPTER 6.00 – HUMAN RESOURCES

- A. A written notice of this policy and of disciplinary action which may be imposed for drug-abuse violations;
- B. Information or workshops concerning provisions of this policy and the dangers of alcohol and drug abuse; and
- C. An Employee Assistance Program or access to such a program to provide counseling, treatment or rehabilitation.

STATUTORY AUTHORITY:

**893.01 et seq., 1001.41, 1012.22, 1012.23,
1012.27, F.S.**

LAW(S) IMPLEMENTED:

**440.102, 1001.41, 1001.43, 1012.795, F.S.
DRUG FREE WORKPLACE ACT OF 1988
34 CFR PART 85, SUBPART F**

HISTORY:

**ADOPTED: 4/1/97
REVISION DATE(S): _____
FORMERLY: GBEC**

CHAPTER 6.00 – HUMAN RESOURCES

ASSESSMENT OF EMPLOYEES

6.42

The Superintendent shall develop or select personnel performance assessment systems for all staff.

Each member of the staff shall receive an annual evaluation by his/her immediate administrative supervisor. The purpose of the evaluation shall be to improve the services of personnel in all departments. The administrative supervisors and department heads shall use the evaluation form provided by the Superintendent.

- I. The assessment of all employees shall be based on observations of the individual's work by his/her immediate supervisor and shall be made at least once each year prior to reappointment.
- II. The Superintendent shall arrange for the assessment of all principals, supervisors and administrative personnel as required by law.
- III. The principal and/or administrator supervising personnel shall arrange for the assessment of all employees under his/her supervision as required by law.
- IV. Personnel shall be informed of evaluation criteria and procedures each school year.
- V. The written report of the assessment shall be reviewed with the employee and discussed with him/her by the person who made the assessment.
- VI. An employee may respond to an assessment in the manner provided by law or other approved procedures.
- VII. A copy of each employee's evaluation report shall be filed in the District Human Resources office by the designated date.
- VIII. Employees who receive an unsatisfactory evaluation shall not advance a step on the salary schedule in the next year.
- IX. Procedures for assessing instructional personnel shall be set forth in the performance assessment system and the contract agreement between the Duval County School Board and Duval Teachers United.

CHAPTER 6.00 – HUMAN RESOURCES

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAWS IMPLEMENTED: 1001.43, 1012.22, 1012.27, 1012.34, F.S.

HISTORY: **ADOPTED:** 4/1/97
REVISION DATE(S): 11/10/08
FORMERLY: GCOA, GCOC, GDO

CHAPTER 6.00 – HUMAN RESOURCES

INSTRUCTIONAL EMPLOYEE PERFORMANCE CRITERIA

6.43

The Superintendent or designee shall develop and present, for School Board approval, instructional employee performance criteria and/or measures. Such performance criteria and/or measures shall be consistent with statutory requirements, but may include additional elements as deemed appropriate.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.22, 1012.27, 1012.34, F.S.

STATE BOARD OF EDUCATION RULE(S): 6B-4.010

HISTORY:

ADOPTED: 4/1/97
REVISION DATE(S): 11/10/08
FORMERLY: GCOA

CHAPTER 6.00 – HUMAN RESOURCES

PERSONNEL FILES

6.45

The term *personnel file*, as used in this rule, shall mean all records, information, data, or materials maintained by the District in any form or retrieval system whatsoever, with respect to any employee, which is uniquely applicable to that employee.

- I. A personnel record shall be maintained by the Superintendent on each employee. The record shall include
 - A. Application for employment
 - B. References
 - C. Annual evaluations
 - D. Letters of commendation, reprimand, etc.
 - E. Data substantiating placement on the salary schedule (education, official transcripts, experience, etc.)
 - F. Teaching certificate, if applicable
 - G. Any other pertinent data.
- II. Except for materials pertaining to work performance or other matters that may be cause for discipline, suspension or dismissal under laws of this state, no derogatory materials relating to an employee's conduct, service, character, or personality shall be placed in the personnel file of such employee. No anonymous letter or anonymous materials shall be placed in the personnel file.
- III. Materials relating to work performance, discipline, suspension, or dismissal must be reduced to writing and signed by a person competent to know the facts or make the judgment.
 - A. No such materials may be placed in a personnel file unless they have been reduced to writing within forty-five (45) days, exclusive of the summer vacation period, of the administration becoming aware of the facts reflected in the materials.
 - B. Additional information related to such written materials previously placed in the file may be appended to such materials to clarify or amplify as needed. A copy of such materials to be added to an employee's personnel file shall be provided to the employee either by certified mail or by personal delivery.
 - C. The employee's signature on a copy of materials to be filed in the employee's personnel file signifies receipt and does not necessarily indicate agreement with

CHAPTER 6.00 – HUMAN RESOURCES

its content. The employee will be afforded every right as outlined in Florida Statutes.

- IV. Personnel files, regardless of their location in the school system, are open to inspection pursuant to Florida Statutes, except as follows:
 - A. Any complaint and any material relating to the investigation of a complaint against an employee shall be confidential until the conclusion of the preliminary investigation, or until such time as the preliminary investigation ceases to be active as defined in Florida Statutes.
 - B. Employee evaluations prepared pursuant to Florida Statutes, rules adopted by the State Board of Education, or a local School Board shall be confidential until the end of the school year immediately following the school year during which each evaluation is made. No evaluations prepared prior to July 1, 1983, shall be made public.
 - C. No material derogatory to the employee shall be open to inspection until ten (10) days after the employee has been notified pursuant to III.B. of this rule.
 - D. The payroll deduction records of the employee shall be confidential.
 - E. Employee medical records, including medical claims, psychiatric and psychological records, shall be confidential; provided however, at any hearing relative to an employee's competency or performance, the hearing officer or panel shall have access to such records.
 - F. Any information in a report of injury or illness filed pursuant to Florida Statute that would identify an ill or injured employee.
- V. Notwithstanding other provisions of this rule, all aspects of each employee's personnel file shall be open to inspection at all times by School Board members, the Superintendent and the principal or their respective designees, in the exercise of their respective duties.
- VI. Notwithstanding other provisions of this rule, all aspects of each employee's personnel file shall be made available to law enforcement personnel in the conduct of a lawful criminal investigation.
- VII. An employee may review his/her own personnel file at any time.
- VIII. A person requesting to view another person's personnel file shall give the Custodian of Record a twenty-four (24) hour notice and shall schedule an appointment time to view the file to allow for sufficient time to remove confidential material. Any requested copies will be made after payment of the fee allowed by Florida Statute. Any person reviewing another person's personnel file shall provide name, address and telephone number along with appropriate identification. Pursuant to Florida Statute, a letter will be sent to the employee notifying him/her that someone has reviewed the file.

CHAPTER 6.00 – HUMAN RESOURCES

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

**112.08(7), 441.85(10),
1001.43,1012.31, F.S. 34 CFR 99
(FERPA), 45 CFR 164 (HIPAA)**

HISTORY:

**ADOPTED: 4/1/97
REVISION DATE(S):11/10/08
FORMERLY: GBJ**

CHAPTER 6.00 – HUMAN RESOURCES

NAME AND ADDRESS OF EMPLOYEE

6.46

- I. Any employee who changes his/her name or address shall notify the human resources department and the principal or supervisor within ten (10) days after a change of name or address.
- II. Any employee who is required to have a Florida Educator Certificate or other license or certificate shall maintain the license or certificate in his/her legal name.
- III. Any employee who is a certificated educator is responsible for maintaining his/her current name and address with the Department of Education. The Department of Education shall be notified in writing or electronically of any change of name and/or address.
- IV. An employee who changes his/her name shall obtain a social security card reflecting the change and shall submit a copy to the human resources department. Changes in employee records shall be made upon receipt of a copy of the social security card.

STATUTORY AUTHORITY:

1001.41, 1001.42, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.561, F.S.

HISTORY:

**ADOPTED: 41/97
REVISION DATE(S): 11/10/08
FORMERLY: GCFC**

CHAPTER 6.00 – HUMAN RESOURCES

WORK YEAR AND WORK DAY

6.47

I. Instructional Personnel

A. Normal employment for instructional personnel shall be for a period of one hundred and ninety-six (196) days each year. This constitutes one hundred and eighty (180) days of actual teaching, paid holidays, preschool and post-school conference period planning days, and inservice education. Planning days shall be scheduled for instructional personnel on regular work days when students are not in attendance.

- 1 Instructional staff members shall attend all preschool and post-school conference sessions unless otherwise authorized.
- 2 Instructional staff members shall attend all meetings scheduled by the Superintendent during the work day.

B. The total number of hours in the normal work day for instructional personnel shall be set forth in the Contract Agreement between the Duval County School Board and Duval Teachers United.

II. Noninstructional Personnel

A. Noninstructional personnel shall adhere to the work day as set forth in the appropriate bargaining agreement.

B. The Superintendent shall establish the work day for noninstructional employees who are not covered by a bargaining agreement.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1001.51, 1001.54, F.S.

HISTORY: ADOPTED: 4/1/97
REVISION DATE(S): _____
FORMERLY: GCJ, GDK

CHAPTER 6.00 – HUMAN RESOURCES

YEAR OF SERVICE DEFINED FOR ADMINISTRATIVE AND INSTRUCTIONAL PERSONNEL 6.48

- I. The minimum time which may be recognized as a year of service for contractual purposes for instructional personnel shall be full time actual service rendered under contract for one day more than one-half (½) of the number of days required for the normal contractual period of service for the position held. In determining such service, sick leave and holidays for which the employee received compensation shall be counted, but all other types of leave and holidays shall be excluded. An administrator who was in an administrative position one day shall receive credit for that year.

- II. Any claim to a year of service for salary purposes shall be the equivalent of the service required for a continuing, professional service, annual, or multi-year contract. Credit for service rendered in another state or as otherwise allowed under the adopted salary schedule shall be determined by using the minimum service required in the District for a comparable position and in accordance with the contract agreement between the School Board and Duval Teachers United..

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1011.60, 1012.01, F.S.

HISTORY: **ADOPTED: 4/1/97**
REVISION DATE(S):11/10/08
FORMERLY: GCB

CHAPTER 6.00 – HUMAN RESOURCES

EFFECTIVE DATE FOR LEAVE, SUSPENSION OR TERMINATION 6.50

- I. The effective date of any employment termination or unpaid leave of absence shall be the first day on which a School Board employee is not paid unless otherwise provided herein.
- II. The effective date of any suspension or paid leave of absence shall be the first day on which a School Board employee does not work.
- III. An employee who terminates employment and does not work on the first day following a holiday(s) shall not receive pay for the holiday(s). The termination date shall be considered the last work day on which the employee is paid prior to the holiday(s).

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1011.60, 1012.22, F.S.

**HISTORY: ADOPTED: 11/10/08
REVISION DATE(S): _____
FORMERLY: NEW**

CHAPTER 6.00 – HUMAN RESOURCES

LEAVE OF ABSENCE

6.51

A leave of absence constitutes permission granted by the School Board or by School Board policies for an employee to be absent from duty for a specified period of time with the right to return to employment upon the expiration of leave provided his/her contract is still in effect. Any absence of an employee from duty shall be covered by leave duly authorized and granted.

- I. Leave shall be officially granted in advance and shall be used for the purposes set forth in the leave application. The School Board shall have the right to cancel any leave of absence which is used for purposes other than for which it was granted. Any request for leave to be granted retroactively shall be denied. Leave for sickness or other emergencies shall be granted if prompt report is made to the proper authority.
- II. No leave, except military leave, shall be granted for a period in excess of one (1) year or any period of time beyond the current contractual period.
- III. Leave may be with or without pay as provided by Florida Statutes, State Board of Education rules, and School Board policies. For any absence that is without pay, the deduction for each day of absence shall be determined by dividing the annual salary by the number of required service days.
- IV. Leave shall not be approved by the School Board for the purpose of employment or seeking employment elsewhere unless covered by approved accrued annual leave, for substituting in the District or unless approved in writing pursuant to established procedures by the Chief of Human Resource Services. The Chief may approve such employment when the requesting employee is on approved professional or personal leave from the District and under the following circumstances:
 - A. When the employee will be employed less than twenty (20) hours per week as a teaching or research assistant at a college or university where he or she is enrolled; or
 - B. When the employee will be employed less than twenty (20) hours a week as a part time instructor or adjunct at a college or university; or
 - C. When the employee will be employed less than twenty (20) hours a week by the District in a position which is difficult to otherwise staff; or
 - D. When the employee will be employed at one of the District's Charter Schools.
- V. Personnel who wish to return from an approved extended Family Medical Leave,

CHAPTER 6.00 – HUMAN RESOURCES

illness-in-line-of-duty, or personal health leave shall file with the Chief of Human Resource Services, a request for reassignment at least thirty (30) days before the expiration date of the leave. The District may require documentation from a licensed health care provider indicating nature of the illness/injury and that the need for leave is valid. Likewise, written permission by a licensed health care provider is required before an employee may return to active status.

- A. An instructional staff member who is returning from extended sick leave shall immediately be placed on pay status and shall be assigned to the first available position for which he/she is qualified.
 - B. An instructional staff member who is returning from sabbatical or professional leave shall be assigned the first available position for which he/she is qualified. Until the assignment is determined and employment commences, the employee shall remain on sabbatical or professional leave status. When employment begins in the position, the employee shall be placed on pay status.
 - C. Noninstructional personnel shall be governed by civil service rules and regulations, the appropriate bargaining agreement, or Superintendent's directive, whichever is applicable, for reassignment.
- VI. Employees on extended leave without pay shall have the option of continuing insurance or similar benefits to which he/she would normally be entitled. Payments for premiums shall be borne by the employee and may be made on a monthly, quarterly, or annual basis as predetermined by the employee.
- VII. The Superintendent shall develop procedures to implement leave provisions.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.22, 1012.61,
1012.63, 1012.64, 1012.66, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.079, 6A-1.080

HISTORY: ADOPTED: 4/1/97
REVISION DATE(S): 11/10/08
FORMERLY: GCC, GDC

CHAPTER 6.00 – HUMAN RESOURCES

LEAVE APPLICATION

6.52

- I. A leave application shall be in writing on the proper District form and shall be presented for approval prior to the requested date unless otherwise provided herein. Leave requests shall be signed by the employee. If proper leave forms are not submitted within three working days after returning from an absence, a sick leave or a leave without pay will be charged to the employee.
- II. Leave granted for a school year or for the remaining part thereof will expire at the end of the school year or school fiscal year for which such leave is granted.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.66, F.S. STATE

BOARD OF EDUCATION RULE(S): 6A-1.079

HISTORY: ADOPTED: 4/1/97
REVISION DATE(S): 11/10/08
FORMERLY: GCC, GDC

CHAPTER 6.00 – HUMAN RESOURCES

APPROVAL OF LEAVES

6.53

All requests for leave shall be submitted on the proper form and shall be approved either by the School Board or the Superintendent as provided herein.

I. The following types of leave require approval of the School Board:

- A. Extended Health Leave or Disability Leave including Maternity Leave
- B. Family and Medical Leave
- C. Illness-or-Injury-in-Line-of-Duty Leave
- D. Military Leave in excess of seventeen (17) days
- E. Personal Leave in excess of six (6) days
- F. Personal Leave to seek political office
- G. Professional Leave
- H. Sabbatical Leave

II. The Superintendent or designee is authorized to grant the following types of leave:

- A. Sick Leave
- B. Personal Leave not in excess of six (6) days
- C. Annual Leave
- D. Jury Duty
- E. Witness Duty
- F. Military Leave not to exceed seventeen (17) days
- G. Temporary Duty Elsewhere

CHAPTER 6.00 – HUMAN RESOURCES

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.22, 1012.61, 1012.63, 1012.64, 1012.66, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.080, 6A-1.081, 6A-1.082, 6A-1.084

HISTORY: ADOPTED: 4/1/97
REVISION DATE(S): 11/10/08
FORMERLY: GCC, GDC

CHAPTER 6.00 – HUMAN RESOURCES

NOTIFICATION OF ABSENCE

6.54

- I. Any administrative employee who expects to be absent from duty for any cause shall notify his/her immediate administrative supervisor at the earliest possible time.
- II. An instructional staff member who expects to be absent from duty for any cause shall call the automated substitute management system and, if possible, the principal or immediate administrative supervisor at the earliest possible time.
- III. A noninstructional staff member who expects to be absent from duty for any cause shall notify his/her immediate administrative supervisor or designee at the earliest possible time.
- V. Notice of absence shall always be in advance unless conditions beyond control of the employee deem it impossible.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.22, 1012.66, 1012.67, F.S.

HISTORY:

**ADOPTED: 4/1/97
REVISION DATE(S): 11/10/08
FORMERLY: GCC, GDC**

CHAPTER 6.00 – HUMAN RESOURCES

ABSENCE WITHOUT LEAVE

6.55

- I. Administrative and Instructional - Any member of the administrative or instructional staff who is willfully absent from duty without leave and without his/her supervisor's approval shall forfeit compensation for the time of the absence and the employee's contract shall be subject to cancellation by the School Board. Any dismissal proceedings shall be pursuant to Section 1012.33, Florida Statutes, or the Duval County Teacher Tenure Act. In addition, such absence without leave shall interrupt continuity of service.
- II. Noninstructional -Any other employee who is willfully absent from duty without leave and without his/her supervisor's approval shall forfeit compensation for the time of the absence and shall be subject to dismissal from employment.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.33, 1012.66, 1012.67, F.S.

HISTORY:

ADOPTED: 4/1/97
REVISION DATE(S): _____
FORMERLY: GCC, GDC

CHAPTER 6.00 – HUMAN RESOURCES

ANNUAL LEAVE

6.57

- I. Professional Staff Members
 - A. Administrative and instructional staff members who are employed on twelve (12) month contracts shall accrue annual leave, exclusive of holidays, with compensation as follows:
 - 1 One (1) day per month cumulative to twelve (12) days per year for less than five (5) years of verifiable service in any public school district.
 - 2 One and one-fourth (1 ¼) days per month cumulative to fifteen (15) days per year for five (5) years or more of verifiable service in any public school district.
 - 3 One and one-half (1½) days per month cumulative to eighteen (18) days per year for ten (10) years or more of verifiable service in any public school district.
 - B. Only full time employees shall be eligible to accrue annual leave.
 - C. Annual leave shall not be taken for less than one-half (½) day.
- II. Noninstructional Support Personnel
 - A. Eligibility requirements for annual leave and procedures governing accrual and granting of annual leave for noninstructional support staff members shall be pursuant to the appropriate bargaining agreement. Individuals who are eligible for annual leave and who are not covered by a bargaining agreement shall be governed by procedures prescribed by the Superintendent.
 - B. Procedures for requesting annual leave shall be in accordance with the appropriate bargaining agreement or the Superintendent's directive.
- III. An application for annual leave shall be presented for approval at least ten (10) days prior to the requested date unless otherwise provided herein. The ten (10) day deadline may be waived at the discretion of the employee's immediate administrative supervisor.
- IV. Annual leave may be granted by the employee's immediate supervisor. Annual leave shall be scheduled for a minimum disruption of the department/school's work.
- V. Accrued annual leave may be used in lieu of sick leave with the supervisor's approval.
- VI. Total accrued annual leave may not exceed sixty-two and one-half (62½) working days (500 hours) at the end of each calendar year; however, balances may exceed this cap during the calendar year.

CHAPTER 6.00 – HUMAN RESOURCES

- VII. Full time twelve (12) month personnel (working at least 260 days) not represented by a bargaining unit shall be granted four (4) additional holiday days between Christmas and the new year. These days shall not be counted against the employee's accrued leave, nor shall they be cumulative if for any reason they are not used by the employee. In addition, school based principals shall be granted five (5) additional holiday days, which shall coincide with the student Spring break. These days shall not be counted against the employee's accrued leave, nor shall they be cumulative if for any reason they are not used by an employee.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1011.60, 1012.22, 1012.62;
1012.66, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.082

HISTORY:

ADOPTED: 4/1/97
REVISION DATE(S):11/10/08
FORMERLY: GCC, GDF

CHAPTER 6.00 – HUMAN RESOURCES

FAMILY AND MEDICAL LEAVE

6.58

- I. In compliance with the Family and Medical Leave Act of 1993, full time school employees are entitled to take up to twelve (12) weeks unpaid leave a year for the following reasons:
 - A. The birth of the employee's child;
 - B. The placement of a child with the employee for adoption or foster care;
 - C. To care for the employee's spouse, child or parent who has a serious health condition; or
 - D. A serious health condition rendering the employee unable to perform his/her job.
- II. Employees are to provide at least thirty (30) days notice, if possible, of their intention to take leave. Medical certification that the leave is needed is required for the employee's own serious health condition or that of a family member. The School Board will continue the employee's health insurance under the same conditions as if the employee were working. Upon returning from leave, the employee will be restored to the same or equivalent position with equivalent pay, benefits, and other terms and conditions of employment.
- III. The Superintendent shall establish procedures for the granting of Family and Medical leave which shall be in compliance with the Family and Medical Leave Act of 1993.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.66, F.S. THE FAMILY AND MEDICAL LEAVE ACT OF 1993, PART 825 OF THE CODE OF FEDERAL REGULATIONS, TITLE 29

HISTORY:

**ADOPTED: 4/1/97
REVISION DATE(S):11/10/08
FORMERLY: GDC, GDF**

CHAPTER 6.00 – HUMAN RESOURCES

SICK LEAVE

6.59

- I. Personnel employed on a full time basis shall be entitled to earn one (1) day of sick leave per month of employment. Such leave shall be cumulative from year to year, and any leave charged against accrued sick leave shall be with full compensation. Sick leave shall be credited as follows:
 - A. Administrative and noninstructional personnel - Such full time employees shall be credited with four (4) days of sick leave at the end of the first month of employment of each contract year and shall thereafter be credited for one (1) day of sick leave for each month of employment.
 - B. Instructional personnel - Such full time employees shall be entitled to four (4) days of sick leave as of the first day of employment of each current year, and thereafter is credited for one (1) day of sick leave at the end of each month of employment.
 - C. The total number of sick leave days earned shall be no more than one (1) day of sick leave times the number of months of employment during the year of employment.
 - D. Sick leave shall not be used prior to the time it is earned and credited to the employee. If the employee terminates his or her employment and has not accrued the four (4) sick days available to him or her, the District shall withhold the average daily amount for the sick days utilized but unearned by the employee..
- II. Accrued sick leave shall be taken only when the employee's service is interrupted by personal illness or temporary disability which renders him/her incapable of performing his/her duties or because of the illness or death of his/her father, mother, brother, sister, husband, wife, child, grandfather, grandmother, grandson, granddaughter, other close relative or member of his/her own household. The term *temporary disability* as used herein shall include personal illness or injury and, in addition any temporary disability of the employee arising out of pregnancy, childbirth, miscarriage, abortion, or recovery therefrom which renders the employee physically incapable of performing assigned duties.
- III. Any claim for sick leave shall be filed with the Superintendent, or his/her designee, within five (5) working days upon return of the employee to duty.
 - A. The claim shall be in writing and shall set forth the days absent and that such absence was allowable under the provisions of Florida Statutes. The claim shall be duly signed by the claimant certifying that the facts are true and correct and that the claim is valid and legal.
 - B. Where there is any doubt as to the validity of a sick leave claim, the

CHAPTER 6.00 – HUMAN RESOURCES

Superintendent may require the claimant to file a written certification of illness from a licensed physician or other supporting evidence where personal illness is not involved. Consequences of false claims for sick leave are as follows:

1. Administrative and instructional personnel -A false claim for sick leave shall be deemed cause for cancellation of the contract and for action seeking the revocation of the teaching contract.
 2. Noninstructional personnel -A false claim for sick leave shall be deemed grounds for termination of the employee.
- IV. An employee who has used all accrued sick leave but who is otherwise entitled to sick leave shall be granted sick leave without pay. The claim for such sick leave shall clearly state that the leave is without compensation. An application for sick leave due to extended illness shall have attached to it a statement from a practicing physician certifying that such leave is essential and indicating the probable duration of the illness and the needed leave.
- The leave may be extended for the next school year by the School Board for the following reasons: insufficient accumulated sick leave days to cover the duration of illness; extended illness or health problems causing temporary disability; or inability to work due to pregnancy or pregnancy-related illness.
- V. The employee shall provide the Division of Human Resource Services with a statement from his/her physician as described in III.B. as evidence of satisfactory physical condition before returning to work.
- VI. When an employee of the School District interrupts service and subsequently returns to duty in the District without having transferred his/her sick leave credit to another Florida school district, such accrued sick leave credit shall become valid on the first (1st) day of contractual service.
- VII. When an employee retires and receives terminal pay benefits based on unused sick leave, all unused sick leave credit shall become immediately invalid.
- VIII. An employee may transfer sick leave earned in a similar capacity with another Florida school district to the District. However, no transferred leave shall be credited to an employee's account at a rate, or in an amount exceeding that earned while an employee of the District School Board. The employee is responsible for the request for transfer of sick leave.

CHAPTER 6.00 – HUMAN RESOURCES

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.61, 1012.62, 1012.66, F.S.

HISTORY: **ADOPTED:** 4/1/97
REVISION DATE(S): _____
FORMERLY: GCC, GDC

CHAPTER 6.00 – HUMAN RESOURCES

ILLNESS-OR-INJURY IN THE LINE OF DUTY

6.60

- I. Employees shall be entitled to all compensation and benefits as provided in Chapter 440, Florida Statutes.
- II. A member of the bargaining unit shall be entitled to illness-or-injury-in-line-of-duty leave at regular pay, reduced by the amount of workers' compensation received in the form of temporary disability paid by reason of such injury or illness, for a period not to exceed seven (7) days when he/she has been absent from his/her duties because of a personal injury or illness received in the discharge of duty.
- III. To be considered for illness-or-injury-in-line-of-duty leave, the following conditions shall be met:
 - A. The employee must provide written testimony or evidence that his/her injury was received in the line of duty or a letter from a medical doctor, who treated the patient, stating that in his/her opinion, there is a strong probability that the illness was contracted at the work site.
 - B. The employee must file a written claim for leave below.
- IV. If the employee is unable to resume work at the end of a seven (7) work day period, he/she may elect to use accrued sick leave and receive salary payments.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.61, 1012.63, 1012.66, 1012.69, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.080

HISTORY: ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: GCC, GDC

CHAPTER 6.00 – HUMAN RESOURCES

JURY AND WITNESS DUTY

6.62

- I. An employee of the Board who is summoned as a member of a jury panel may be granted temporary duty leave. Any jury fees may be retained by the employee. The Board shall not reimburse the employee for meals, lodging, and travel expenses incurred while serving as a juror.
- II. An employee who is subpoenaed as a witness, not involving personal litigation, may be granted temporary leave. Any witness fees may be retained by the employee. The Board shall not reimburse the employee for meals, lodging, and travel expenses incurred while serving as a witness.
 - A. When an employee is subpoenaed in line of duty to represent the Board as a witness or defendant, he/she may be granted temporary duty leave, since his/her appearance in such cases shall be considered a part of his/her job assignment. The employee may retain any fees received from the court. In the event no fees are received from the court, he/she may be paid per diem and travel expenses.
 - B. In no case shall temporary duty leave with pay be granted for court attendance when an employee is engaged in personal litigation. In such cases, an employee may request personal leave.
- III. The staff member's appropriate supervisor shall approve the application.
- IV. The employee shall provide proof of the time of service.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 40.24, 40.271, 1001.43, 1012.66, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.084

HISTORY:

ADOPTED: 4/1/97
REVISION DATE(S): _____
FORMERLY: GCC, GDC

CHAPTER 6.00 – HUMAN RESOURCES

MILITARY LEAVE

6.63

- I. Military leave shall be granted to an employee who is required to serve in the armed forces of the United States or of the State of Florida in fulfillment of obligations incurred under the Selection Service Laws or because of membership in the reserves of the armed forces or the National Guard.
 - A. When an employee enters voluntarily into any branch of the armed forces for temporary or an extended period of service, military leave shall be granted at the School Board's discretion.
 - B. Requests for military leave shall be in writing and countersigned by the principal or immediate administrative supervisor. The requests shall include
 - 1 A copy of the military orders; and
 - 2 Written evidence that effort has been made to serve the duty when school was not in session. This shall be required only of personnel who are employed for ten (10) or eleven (11) months.
- II. An employee granted military leave for extended active duty shall, upon the completion of the tour of duty, be returned to employment without prejudice, provided that an application for re-employment is filed within six (6) months following the discharge date or release from active military duty. Following receipt of the application for re-employment, the School Board shall have a reasonable time, not to exceed six (6) months, to assign the employee to duty in the District.
- III. Compensation allowed during military leave shall not exceed seventeen (17) days except as provided in Section 115.07, Florida Statutes.
- IV. An employee who enters active military service shall be governed by the provisions of Sections 115.07, 115.14, 121.111, and 250.341, Florida Statutes.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012, 23, F.S.

LAW(S) IMPLEMENTED: 115.07, 115.09, 115.14, 121.111, 250.341, 1001.43, 1012.66, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.080

HISTORY:

ADOPTED: 4/1/97
REVISION DATE(S): _____
FORMERLY: GCC, GDC

CHAPTER 6.00 – HUMAN RESOURCES

PERSONAL LEAVE

6.64

- I. Personal Leave Chargeable to Sick Leave - Employees may be allowed six (6) days paid leave for personal reasons each year to be charged against accrued sick leave. Such leave shall be noncumulative and any request for such leave shall be approved, in advance, by the Superintendent or his/her designee.

- II. Unpaid Personal Leave - Employees shall make written application for extended leave without compensation. Personal leave shall terminate at the end of the contractual period. Extended personal leave may be granted at the discretion of the School Board as hereinafter provided.
 - A. Leave for Political Campaigning -An employee who has filed for election to a political office and who desires personal leave for political reasons shall file an application for leave. The School Board may grant such personal leave without pay for part of or for the duration of the political campaign.

 - B. Extended Personal Leave for Other Reasons – An employee who has been employed by the District for at least one (1) year may be granted personal leave without pay for up to one (1) year.
 1. Personnel who desire up to five (5) days of personal leave without pay during a school year shall apply to their principal or immediate administrative supervisor for approval.
 2. Personnel who desire in excess of five (5) days of personal leave without pay during a school year shall submit a written request to Human Resources.
 - a. The written request shall be countersigned by the employee's principal or immediate administrative supervisor to indicate approval or disapproval of the leave request.
 - b. Personal leave without pay for one (1) year shall be requested before the closing date of the school year immediately preceding the year for which the request is made. Personal leave without pay may be renewed for a period not to exceed one (1) additional year.

 - E. Each extended leave-without-pay request shall be considered on its own merit by the School Board. Return from leave is contingent on there being a vacant position in the system which the employee is qualified to fill. Requests for extended leave to take another position for salary shall be denied unless there are extenuating circumstances that are acceptable to the Board.

CHAPTER 6.00 – HUMAN RESOURCES

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.61, 1012.66, F.S.

HISTORY:

ADOPTED: 4/1/97
REVISION DATE(S): _____
FORMERLY: GCC, GDC

CHAPTER 6.00 – HUMAN RESOURCES

PROFESSIONAL LEAVE

6.65

- I. The Superintendent may grant three (3) weeks of professional leave without pay during a school year to an instructional or administrative staff member. Such leave shall be cumulative, but shall not exceed six (6) weeks. The written request shall be submitted to the Superintendent and shall be countersigned by the principal or director of the division under whom the person serves indicating approval or disapproval. Professional leave for educational advancement shall not be granted for instructional personnel during the one hundred eighty (180) days of the school year. Documentation to verify the employee's attendance on said dates shall be submitted on a form provided by the Division of Human Resource Services.

- II. Extended professional leave may be granted by the School Board to an administrative or instructional staff member who has served satisfactorily in the District and who is pursuing an advanced degree which is related to his/her current position. The request for extended professional leave shall not exceed a one (1) year period. An employee who is granted extended professional leave shall be required to be enrolled in the number of semester hours recommended by the institution for an average graduate student who is enrolled for an advanced degree.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.66, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.081

HISTORY: **ADOPTED: 4/1/97**
REVISION DATE(S): _____
FORMERLY: GCC

CHAPTER 6.00 – HUMAN RESOURCES

SABBATICAL LEAVE

6.66

Sabbatical leave may be granted for formal study and may be granted for the purpose of improving learning situations in the District school system when funding is available.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.64, 1012.66, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.081

HISTORY: ADOPTED: 4/1/97
REVISION DATE(S): 11/10/08
FORMERLY: GDF

CHAPTER 6.00 – HUMAN RESOURCES

TEMPORARY DUTY ELSEWHERE

6.67

- I. An employee may be assigned to be temporarily away from his/her regular duties and place of employment for the purpose of performing other educational services, including participation in surveys, professional meetings, study courses, workshops and similar services of direct benefit to the School District. Employees shall continue in the same pay status for the approved period of temporary duty. Such assignment may be initiated by the Superintendent or by the individual who desires the temporary duty as days of duty.

- II. The Superintendent shall develop procedures and guidelines consistent with collective bargaining agreements to implement this policy.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.32, 1001.43, 1012.27, 1012.66, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.084

**HISTORY: ADOPTED: 4/1/97
REVISION DATE(S): 11/10/08
FORMERLY: GDF, GDJ**

CHAPTER 6.00 – HUMAN RESOURCES

USE OF SICK LEAVE BY FAMILY MEMBERS

6.68

- I. Any District employee may authorize the use of his/her accrued sick leave by his/her spouse, child, parent, or sibling who is also a District employee.
- II. Sick Leave donated as provided in I. cannot be used until all of the recipient's sick leave has been depleted, excluding sick leave from any existing Sick Leave Bank, if the recipient participates in a Sick Leave Bank.
Donated sick leave shall have no terminal pay value.
- III. Donated sick leave shall have no terminal pay value.

STATUTORY AUTHORITY: 1001.41, 1001.42, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.61, F.S.

HISTORY:

ADOPTED: 4/1/97
REVISION DATE(S): 11/10/08
FORMERLY: GCC, GDC

CHAPTER 6.00 – HUMAN RESOURCES

SOCIAL SECURITY NUMBERS

6.69

I. Collection

- A. Social security numbers shall be collected only when allowed by law or when necessary for the performance of the school system’s duties.
- B. The District shall collect the social security number of each applicant and employee for the following purposes:
 - 1. Verification of citizenship or immigration status, as required by the U.S. Department of Homeland Security or other governmental agencies;
 - 2. Employee benefit processing, including membership in the Florida Retirement System, health insurance, prescription, insurance, or other benefits offered to employees by the School Board;
 - 3. Compliance with reporting requirements of the I.R.S., U.S. Social Security Administration, Florida Agency for Work Force Innovation, and such other official reporting responsibilities imposed by law.
 - 4. Processing pre-employment and post-employment criminal background checks required by law.
 - 5. For such other purposes as may be directed by the employee, such as direct deposit of wages or salary, etc.
- C. Social security numbers or federal employer identification numbers shall be collected from all vendors to facilitate vendor record keeping by the School Board and to permit compliance with income reporting requirements of the U.S. Internal Revenue Code, including but not necessarily limited to issuance of U.S. Internal Revenue Form 1099.

II. Confidentiality

A social security number shall be considered confidential and exempt from public inspection in accordance with Florida Statutes. Social security numbers may be disclosed to another agency or governmental entity if it is necessary for the receiving entity to perform its responsibilities.

STATUTORY AUTHORITY: 1001.41, 1001.42, 1012.23, F.S.

LAW(S) IMPLEMENTED: 119.071, 1001.43, 1012.23, F.S.

HISTORY: **ADOPTED:**11/10/08
REVISION DATE(S): _____
FORMERLY: NEW

CHAPTER 6.00 – HUMAN RESOURCES

EMPLOYEES WITH HIV, AIDS, OR OTHER COMMUNICABLE DISEASE 6.70

- I. It is the School Board’s intent to protect employees from exposure to infectious diseases and from risk occasioned by infectious diseases and environmental hazards and to provide reasonable accommodations to infected employees.
- II. Any employee who has been identified as having any infectious or contagious disease including Acquired Immune Deficiency Syndrome (AIDS) and who has been medically certified as posing no threat to students or co-workers shall be treated in the same manner as any employee diagnosed as having any other illness, injury or disability.
- III. Reasonable accommodations are available to HIV positive employees.
- IV. In instances where an infected employee is unable to fulfill his/her regular responsibilities, the School Board shall grant sick leave in accordance with current School Board policies. Leave without pay, to the maximum allowable under current School Board policies, shall be granted after the employee’s accrued sick leave days are exhausted.
- V. The employee shall be eligible to return to work when a physician’s statement is provided, declaring the employee able for duty.
- VI. All information regarding such matters shall be held in strict confidence and released only to those who have a legitimate need to know.
- VII. School Board employees shall receive and review procedures governing immunization against Hepatitis B infection, HIV, AIDS, bloodborne pathogens, other communicable disease, and environmental hazards.
- VIII. Staff members shall cooperate with public health authorities by practicing and promoting “universal precautions,” as deemed by the Centers for Disease Control (CDC).
- IX. Procedures for dealing with employees who pose a threat of transmitting a bloodborne health condition shall be developed.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 381.0098, 1001.43, 1012.27,
1012.61, 1012.66, F.S.

STATE DEPARTMENT OF HEALTH RULE(S): 64E-16

HISTORY: **ADOPTED:** _____
REVISION DATE(S): 11/10/08
FORMERLY: GBGA

CHAPTER 6.00 – HUMAN RESOURCES

COMPLAINTS AGAINST EMPLOYEES

6.71

- I. The School Board invites constructive comments from parents and citizens of the District regarding employees.
 - A. Any complaint alleging misconduct of a School District employee shall initially be referred to and investigated by the employee's immediate supervisor.
 - B. Any formal complaint against an employee shall be in writing and shall be signed by the person filing the complaint.
 - C. The Superintendent shall report to the Department of Education legally sufficient complaints within thirty (30) days after the date on which the complaint comes to the attention of the School District.
- II. The Superintendent shall develop procedures to comply with the reporting requirement.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

**1001.43, 1001.51, 1012.22, 1012.28,
1012.796, F.S.**

HISTORY:

**ADOPTED: 4/1/97
REVISION DATE(S): 11/10/08
FORMERLY: GBM**

CHAPTER 6.00 – HUMAN RESOURCES

VIOLATION OF LOCAL, STATE AND/OR FEDERAL LAWS 6.72

- I. Anyone known to be violating a local, state, and/or federal law on School Board property or at a school function will be subject to referral for prosecution to the appropriate law enforcement agency. The referral process will be subject to Florida Statutes and School Board rules.
- II. Any employee in violation of the reporting requirements of this policy may be subject to disciplinary action by the Superintendent or Board up to or including dismissal.
- III. As required by the provisions of State Board of Education Rule 6B-1.006(5), *The Principles of Professional Conduct of the Education Profession in Florida*, and Florida Statutes, professional employees and noninstructional and contractual personnel who have direct contact with students or who have access to or control of funds are required to self-report within forty-eight (48) hours to (insert title of person) any arrests/charges involving the abuse of a child, the sale and/or possession of a controlled substance or any disqualifying offense. 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, self-reporting shall also be required for 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 forty-eight (48) hours after the final judgment.
- IV. 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.
- V. The Superintendent shall report to the Department of Education the name of any person possessing or applying for a Florida Educator Certificate who
 - A. Has been convicted of, or who pled *nolo contendere* to, a misdemeanor, felony, or any other criminal charge, other than a minor traffic infraction;
 - B. Is believed to have committed or is found to have committed any act which would be grounds for revocation or suspension of a Florida Educator Certificate; or
 - C. Has been dismissed or severed from employment because of conduct involving any immoral, unnatural, or lascivious act.

CHAPTER 6.00 – HUMAN RESOURCES

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 877.13, 943.0585, 943.059, 1001.41, 1001.43, 1006.145, 1012.22, 1012.27, 1012.465, 1012.795, F.S.

STATE BOARD OF EDUCATION RULE(S): 6B-1.006(5)

HISTORY: ADOPTED: 4/1/97
REVISION DATE(S): 11/10/08
FORMERLY: GBEB

CHAPTER 6.00 – HUMAN RESOURCES

SUSPENSION AND DISMISSAL

6.73

- I. All discipline of staff members shall be progressive in nature pursuant to guidelines for progressive discipline developed by the Superintendent and shall be administered pursuant to appropriate collective bargaining agreements, ordinances and state law.
 - A. A staff member may be recommended for suspension from duty by the Superintendent. The Superintendent may suspend an administrative staff member with or without pay during an emergency for a period extending to and including the next School Board meeting. The School Board shall be notified immediately by the Superintendent of all such suspensions.
 - B. Staff members may only be dismissed by School Board action.
 - C. Any suspension or dismissal shall be pursuant to Florida Statutes.
- II. Dismissal during the term of a contract of an instructional staff member who is on tenure shall be for cause pursuant to the Duval County Teacher Tenure Act or Florida Statute if the staff member holds a Professional Service Contract.
- III. Dismissal during the term of contract of an administrative or an instructional staff member who is not on tenure shall be for cause. Such cause for dismissal shall include, but not be limited to
 - A. Immorality;
 - B. Misconduct in office;
 - C. Incompetency;
 - D. Gross insubordination;
 - E. Willful neglect of duty;
 - F. Drunkenness or illegal use of drugs;
 - G. Involvement in an act of moral turpitude;
 - H. Obtaining a Florida Educator Certificate by fraudulent means;
 - I. Revocation or suspension of a Florida Educator Certificate; or
 - J. Conviction of a felony, crime or any ordinance involving moral turpitude.

CHAPTER 6.00 – HUMAN RESOURCES

- IV. For the purpose of section VI..J. above, *conviction* shall mean an adjudication of guilt by a court of competent jurisdiction or any of the following when an adjudication of guilt has been withheld:
- A. A plea of guilty
 - B. A plea of *nolo contendere*
 - C. A judicial finding of guilty
 - D. A jury verdict of guilty.
- V. For a member of the instructional staff, a supervisor or school principal, the first ninety-seven (97) days of an initial contract shall be a probationary period. During the probationary period, the employee's contract may be terminated without cause.
- VI. Termination of tenured teachers will be in accordance with the Duval County Tenure Act. Termination of teachers holding professional service contracts shall be in accordance with Florida Statutes. Procedures for identifying and providing assistance to unsatisfactory teachers prior to termination are set forth in the Teacher Assessment System.
- VII. In the case of a suspension without pay by the School Board, an affected employee shall be entitled to a hearing on the charges as to why he/she should be suspended without pay. Said hearing shall be upon reasonable notice by the School Board.
- VIII. If any dismissal proceeding in which the substantial interest of the employee is affected, or in which the employee has a property interest, the employee shall be entitled to a hearing on the merits of the case in accordance with the provisions of Chapter 120, Administrative Procedure Act.
- IX. In the event an employee is entitled to a hearing, the Superintendent shall notify the affected employee in writing of his/her right to a hearing at the time a petition for suspension or dismissal is filed. The petition for suspension or dismissal must set forth the charges against the employee and shall further notify the employee that in the event a written request for a hearing is not received by the Superintendent within ten (10) days after receipt of said notice, that the employee waives his/her right to a hearing. In the event no such notice is sent by the Superintendent, the employee shall be deemed to have requested a hearing.
- X. In the event a hearing is required as prescribed by law, pursuant to this policy, a written notice of hearing shall be furnished to the employee in a timely manner according to law stating the date, place and time of the hearing.

CHAPTER 6.00 – HUMAN RESOURCES

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: Chapter 120, 1001.43, 1012.22,
1012.27, 1012.33, 1012.34, F.S.

STATE BOARD OF EDUCATION RULE(S): 6B-4.009

HISTORY: ADOPTED: 4/1/97
REVISION DATE(S): 11/10/08
FORMERLY: GCQ, GCQF

CHAPTER 6.00 – HUMAN RESOURCES

RESIGNATIONS

6.75

- I. Any administrative or instructional staff member who wishes to resign shall submit his/her resignation in writing addressed his/her supervisor with a copy to Human Resources. The letter of resignation shall state the reasons for the resignation and the desired effective date. All resignations shall be processed through the Division of Human Resource Services. The resignation shall be submitted to the School Board. No resignation shall become effective until accepted by the School Board.

- II. A noninstructional support employee who wishes to resign shall submit his/her resignation in writing addressed to the School Board. Whenever possible, two (2) weeks prior notice shall be given. The letter of resignation shall state the reason for the resignation and the desired effective date. A resignation of an employee shall be sent to and countersigned by his/her immediate administrative supervisor. The resignation shall be submitted to the School Board at its next regular or special meeting. No resignation shall become effective until accepted by the School Board; the School Board may refuse to accept any resignation for cause.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

**1001.43, 1012.22, 1012.23, 1012.33,
1012.34, 1012.795, F.S.**

HISTORY:

**ADOPTED: 4/1/97
REVISION DATE(S): _____
FORMERLY: GB, GCQ, GDQB**

CHAPTER 6.00 – HUMAN RESOURCES

RETIREMENT OF EMPLOYEES

6.77

Any employee who plans to retire shall concurrently submit his/her resignation to the School Board and his/her application to the retirement system for retirement benefits. Employees are encouraged to submit the resignation and application form at least ninety (90) days in advance of the retirement date to ensure the retirement check is issued the month following the last month of service with the School Board.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.23, F.S.

HISTORY:

ADOPTED: 4/1/97
REVISION DATE(S): _____
FORMERLY: GCQE, GDQC

CHAPTER 6.00 – HUMAN RESOURCES

DEFERRED RETIREMENT OPTION PROGRAM (DROP) 6.78

The Deferred Retirement Option Program (DROP) as defined in Chapter 121, Florida Statutes, is an alternative method of deferred payment of retirement benefits for up to sixty (60) or ninety-six (96) months after an eligible member of the Florida Retirement System reaches his/her normal retirement date but wishes to continue employment with a Florida Retirement System employer. In order to participate, the employee must submit a binding letter of resignation, establishing a deferred termination date. DROP will allow the participant to defer all retirement benefits payable during the DROP period. Upon termination of DROP, the participant will receive the DROP benefits and the regular retirement benefits under Chapter 121, Florida Statutes.

- I. Participation in DROP -All members of the Florida Retirement System are eligible for DROP. Members electing to participate in DROP must meet the eligibility and timeline requirements outlined in Florida Statute.
- II. Benefits Payable
 - A. Sick Leave -Employees will be paid terminal pay for accumulated sick leave at retirement, or, if service is terminated by death, to his/her beneficiary.
 - B. Employees (except those in the AFSCME Bargaining Unit), who elect to participate in DROP, may receive terminal sick leave payments distributed according to the years of participation of DROP. Terminal sick leave payments will be automatically sheltered in a Bencor account. Employees in the AFSCME Bargaining Unit can receive their sick leave upon termination of DROP and may elect to shelter their sick leave in a Board-approved tax sheltered annuity.
 - C. Payment of sick leave shall be paid according to the salary established at the time of distribution. The following is a schedule for DROP participants eligible for distribution:

20%	-	Balance beginning of 1 st year DROP
25%	-	Remaining balance beginning 2 nd FY DROP
33 1/3 %	-	Remaining balance beginning 3 rd FY DROP
50%	-	Remaining balance beginning 4 th FY DROP
100%	-	Remaining balance – End of 5 th FY DROP

Eligible participants extending DROP Program:

50%	-	Remaining Balance ending 5 th FY DROP
50%	-	Remaining balance ending 1 st FY DROP Extension
50%	-	Remaining balance ending 2 nd FY DROP Extension
100%	-	Remaining balance ending 3 rd FY DROP Extension

CHAPTER 6.00 – HUMAN RESOURCES

Sick leave will be earned during DROP as prescribed by Florida Statutes. Accumulated sick leave earned during DROP participation will be paid to the employee at the end of their DROP participation or as prescribed in any Board approved alternative retirement plan.

- D. It is in the intent of this policy that an individual entering DROP will be allowed to use sick leave which was accrued prior to their retirement and entrance into DROP. The procedures for utilization of such leave shall be as follows:
1. Sick leave earned prior to DROP shall be calculated in accordance with School Board policy.
 2. The value of each sick day will be computed according to the salary established at the time of entry into DROP. Should a DROP participant use a sick day(s) accrued prior to entrance into DROP, the monetary value of their remaining sick days shall be reduced by the value of the sick day(s) used.
 3. Final adjustments in the total amount of compensation for accrued sick leave will be made prior to the final payment at the end of DROP.
- E. Annual Leave -Employees electing to participate in DROP shall be entitled to terminal pay for accrued annual leave as allowed by state law, Board policy and/or union contract. Upon election to participate in DROP and the employee's election to receive a lump sum payment of accrued annual leave according to District policy.

Annual leave payments for employees other than those in the AFSCME Bargaining Unit will be sheltered in a District Sponsored IRC401(a) account. Employees in the AFSCME Bargaining Unit may shelter their annual leave in a board-approved tax sheltered annuity.

- F. Annual leave earned prior to entering DROP which exceeds the maximum lump sum payment allowed by Board policy may be used during DROP, however, the employee shall not be entitled to compensation at the end of DROP for any unused portion of the accumulated leave. Employees will earn annual leave during the DROP period as prescribed by Florida Statute, Board policy and/or union contract. Annual leave accumulated during DROP participation will not be paid to the employee at the end of DROP participation, except to the extent the employee has earned additional annual leave which combined with the original payment does not exceed the maximum lump sum payment allowed by Board policy.

CHAPTER 6.00 – HUMAN RESOURCES

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 121.091, 1001.43, F.S.

HISTORY:

ADOPTED: 11/10/08

REVISION DATE(S): _____

FORMERLY: New

CHAPTER 6.00 – HUMAN RESOURCES

PROFESSIONAL ETHICS

6.80

- I. All District employees shall conduct themselves at all times in an ethical manner and shall maintain and promote integrity.
- II. Instructional personnel and administrators shall abide by and uphold the standards of ethical conduct in the *Code of Ethics of the Education Profession in Florida*, and the *Principles of Professional Conduct for the Education Profession in Florida*.
- III. Instructional personnel and administrators shall report misconduct of other instructional personnel and administrators that affects the health safety and welfare of a student. Misconduct relating to discrimination and harassment shall be reported according to the procedures in Rule 2.70 of these policies. All other misconduct affecting the health, safety and welfare of a student shall be reported to a principals or administrative supervisor or to the Office of Professional Standards in Human Resources. When it is determined that the health, safety or welfare of the students is possibly jeopardized while an investigation of misconduct is being conducted, the employee shall be removed from any school setting pending the outcome of the investigation.
- IV. Instructional personnel and administrators should receive training on the standards of ethical conduct.
- V. District employees who in good faith report misconduct pursuant to this policy and/or Florida Statutes are immune from civil liability pursuant to Sections 39.203 and 768.095 unless it is shown by clear and convincing evidence that the report was made with the knowledge it was false.
- VI. No employee of the District may enter into a confidentiality agreement with any employee who is being terminated, dismissed or who resigns in lieu of termination. In addition, no employee may give a reference or discuss performance with on such an employee without disclosing the misconduct.

STATUTORY AUTHORITY: 1001.41, 1001.42, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.42, 1001.43, 1012.796, F.S.

STATE BOARD OF EDUCATION RULE(S): 6B-1.001, 6B-1.006,

HISTORY:

ADOPTED: 4/1/97
REVISION DATE(S): _____
FORMERLY: GBEA

CHAPTER 6.00 – HUMAN RESOURCES

RECORDS, REPORTS AND EQUIPMENT

6.81

All School Board employees shall faithfully and accurately maintain records and file reports as may be required by Florida Statutes, State Board of Education rules, and School Board rules, or as the Superintendent may deem necessary for the effective administration of the District school system. Such records shall include student attendance, property inventory, personnel, school funds and other types of information. Reports shall be submitted on forms prescribed for such purposes at designated intervals or on specified dates. All such reports shall be filed by the designated time. The Superintendent may withhold any salary warrants until the required report is submitted in acceptable form. School Board employees who resign shall receive the final salary warrant when all reports, files, grade books, planning books and equipment such as laptops and personal digital assistants (PDAs) are current and officially checked.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.42, 1001.43, 1012.22, 1012.53, F.S.

HISTORY: ADOPTED: 4/1/97
REVISION DATE(S): 11/10/08
FORMERLY: GB

CHAPTER 6.00 – HUMAN RESOURCES

TELEPHONE CALLS, ELECTRONIC COMMUNICATIONS AND FACSIMILES 6.82

District communication equipment shall be used for designated purposes and shall not be used for personal or nonschool purposes.

- I. An employee shall not make a personal long distance call or send a facsimile or other electronic transmission at School Board expense. An employee who violates this rule shall be required to pay for the call or facsimile. Such action shall be reported to the Superintendent at the principal's or District department head's discretion.
- II. All long distance telephone calls, facsimiles, or other electronic transmissions that relate to extracurricular activities of the school, including athletics, shall be paid from operating expenses.
- III. Prior authorization for all long distance calls and facsimiles shall be given by the principal or District department head.
- IV. Employee use of District cell telephones shall be, to the extent possible, limited to business use only. The District shall be reimbursed for any personal calls made by the employee. Procedures for implementing this provision shall be developed.
- V. Any long distance telephone call made or facsimile sent by a School Board member for the purpose of conducting School Board business shall be paid by the School Board.
- VI. The principal or District department head shall review telephone and facsimile bills and shall refer excessive or questionable bills to the Superintendent or designee for consideration.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.22, F.S.

HISTORY: ADOPTED: 4/1/97
REVISION DATE(S): 11/10/08
FORMERLY: GBEB

CHAPTER 6.00 – HUMAN RESOURCES

EMPLOYEE CONDUCT

6.83

I. Personal Business on School Time

School District employees may not conduct personal business on school time, except for emergencies approved by the appropriate administrative supervisor. School District equipment or supplies shall not be used to conduct personal business or to engage any other activity unrelated to the District school system.

II. Use of Profanity

The use of profanity or abusive language ,whether written, verbal or reproduced, or other abusive behavior on School Board property or in the presence of students by School District employees shall be prohibited.

III. Appearance

Employees' wearing apparel, general appearance and personal hygiene shall be appropriate for the work site environment and shall conform to the Student Appearance Code as a minimum standard.

STATUTORY AUTHORITY: 1001.41. 1001.42, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, F.S.

HISTORY: ADOPTED: 4/1/97
REVISION DATE(S): 11/10/08
FORMERLY: GBEA, GBEB

CHAPTER 6.00 – HUMAN RESOURCES

FRATERNIZATION WITH STUDENTS

6.84

- I. Staff members are prohibited from dating, agreeing to date and/or having a sexual or inappropriate relationship with any student enrolled in the regular prekindergarten-12 program in the Duval County School District. For purposes of this policy, an inappropriate relationship is one that may not be sexual in nature, but that violates the *Principles of Professional Conduct for the Education Profession in Florida* or the *Code of Ethics of the Education Profession in Florida*. Examples of such conduct may include, but not be limited to, having a relationship with a student for personal gain or advantage or having a relationship with a student that is harmful to the student’s mental and/or physical health and/or safety. Violation of this policy shall constitute gross insubordination and misconduct in office and shall be grounds for dismissal.

- II. Staff members shall not have conversations of a sexual nature with any student unless as part of a classroom discussion utilizing an approved curriculum or an approved counseling program or unless it is part of an investigation regarding charges involving sexual conduct.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.23, F.S.

STATE BOARD OF EDUCATION RULE(S): 6B-1.001, 6B-1.006, 6B-4.009

HISTORY: ADOPTED: 4/1/97
REVISION DATE(S): _____
FORMERLY: GBEBB

CHAPTER 6.00 – HUMAN RESOURCES

POLITICAL ACTIVITIES FOR EMPLOYEES

6.85

- I. School District employees shall be permitted to engage in political campaigns and other endorsements during non-duty hours. However, they shall not solicit support of any political candidate, partisan or nonpartisan, or support any issues on any referendum matter during regular hours on School Board property.
- II. No employee shall use his/her position in any way to influence or attempt to influence students to support or oppose any candidate, party or issue. Such prohibition shall include, but not be limited to, any form of advocacy or opposition in a classroom or school setting or other school related student-teacher relationship.
- III. No employee shall participate in any political activity during the workday. This shall include, but not be limited to, wearing or displaying at the worksite, signs, buttons, pins, flyers or political advertising on clothing relating to candidates or issues
- IV. Any employee desiring to run for public office shall be entitled to a leave of absence during his/her campaign or shall be permitted to work in the District while a candidate. Employees are expressly prohibited from engaging in any political activity during the regular hours of any workday. An employee shall conduct his/her campaign so as not to interfere with his/her responsibilities.
- V. Employees shall not use School Board property while engaging in political campaigns and other endorsements.
- VI. Employees shall not use employment titles, props, or any other devices which identify the District school system in any advertisement or endorsement in a political campaign or for the purpose of promoting a political candidate.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

104.31, 106.15, 1001.43, F.S.

HISTORY:

**ADOPTED: 4/1/97
REVISION DATE(S): 11/10/08
FORMERLY: GBI**

CHAPTER 6.00 – HUMAN RESOURCES

GIFTS FOR SCHOOL BOARD EMPLOYEES

6.87

School District employees shall not accept personal gifts of value from anyone doing business with schools. Violation of this Policy may be cause for disciplinary action.

STATUTORY AUTHORITY:

1001.41. 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, F.S.

HISTORY:

ADOPTED: 4/1/97
REVISION DATE(S): _____
FORMERLY: KCD

CHAPTER 6.00 – HUMAN RESOURCES

HONORARIA

6.88

School District employees shall not accept honoraria or remuneration other than expenses for any service rendered to public, private, or governmental agencies when performing their assigned District duties unless advance approval has been granted by the Superintendent or otherwise allowed by law. This provision shall not apply when the employee is on personal leave.

STATUTORY AUTHORITY:

1001.41. 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.23, F.S.

HISTORY:

**ADOPTED: 4/1/97
REVISION DATE(S): 11/10/08
FORMERLY: GCRC**

CHAPTER 6.00 – HUMAN RESOURCES

COMPENSATION STRATEGY

6.89

In keeping with the Board's Core Belief that the academic success of every student in Duval County is the top priority of the Board, a compensation plan covering all employees shall be maintained that prioritizes those in the system who directly foster student achievement. In addition the plan should enable the school system to attract, retain, motivate and reward an exceptional workforce while striving to achieve consistency and equity in compensation administration. Compensation is first determined based upon the job performed. The Board acknowledges that compensation is a mandatory subject of collective bargaining for employees covered by such laws. In particular the plan shall:

- A. Structure pay based on what the job pays in the market as well as the specific knowledge, skills and abilities required for the position;
- B. Differentiate rewards based on performance;
- C. Recognize seniority without providing salary increases based solely on this criteria; and
- D. Provide for external, internal and individual equity as follows:
 - 1. External equity – External equity requires maintaining compensation levels that are competitive in the industries and markets from which the school system recruits and secures employees. To ensure continued external equity, staff shall collect data for market pricing periodically.
 - 2. Internal equity – Internal equity requires a compensation structure that seeks to fairly place positions of comparable skill and responsibility in the same compensation range.
 - 3. Individual equity - Individual equity is recognized through performance based pay.

STATUTORY AUTHORITY: 1001.41(1), F. S.

LAWS IMPLEMENTED: 1001.43(11); 1001.45(5); and 1012.22(1)(c), F. S.

HISTORY:

ADOPTED; 10/7/08
REVISION DATE(S): _____
FORMERLY: NEW

CHAPTER 6.00 – HUMAN RESOURCES

COMPENSATION

6.90

- I. All personnel shall be paid in accordance with salary schedules adopted by the School Board and published in the salary schedule handbook.
- II. The salary schedule for personnel covered by a collective bargaining agreement shall be as set forth in the approved contract agreement. However, in the event a successor agreement is delayed past the period of the current contract agreement, the provisions of the expired agreement shall prevail, except for monetary or economic considerations until ratification of a subsequent agreement or approval by the legislative body by a resolution of impasse.
- III. Determination of the noninstructional staff member's placement on the salary schedule and credit for experience shall be pursuant to the appropriate bargaining agreement and civil service rules and regulations.
- IV. The salary schedule for personnel who are not covered by the collective bargaining agreement shall be set forth in a Superintendent's directive.
- V. Any employee subject to the overtime provisions of the Fair Labor Standards Act of 1938, as amended, and who is required to work in excess of forty (40) hours in any work week, shall be compensated for the hours in excess of forty (40) at the rate of one and one-half (1½) times the regular rate of pay for the service performed or shall be provided compensatory time.
- VI. Any employee working beyond his/her designated total weekly hours without prior permission of the Superintendent through the principal or supervisor may be subject to disciplinary action.
- VII. Principals, Compensation Plan
 - A. Effective July 1, 2006, principal salaries shall be based upon a calculated compensation system that has the following three elements:
 1. School's Base Salary – The School's Base Salary will include a fixed component and complexity components of school type, student population and SES population,
 2. Experience as a principal, and
 3. Performance compensation for student gains.

CHAPTER 6.00 – HUMAN RESOURCES

- B. The fixed component, the percentage allocated to each component and the dollar amount paid for each component each year shall be set by the School Board during the annual budget process.
- C. The Superintendent shall employ a plan for distribution of these salary dollars for affected employees.
- D. The Superintendent shall have the authority to further supplement individual principal salaries in order to address unique complexity issues at certain schools.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.42(5), 1001.43, 1011.60,
1012.22, 1012.43, 1012.55, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.052

HISTORY: **ADOPTED: 4/1/97**
REVISION DATE(S): 11/10/08
FORMERLY: GCB, GDBA

CHAPTER 6.00 – HUMAN RESOURCES

TERMINAL ANNUAL LEAVE PAY

6.91

- I. Any administrative or instructional employee of the Board whose employment is terminated shall receive a lump sum payment for his/her accrued annual (vacation) leave. Payment shall be paid as follows:
 - A. For unused annual leave accumulated by persons employed prior to July 1, 2001, who resign or retire on or after July 1, 2001:
 1. For persons whose accumulated annual leave is sixty (60) workdays or less as of June 30, 2001 upon resignation or retirement, employees shall be paid a lump sum payment for any accrued leave up to a maximum of sixty (60) workdays.
 2. For persons whose accumulate annual leave is more than sixty (60) workdays as of June 30, 2001 upon resignation or retirement, employees shall be paid a lump sum payment for any accrued leave up to a maximum amount of sixty (60) workdays plus any remaining excess over sixty (60) up to sixty two and one-half (62 ½) workdays on record as of June 30, 2001.
 - B. For unused annual leave accumulated by persons employed on or after July 1, 2001 upon resignation or retirement, employees shall be paid a lump sum payment for any accrued leave up to a maximum amount of sixty (60) workdays.
- II. Lump sum payment of annual leave for support personnel shall be in accordance with provisions of the appropriate bargaining agreement or by the Superintendent's directive, whichever is applicable.
- III. Employees electing to participate in the Deferred Retirement Option Program (DROP) shall be eligible for terminal payment of annual leave as described in Policy 6.78.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.65, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.052

HISTORY: ADOPTED: 4/1/97
REVISION DATE(S): 11/10/08
FORMERLY: GCC, GDB, GDF

CHAPTER 6.00 – HUMAN RESOURCES

ANNUAL PAYMENT OF SICK LEAVE

6.92

Administrative and instructional staff members with three (3) or more years of experience in the District shall have the option of receiving annual payment for accumulated sick leave which is earned during the school year, but has not been used.

- I. Payment for such accumulated sick leave days shall be based on the employee's daily rate of pay multiplied by fifty percent (50%).
- II. The days for which such payment is received shall be deducted from the accumulated sick leave balance. However, the accumulated sick leave balance shall not be less than ten (10) days at any time.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.61, F.S.

HISTORY:

**ADOPTED: 4/1/97
REVISION DATE(S): 11/10/08
FORMERLY: GCC**

CHAPTER 6.00 – HUMAN RESOURCES

TERMINAL SICK LEAVE PAY

6.93

Any employee of the Board shall be eligible for terminal sick leave pay at the time of termination or retirement. *Normal retirement* shall mean retirement under any plan established by the legislature with either full or reduced benefits. *Normal retirement* shall not be interpreted to mean withdrawal of funds. Payment shall be made to the beneficiary of an employee if service is terminated by death. To be entitled to terminal pay benefits, the employee shall have been under contract to render service and shall not be under suspension from duty or have any charges pending which may have resulted in dismissal from employment.

I. Instructional Staff and Educational Support Employees

Terminal pay for accumulated sick leave shall be paid pursuant to collective bargaining agreements. For employees not covered by a bargaining agreement, terminal pay shall be paid at the daily base rate of pay at the time of termination or retirement. For purposes of this provision, *district service* shall mean service with any public school district. Such terminal pay shall not exceed an amount determined as follows:

- A. During the first three (3) years of district service, the daily rate of pay shall be multiplied by thirty-five percent (35%) times the number of accumulated sick leave days.
- B. During the next three (3) years of district service, the daily rate of pay shall be multiplied by forty percent (40%) times the number of accumulated sick leave days.
- C. During the next three (3) years of district service, the daily rate of pay shall be multiplied by forty-five percent (45%) times the number of accumulated sick leave days.
- D. During the next three (3) years of district service, the daily rate of pay shall be multiplied by fifty percent (50%) times the number of accumulated sick leave days.
- E. After the twelfth (12th) year of district service, the daily rate of pay shall be multiplied by ninety-four percent (94%) times the number of accumulated sick leave days. If an employee is ineligible for retirement with full benefits, the daily rate of pay shall be multiplied by eighty percent (80%) times the number of accumulated sick leave days.

II. Administrative Employees

Full time employees who are not classified as instructional staff or support employees as defined by law shall be eligible for terminal sick leave payment at the time of

CHAPTER 6.00 – HUMAN RESOURCES

resignation or normal retirement as follows:

- A. Terminal pay from sick leave accrued prior to July 1, 2004 shall be paid at the daily base rate of pay at the time of retirement.
 - B. Terminal pay for sick leave accrued after June 30, 2004 shall be paid at the base rate of pay at the time it was earned.
 - C. Payment shall be calculated according to the schedule in I.A. – I.E.
 - D. The order of using sick leave for administrators shall be:
 - 1. Use first the leave remaining that was earned in the 2004-2005 fiscal year.
 - 2. If no balance remains from that year, use next the leave remaining in 2005-2006 fiscal year, and so on until there is no leave left that was earned after July 1, 2004.
 - 3. Use next the sick leave remaining that was earned prior to July 1, 2004.
- III. Deferred Retirement Option Program

Employees electing to participate in the Deferred Retirement Option Program (DROP) shall be eligible for terminal payment of sick leave as described in Policy 6.78.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.61, F.S.

HISTORY:

**ADOPTED: 4/1/97
REVISION DATE(S): 11/10/08
FORMERLY: GCBD, GDB**

CHAPTER 6.00 – HUMAN RESOURCES

GROUP HEALTH AND HOSPITALIZATION INSURANCE 6.94

- I. Group health and hospitalization insurance coverage shall be available to all School District employees. The School Board may participate in the cost of the insurance coverage.
- II. A School Board member or District employee who is a Florida resident and a member of the Florida National Guard or a reserve in any branch of the United States military and who is called into active military duty is entitled to health insurance pursuant to the provisions and conditions prescribed in Section 250.341, Florida Statutes.
- III. Retired personnel of the School District and their eligible dependents shall be provided an opportunity to participate or to continue participation in the current health and hospitalization insurance program of the District.
 - A. The health and hospitalization insurance coverage shall be identical to that offered to active employees and shall be at a rate which is no more than the premium cost for active employees.
 - B. The claims experience of the retirees and active employees shall be commingled to determine health and hospitalization plan costs.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 112.0801, 250.341, 1001.43, F.S.

HISTORY: **ADOPTED: 4/1/97**
REVISION DATE(S): _____
FORMERLY: GCBD, GDBD

CHAPTER 6.00 – HUMAN RESOURCES

GRIEVANCE PROCEDURE FOR PERSONNEL

6.98

- I. Any School District employee who has a concern or complaint regarding employment shall initially discuss the matter with his/her immediate administrative supervisor as is appropriate in light of the subject matter of the complaint. If the employee's immediate administrative supervisor is the offending person, the employee may discuss the matter with an alternate administrator who may be either the next higher level of supervisor or the Supervisor Equal Opportunity/Equal Access. Any such complaint shall be brought to the attention of the appropriate administrator within twenty (20) working days of the occurrence of the event(s) associated with the complaint. However, the twenty (20) day period for an employee who is absent at the time the event(s) occurs shall commence when he/she returns to work. If the employee and the appropriate administrator are unable to satisfactorily adjust the complaint within five (5) working days, the employee may choose to utilize the District's complaint procedure for employees. The employee shall have the right to representation at each step of the procedure.
- II. An applicant for employment with the School District who has a concern or complaint regarding the application process shall reduce the concern or complaint to writing and submit it to the Assistant Superintendent of Human Resource Services or the Director of Professional Standards within twenty (20) working days of the occurrence of the event(s) associated with the concern or complaint. The Assistant Superintendent of Human Resource Services or the Director of Professional Standards may meet with the applicant. A written decision on the concern or complaint shall be transmitted to the applicant within ten (10) working days after receipt of the written concern;
- III. The appropriate collective bargaining agreement shall contain grievance procedures for an employee who believes a provision of his/her contractual agreement has been violated.
- IV. Confidentiality will be maintained to the extent possible by law, and no reprisals or retaliation will be allowed to occur as a result of the good faith reporting of a concern or complaint made pursuant to this process.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

**447.401, 1001.43, 1001.49, 1001.51,
1012.22, 1012.27, F.S.**

HISTORY:

**ADOPTED: 4/1/97
REVISION DATE(S): 11/1008
FORMERLY: GBM**