



Book	Policy Manual
Section	3000 Instructional Staff
Title	Copy of CONTRACTS: INSTRUCTIONAL PERSONNEL
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### 3128 - **CONTRACTS: INSTRUCTIONAL PERSONNEL**

Any person employed as a member of the instructional staff shall hold a valid Florida Teaching Certificate except as noted elsewhere in policy. All instructional staff members 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 staff who is willfully absent from duty without leave shall forfeit compensation for the time absent, and the staff member's contract shall be subject to cancellation by the Board.

Contracts with, as well as contracts pertaining to, instructional staff that provide for extra compensation, bonuses, and/or severance pay, shall strictly comply with the provisions of F.S. 215.425.

Each individual newly hired as instructional personnel by the Board, **or a retired instructor who interrupts retirement and is reemployed by the Board as an instructional staff member**, must be awarded a one (1) year probationary contract. Upon successful completion of the probationary contract, the Board may award an annual contract. An annual contract may be awarded for instructional personnel who have successfully completed a probationary contract with the Board and have received one (1) or more annual contracts from the Board. **Retirees who interrupt retirement and are reemployed by the Board as an instructional staff member are not eligible for a professional service contract.**

An annual contract may be awarded only if the employee:

- A. holds an active professional certificate or temporary certificate issued pursuant to F.S. 1012.56 and rules of the State Board of Education;
- B. has been recommended by the Superintendent for the annual contract based upon the individual's evaluation under F.S. 1012.34 and approved by the Board;
- C. has not received two (2) consecutive annual performance evaluation ratings of unsatisfactory, two (2) annual performance evaluation rating of unsatisfactory within a three (3) year period, or three (3) consecutive annual performance evaluation ratings of needs improvement or a combination of needs improvement and unsatisfactory under F.S. 1012.34.

A true signed copy of the contract shall be retained by the Board in the office of the Superintendent.

Probationary employees may be dismissed without cause or may resign without their resignation constituting a breach of contract. Instructional personnel with an annual contract may be suspended or dismissed at any time during the term of the contract for just cause as defined by State law. Instructional personnel shall have the right to contest or challenge any such suspension or dismissal in accordance with the procedures set forth in State law.

#### Year of Service Defined for Instructional Personnel

The minimum time which may be recognized as a year of service for contractual purposes shall be full-time actual service rendered under contract for more than one-half (1/2) of the number of days or more than one-half (1/2) the number of total hours 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.

Any claim to a year of service for salary purposes shall be the equivalent of the service required for a continuing, instructional 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 provisions of the applicable collective bargaining agreement.

In determining the number of days that must be served to constitute a full year of out-of-state teaching experience, the existing regulations of the State or District in which the contract was executed shall be used as the criteria.

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Legal                      F.S. 215.425, 1001.42, 1001.43, 1011.60, 1012.22, 1012.32, 1012.33, 1012.335  
                                  F.S. 1012.34, 1012.56  
                                  F.A.C. 6A-1.052, 6A-1.064

Last Modified by Sam Stalnaker on December 8, 2017