

XIII.

REAPPOINTMENT/
NON-REAPPOINTMENT ACTIONS

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NON-REAPPOINTMENT ACTIONS

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

The Office of Personnel Operations identifies employees eligible for reappointment.

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

NON-REAPPOINTMENT ACTIONS BASED ON PERFORMANCE

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

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

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

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

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

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

NON-REAPPOINTMENT ACTIONS BASED ON INVESTIGATIVE ISSUES

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

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

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

CERTIFICATION

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

REVIEW OF DOCUMENTATION

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

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

EMPLOYEES SUBJECT TO THE REAPPOINTMENT/NON-REAPPOINTMENT PROCESS

Labor Contract or Agreement	Positions	Period of Eligibility	Hearing Rights	Performance-based	Investigative-based	Notice to Union Required
AFSCME	All Employees, including Permanent Part-time (except temporary, hourly or substitute) XI §4D; XI §4A; V §31	0-5 years	No	Yes	No	Yes
UTD	Paraprofessionals Educational Support Personnel XXI §3 §1012.40(b)	0-3 years	No	Yes	Yes	Yes
	Office Personnel XVIII §18c	0-1 year	Yes	Yes	Yes	Yes
	Instructional: Annual 1012.33(3)(a)2-4 PSC 1012.34 XXI §1B-6 CC 1012.33(4)(b) XXI §1B-5	0-3 years Annually Annually ³	No Subject to 90-day procedures Appeal to Court of Appeals	Yes ¹ Yes ² Yes	Yes No Yes	Yes Yes Yes
DCSAA	All Employees VII §2D and §3B	Annually	No Upon request, a conference with Superintendent or designee	Yes Special procedures apply	No	Yes
MEP	All Employees §E-2(B) Supervisors/Principals §1012.22 (1)(b)	Annually	No Upon request, a conference with Superintendent or designee	Yes	Yes	No
	Supervisors/Principals §1012.33(4)(b) continuing contract		Yes			
CEP	All Employees V.C.3	Annually	No	Yes	Yes	No
FOP	Police Officers 6Gx13-4A-1.29 Sergeants §1012.22 (1)(b) Lieutenants	Annually ⁴	No	Yes	Yes	No

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1. Subject to **IPEGS** evaluation instrument (no need to complete statutory procedure).
2. In limited cases only. Consult OPS.
3. Strict compliance with F.S. 1012.33(4)(b) required.
4. For Sergeants and Lieutenants, the deadline of F.S. 1012.22 1 (b) applicable.



OFFICE OF PROFESSIONAL STANDARDS REAPPOINTMENT RECOMMENDATION

Complete the following information for any outstanding reappointment recommendation.

_____ (School or Department) _____ (Phone Number)

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

I am recommending _____ for:
(Name of Employee)

Select only one.

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

SAMPLE

_____ (Supervising Administrator) _____ (Date)

_____ (Reviewing Administrator) _____ (Date)

I am aware of this recommendation.

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

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

_____ (Home Phone Number)