

TITLE: EMPLOYMENT OF INSTRUCTIONAL STAFF

POLICY:

The Board recognizes that it is vital to the successful operation of LWCS that positions created by the Board be filled with highly qualified and competent personnel.

The Board may establish reciprocal certification agreements with the PCSB, whose employment and/or certification requirements are comparable to those of the LWCS.

For purposes of this policy, the instructional staff includes classroom teachers, librarians/media specialists, guidance counselors, social workers, career specialists, school psychologists, other instructional staff (such as primary specialists, learning resource specialists, instructional trainers, and adjunct educators), and additional District defined positions including, registered nurses, audiologists, and speech pathologists.

The Board shall require a candidate for employment with an out-of-county certificate not comparable to the county certification to complete all requirements for initial employment and certification.

The Superintendent shall also conduct employment history checks of all candidates for instructional staff positions. The employment history check shall include, but not be limited to, contacting any previous employer, reviewing each affidavit of separation from previous employers pursuant to FS 1012.31, and screening the candidate through the use of the screening tools described in State law. If contact with (a) previous employer(s) cannot be made, the Superintendent shall document the efforts made to do so.

Any instructional staff member's misstatement of fact material to qualification for employment or the determination of salary shall be considered to constitute grounds for dismissal.

A candidate shall be disqualified from employment in any position that requires direct contact with students if the candidate is ineligible for such employment under F.S. 1012.315, or if the candidate has been terminated or resigned in lieu of termination for sexual misconduct with a student.

A person is ineligible for educator certification or employment in any position that requires direct contact with students if:

- A. they are on the disqualification list maintained by the Florida Department of Education under F.S. 1001.10(4)(b);

- B. they are registered as a sex offender as described in 42 U.S.C. 9858f(c)(1)(C);
- C. they are ineligible based on a security background investigation under F.S. 435.04;

Beginning January 1, 2025, or a later date as determined by the Agency for Health Care Administration, the Agency for Health Care Administration shall determine the eligibility of employees in any position that requires direct contact with students in a District school.

- D. they would be ineligible for an exemption under F.S. 435.07(4)(c); or,
- E. they have been convicted or found guilty of, have had adjudication withheld for, or have pled guilty or nolo contendere to (1) any criminal act in another state or under federal law which, if committed in Florida, constitutes a disqualifying offense under F.S. 435.04(2) or (2) any delinquent act committed in Florida or any delinquent or criminal act committed in another state or under Federal law which, if committed in Florida, qualifies an individual for inclusion on the Registered Juvenile Sex Offender List under F.S. 943.0435.

The Board shall approve employment, upon the recommendation of the Superintendent.

Upon Board approval of employment, each instructional staff member shall execute a written contract as required by State law and Policy 3128 - *Contracts: Instructional Personnel*.

INSTRUCTIONAL PERSONNEL

Qualifications of instructional personnel shall be as required by law and Florida Administrative Code. To be eligible for appointment in any position in the District, a person must be of good moral character; must have attained the age of eighteen (18) years; and must, when required by law, hold a certificate or license issued under rules of the State Board of Education or the Department of Children and Family Services, except when employed pursuant to F.S. 1012.55 or under the emergency provisions of F.S. 1012.24. Previous residence in this State shall not be required in any school of the State as a prerequisite for any person holding a valid Florida certificate or license to serve in an instructional capacity.

Any employee who does not achieve a passing score on any subtest of the general knowledge examination will be provided information regarding the availability of State-level and District-level supports and instruction to assist him/her in achieving a passing score. Such information will include, but is not limited to, State-level test information guides, School District preparation resources, and preparation courses offered by State universities and Florida college system institutions.

CERTIFICATION

A. State Certification

For purposes of this policy, “primary instructor” refers to any instructional employee of a Florida public school district who provides direct support in the learning process by planning, delivering, and evaluating instruction, including through virtual or blended environments, for all students during the entire class period.

Teachers who teach in classes for which FEFP funds are earned shall be certified teachers as defined in F.S. 1012.56 and the Florida State Board of Education Administrative Rule, F.A.C. 6A-1.0503 and 6A-1.0502.

B. In-Field

To be considered "in-field", a primary instructor must meet one of the following qualifications:

1. the teacher is assigned to a course covering subject matter for which the teacher holds a certificate per F.S. 1012.55; or
2. demonstrates sufficient subject matter expertise as determined by F.A.C. 6A-1.0503, (2)(a)-(h).F.S. 1012.42

C. PCSB/District Certification

It is the intent of the Board that non-degreed vocational instructional personnel possess the credentials, knowledge, and/or expertise necessary to provide quality education in the System. The purpose of PCSB/District certification is to provide evidence of instructional qualifications in order to protect the interests of students, parents, and the public. The requirements for District certification may be found in the District Nondegree Vocational Employment and Certification Procedures.

The Board may revoke a District certificate for cause.

CERTIFICATED PERSONNEL

Any person employed in a position requiring certification shall possess a valid certificate issued pursuant to Florida law or issued by the School Board and shall file said certificate with the Superintendent.

LICENSED PERSONNEL

Speech pathologists, occupational therapists, physical therapists, and audiologists will receive contracts, salary, and benefits. To be eligible for employment these individuals must hold a license to practice in the State of Florida.

SPECIFIC AUTHORITY:

F.S. 435.03

F.S. 435.04

F.S. 435.05

F.S. 435.06

F.S. 435.07

F.S. 1001.41

F.S. 1001.43

F.S. 1012.315

F.S. 1012.32

F.S. 1012.39

F.S. 1012.56

F.S. 1012.797

F.A.C. 6A-10.081

ADOPTED: 2/16/2024