

**TITLE: APPOINTMENT, ASSIGNMENT, TRANSFER AND PROMOTION OF INSTRUCTIONAL STAFF**

**POLICY:**

The Board believes that the appropriate placement of qualified and competent staff is essential to the successful functioning of the System.

**Appointment and Assignment**

When developing his/her recommendation for appointments of instructional staff, the Superintendent shall consider nominations for staff appointments submitted by the principals. Further, if the Superintendent intends to recommend placement of a staff member in a school who was not nominated by the principal, the Superintendent will consult with that principal. In accordance with State law, a principal may refuse to accept the Superintendent's proposed assignment of an instructional staff member to his/her school unless that instructional staff member has a performance rating of effective or highly effective under F.S. 1012.34.

After such required consideration and consultation, the Superintendent shall submit written recommendations with regard to the appointment and assignment of instructional staff for Board action.

The Board shall act not later than three (3) weeks following the receipt of State-mandated testing scores and data, including school grades, or June 30th, whichever is later, on the Superintendent's nominations of supervisors, principals, and members of the instructional staff.

The Board authorizes the Superintendent to temporarily reassign employees when the Superintendent determines that it is in the employee's and/or School System's best interest(s).

**Assignment to Schools Graded "D" or "F"**

Pursuant to statutory requirements, the percentage of temporarily certified teachers, teachers in need of improvement, or out-of-field teachers assigned to schools graded "D" or "F" under State law shall not be greater than the system's average.

A newly hired instructional staff member may be assigned to a school that has earned a grade of "F" in the previous year, or any combination of three (3) consecutive grades of "D" or "F" in the previous years if the individual:

- A. has received an "effective" or "highly effective" rating in the immediate prior year's performance evaluation;

- B. has successfully completed or is enrolled in a teacher preparation program, is provided with high-quality mentoring during the first two (2) years of employment, holds a professional certificate and holds a probationary contract; or
- C. holds a probationary contract, holds a professional certificate, and has successful teaching experience, and if, in the judgment of the school principal, students would benefit from the placement of that individual.

The Superintendent will annually certify to the Commission of Education that these requirements are being met.

### **Assignment to Teacher Preparation Programs**

All instructional personnel who supervise or direct teacher preparation students during field experience courses or internships in which candidates demonstrate an impact on student learning growth must have evidence of "clinical educator" training, a valid professional certificate, and at least three (3) years K-12 teaching experience and must have earned an "effective" or "highly effective" rating on the prior year's performance evaluation or be a peer evaluator under the System's evaluation system.

All instructional personnel who supervise or direct teacher preparation students during field experience courses or internships in another state, in which a candidate demonstrates effective or highly effective on the teacher evaluation system through a Florida online or distance program and received "clinical educator" training or its equivalent in that state, hold a valid professional certificate issued by the state in which the field experience takes place and have at least three (3) years of K-12 teaching experience.

All instructional personnel who supervise or direct teacher preparation students during field experience courses or internships, in which a candidate demonstrates effective or highly effective on the teacher evaluation system, on a United States military base in another country through a Florida online or distance program must have received "clinical educator" training or its equivalent, hold a valid professional certificate issued by the United States Department of Defense or a state or territory of the United States, and have at least three (3) years of K-12 teaching experience.

### **Teachers Teaching Out-of-Field**

"Out-of-field" means a teacher is assigned to a course covering subject matter outside the field for which the teacher holds a certificate pursuant to F.S. 1012.55 or for which the teacher has not demonstrated sufficient subject matter expertise pursuant to F.S. 1012.42 and as determined by F.A.C. 6A-1.0503, (2)(a)-(h).

#### **A. Out-of-Field Teacher Plan**

The Superintendent shall prepare a plan to assist any teacher teaching out-of-field with priority consideration to be given in professional development activities.

The plan must include provisions that require out-of-field teachers to participate in a certification or staff development program designed to provide the teachers with the competencies required for their assigned duties.

The plan must also include the duties of administrative personnel and other instructional personnel to provide students with instructional services.

The plan shall be reviewed and considered for adoption by the Board during a publicly-noticed meeting.

#### B. Approval of Out-of-Field Teachers

A teacher considered out-of-field per F.A.C. 6A-1.0503, (1)(c), shall be approved by the Board to teach out-of-field after a determination that a teacher with appropriate certification coverage is unavailable. All evidence of such qualifications and approval must be reflected in the individual's official personnel record; however, such approval may be granted by the Board only under one (1) of the conditions listed in F.A.C. 6A-1.0503, (3) (a)-(c).

#### C. Notification Requirements and Transfer Requests

When a teacher is assigned instructional duties in a class containing subject matter outside the field in which the teacher is certified, outside the field that was the applicant's minor field of study, or outside the field in which the applicant has demonstrated sufficient subject area expertise, as determined by the State Board of Education rule (F.A.C. 6A-1.0503), the parents of all students in the class shall be notified in writing of such assignment.

The Board shall report out-of-field teachers on the System's website within thirty (30) days before the beginning of each semester.

A parent whose student is assigned an out-of-field teacher may request that their child be transferred to an in-field classroom teacher within the school and grade in which the student is currently enrolled.

### **Promotion and Transfer**

Pursuant to State law, the Superintendent's primary consideration in recommending an individual for promotion must be the individual's demonstrated effectiveness in accordance with State law.

Instructional staff members may be reassigned to any position for which they are qualified to meet the system's needs.

A principal may change the grade level or assignment of an instructional staff member within his/her school.

The Superintendent may transfer an instructional staff member to a position in another school. The Superintendent will normally seek the approval of both principals involved before making a decision. When possible, written notice of the transfer and the reason(s) for the transfer will be given thirty (30) days prior to the transfer.

An instructional staff member may request a transfer to a similar position or to a different position in another school at any time. Normally, however, such a transfer will not be made except during the regular reappointment period. Such requests shall be considered by the principals involved, the supervisors involved, and the Superintendent. If approved, a recommendation shall be presented to the School Board in the usual manner.

### **Required Reporting**

The Superintendent must annually notify the parent of any student who is assigned to a classroom with a teacher having two (2) consecutive annual performance evaluation ratings of unsatisfactory, two (2) annual performance evaluation ratings 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.

### **Duties, Days, and Hours**

The Superintendent shall make known through administrative channels the duties, days, and hours of the various classes of instructional personnel.

- A. Instructional staff members shall perform the duties required by Florida statutes and board policy, as well as other reasonable duties as may be assigned by their immediate supervisor. Failure to perform such duties in an acceptable manner shall constitute a violation of the instructional staff member's contract and just cause for disciplinary action.
- B. Instructional staff members are responsible for student control and supervision at any location on campus or during school-sponsored activities.
- C. Instructional staff members shall not permit their family members or friends by their presence to interfere with the performance of their duties during working hours.

### **Employment and Supervision of Relatives (Nepotism)**

All employees shall disclose to the Superintendent, the names of all relatives working at the same work location. Failure to immediately make such disclosures shall be grounds for disciplinary action, up to and including termination.

Work location is defined to include a payroll cost center or any administrative unit under the direct supervision of a permanent employee of the system.

For purposes of this policy, a "relative" is an individual included within the definition of "relative" set forth in F.S. 112.3135[d], which includes the following individuals: father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, and additionally grandfather, grandmother, grandchild, or any person who resides in the same residence as the supervisor.

Neither the superintendent nor a Board member may appoint or employ a relative to work under their direct supervision. These limitations do not apply to employees appointed or employed before the election or appointment of the superintendent or a Board member.

### **Fraternization**

In order to promote a professional work environment that is free from harassment, hostility, and/or discrimination, instructional personnel shall refrain from dating or engaging in a consensual sexual relationship with employees whose work they direct.

The Superintendent shall develop and implement administrative procedures to include reporting and discipline related to fraternization which will become part of the Employee Handbook.

### **SPECIFIC AUTHORITY:**

F.S. 112.3135  
F.S. 1001.32  
F.S. 1004.04  
F.S. 1012.22  
F.S. 1012.23  
F.S. 1012.2315  
F.S. 1012.27  
F.S. 1012.27  
F.S. 1012.42  
F.S. 1012.795  
F.S. 1012.796  
F.A.C. 6A-1.0503

**ADOPTED: 2/16/2024**