

## Human Resources and Employee Relations Division

To be a World-Class School System it takes a World-Class Team!

The e-Newsletter  
of the Division of Human Resources  
and Employee Relations

# HR Times



### Merit Award Program Update

Merit Award Program (MAP) recipients have now been identified and compiled in a report which will be placed in each school's electronic file. This report contains the list of teachers by school and identifies those teachers who will receive performance pay. The report also contains additional information that principals will find helpful in answering individual MAP questions. In addition to the list of teacher's names, the report also details the silo number, the teacher's final assessment score, alternate location (where the teacher taught last year), eligibility for the award, individual learning gains rank (75 highest, 1 lowest) and individual score (100 points possible). Click the following link for an explanation of each individual score contained in the report.

[http://learn/dept/personnel/MAP08\\_Report\\_Interpretation.htm](http://learn/dept/personnel/MAP08_Report_Interpretation.htm)

**Important:** The individual score is not a rank score but indicates only the total number of points earned. The top 30% of individual scores within each silo earned performance pay.

The ranking information is new this year and has been made available for principals in the event teachers have questions regarding their score. Remember that District staff cannot research individual teacher questions regarding silo rank etc. Principals may contact me directly with questions they cannot answer.

### Probationary Termination

At this time of year, one of the most commonly asked questions involves probationary termination. Basically there are three types to consider.

**Teachers:** The probationary period of a new teacher is defined by Section 1012.33, Florida Statutes which states that, "The first **97 days** of an initial contract is a probationary period. During the probationary period, the employee may be dismissed **without cause** or may resign from the contractual position without breach of contract."

If a teacher started the year on August 11, 2008, the 97<sup>th</sup> contract day would be January 14, 2009, (fiscal year calendar which includes paid holidays). Board Action would have to take place prior to the 97<sup>th</sup> day and therefore the Board would need to act at the December 2008 Board Action meeting at the very latest. The December Board meeting has not been scheduled at this time. The last scheduled Board Action meeting is November 18, 2008, which means the recommendation for termination would need to be received by Personnel Services no later than the Board agenda item cut-off date of October 23, 2008, to be taken forward for action at this meeting.

**SPALC Support Staff:** The probationary period for SPALC employees is defined by Article 7.01 of the SPALC collective bargaining agreement which states that "**PROBATION:** All employees shall be on probationary status for a period twelve (12) months from the date of initial employment."

**Confidential/Technical Staff:** The probationary period of a Salary Schedule N employee is defined by School Board Policy 5.05 which states that "Except as provided in the Support Personal Association of Lee County (SPALC) contract, all non-instructional personnel shall be employed on probationary status for a period of 60 work days from the first day a new employee begins work. The Director of Personnel Services may extend the probationary period an additional 30 work days."

The probationary period for Salary Schedule N employees may be extended for a period of 30 days with permission from Human Resources. Contact Georgianna McDaniel or Dr. Greg Adkins to request an extension.

#### Process:

- 1) Notify the employee that you are planning to recommend termination during the probationary period in accordance with the 97-day rule.
- 2) Provide notice in writing. Use the example provided in the following link: <http://hr/pdf/Termination%20Resources/Probationary%20Term%20Sample%20Letter.pdf>
- 3) Notify Georgianna McDaniel or Dr. Greg Adkins via e-mail no later than the Board Action meeting deadline.
- 4) The employee will continue to work until the date of Board Action. The date of Board Action is typically the last day the employee works unless there is an earlier resignation.

Remember that under the 97-day rule the teacher can be terminated without cause. This means there is no requirement of documentation or prior action. It is important to note however that an employee cannot be terminated because the person is a member of a protected class (i.e., you cannot terminate someone due to their race, religion, disability, ethnic background, etc.).

### Ethics In Education Act Update

The new Ethics in Education Act directly impacts the employment screening process and puts in place several important requirements. The first of these changes require administrators to obtain a reference from the previous employer for any instructional employee (to include para-professionals) or school-based administrators. Additionally, the new statute provides guidance as it relates to providing references to other school districts by requiring information related to employee misconduct to be disclosed.

To assist administrators with these changes, the Division of Human Resources and Employee Relations has assembled a website which provides information on the new requirements as well as the recommended process for hiring and screening new employees. This new website outlines our new employment screening process and provides links to the following: the new reference form, new employee screening process, hiring rubric and example, personnel specialist contact information and other useful information. [http://hr.leeschools.net/Employment\\_Screening\\_Process.htm](http://hr.leeschools.net/Employment_Screening_Process.htm)

### Negotiation Update

Negotiations are still on hold pending the final outcome of the staffing changes resultant from recent student enrollment counts. The resumption of negotiations is expected to take place later this month. The salary freeze will remain in effect until such time that negotiations have been concluded and agreements are ratified by both the employees and the Board. Negotiation updates are available on the web at the following address: <http://hr.leeschools.net/2008%20Negotiations/talccommunications.htm> for TALC and <http://hr.leeschools.net/2008%20Negotiations/spalccommunications.htm> for SPALC.

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#### Important Dates

September 29, 2008  
Hurricane Make-Up Day

September 30, 2008  
Schools Closed

October 13-17, 2008  
FTE Week (Survey 2)

October 23, 2008  
End of 1st Quarter

October 24, 2008  
Professional Duty Day

#### Important Links

[MAP08 Homepage](#)

[MAP08 Score Interpretation Web Page](#)

[FY09 Staffing Center](#)

[Employment Screening Process](#)

[HR Times Past Issues](#)

Questions or comments?

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