

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

Date: March 2, 1998 Revised: _____

Subject: Duval County/School District Personnel

	<u>Analyst</u>	<u>Staff Director</u>	<u>Reference</u>	<u>Action</u>
1.	<u>Hill</u>	<u>O'Farrell</u>	<u>ED</u>	<u>Favorable</u>
2.	_____	_____	<u>RC</u>	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

The bill makes all personnel employed by the Duval County School District on or after July 1, 1998, subject to ss. 231.29 and 231.36, F.S., which govern contracts with school district personnel. School district employees who were continuously employed by the school district before July 1, 1998, will retain rights granted under the county's local tenure laws.

This bill will create a special act applicable only to Duval County.

II. Present Situation:

Chapter 82-242, Laws of Florida, prohibited the enactment of new local tenure or employee contract laws for school districts. Local tenure laws which were in effect at that time still govern contracts of employees of the Duval, Hillsborough, and Volusia county school boards.

Chapter 97-310, Laws of Florida, substantially amended ss. 231.29 and 231.36, F.S., to create a probationary period for new teachers and administrators, revise performance assessment procedures for all instructional personnel, and reduce the period for correcting performance deficiencies. All instructional personnel, principals, and supervisors hired by district school boards after June 30, 1997, may be dismissed without cause during the first 97 days of their initial contract and may resign during that probationary period without breach of contract. The law applied new performance assessment criteria to all instructional employees, regardless of when they were hired. When conducting performance assessments, districts must now consider improvements in student performance and ability to communicate with parents. Districts must allow parental input, where appropriate, when evaluating both teachers and administrators and must allow input from teachers when evaluating administrators. Administrators must also be evaluated on their use of the district's performance assessment system. Employees who held

professional service contracts on July 1, 1997, must correct performance deficiencies within 90 calendar days (rather than during the next contract year) beginning with their next contract renewal or after exhausting current remedies for performance deficiencies identified before the next renewal. Other instructional personnel must correct performance deficiencies within 90 calendar days. Failure to correct deficiencies may result in the nonrenewal or termination of the employee's contract. Instructional employees may be dismissed during a contract only for just cause. If the employee appeals nonrenewal or termination, the school board, rather than the employee, will determine whether the appeal will be heard by the board or an administrative law judge.

III. Effect of Proposed Changes:

Instructional personnel and administrators hired by the Duval County School District on or after July 1, 1998, will be subject to all provisions of ss. 231.29 and 231.36, F.S., including the required probationary period for new hires, annual performance assessments, periods for resolving performance deficiencies, and appeal procedures applicable to school district personnel.

The bill "grandfathers" school district employees who were continuously employed by the school district before July 1, 1998. Those employees will retain rights granted under the county's local tenure laws.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. Other Constitutional Issues:

Art. III, s. 10 of the State Constitution, requires public notice of the intent to seek enactment of a special law, unless the effective date of the law is conditioned upon approval by voter referendum. The required notice was published in Duval County on December 9, 1997, in the FINANCIAL NEWS and DAILY RECORD, Jacksonville, FL.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.