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LEGISLATIVE ACTION

Senate

House

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Floor: 3/F/2R

03/23/2010 11:50 AM

Senator Lawson moved the following:

Senate Amendment (with title amendment)

Delete lines 1049 - 1108

and insert:

Section 26. Section 1012.335, Florida Statutes, is created to read:

1012.335 Contracts with classroom teachers newly hired on or after July 1, 2010.-

(1) DEFINITIONS.-As used in this section, the term:

(a) "Annual contract" means a contract for a period of no longer than 1 school year which the district school board, in accordance with procedures developed by the school board, may choose to renew or not renew for a subsequent term without



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14 cause.

15 (b) "Classroom teacher" means a classroom teacher as
16 defined in s. 1012.01(2)(a), excluding substitute teachers.

17 (c) "Performance contract" means a contract for a period of
18 no longer than 1 school year which shall be renewed, in
19 accordance with procedures developed by the district school
20 board, for an additional 1 year term if the classroom teacher
21 serving pursuant to such contract achieves an appraisal rating
22 of effective or highly effective as defined in s. 1012.34.

23 (d) "Probationary contract" means a contract for a period
24 of no longer than 1 school year during which a classroom teacher
25 may be dismissed without cause, or may resign from the
26 contractual position without breach of contract, in accordance
27 with procedures developed by the district school board.

28 (2) EMPLOYMENT.—

29 (a) Beginning July 1, 2010, each person newly hired as a
30 classroom teacher by a school district shall receive a
31 probationary contract.

32 (b) Upon completion of the term of the probationary
33 contract, a classroom teacher who is recommended for additional
34 employment in accordance with procedures developed by the
35 district school board, shall be awarded an annual contract if
36 the teacher:

37 1. Holds a professional certificate as prescribed by s.
38 1012.56 and in the rules of the State Board of Education; and

39 2. Has been recommended by the district school
40 superintendent for an annual contract and approved by the
41 district school board.

42 (c) Upon completion of 5 years of employment, a classroom



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43 teacher shall be awarded a performance contract in accordance
44 with procedures developed by the district school board if the
45 teacher:

46 1. Holds a professional certificate as prescribed by s.
47 1012.56 and in the rules of the State Board of Education; and

48 2. Has been recommended by the district school
49 superintendent for an additional year of employment and approved
50 by the district school board.

51 (d) If the classroom teacher has received effective or
52 highly effective appraisal ratings during the probationary and 3
53 annual contract terms, the teacher shall be awarded a
54 performance contract in accordance with procedures developed by
55 the district school board after 4 years of employment if the
56 teacher:

57 1. Holds a professional certificate as prescribed by s.
58 1012.56 and in the rules of the State Board of Education; and

59 2. Has been recommended by the district school
60 superintendent for an additional year of employment and approved
61 by the district school board.

62 (e) A classroom teacher shall be awarded additional 1 year
63 performance contracts in accordance with procedures developed by
64 the district school board as long as he or she receives an
65 effective or highly effective designation on his or her
66 appraisal pursuant to s. 1012.34 in at least 2 of the 3
67 preceding years of employment.

68 (3) SUSPENSION OR DISMISSAL OF CLASSROOM TEACHERS ON ANNUAL
69 OR PERFORMANCE CONTRACTS.—A classroom teacher who has an annual
70 or performance contract may be suspended or dismissed at any
71 time during the term of the contract, and a classroom teacher



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72 who has a performance contract may be returned to annual-
73 contract status at the end of any school year in accordance with
74 procedures developed by the district school board for just cause
75 as provided in subsection (4). The district school board must
76 notify a classroom teacher in writing of the charges that are
77 made against the classroom teacher, and the district school
78 board may suspend him or her with or without pay in accordance
79 with procedures developed by the school board. The classroom
80 teacher may contest the charges that are made in accordance with
81 procedures adopted by the district school board and chapter 120.
82 If the charges are not sustained, the classroom teacher shall be
83 immediately reinstated and his or her back pay and benefits
84 shall be paid.

85 (4) JUST CAUSE.—The State Board of Education shall adopt
86 rules to define the term "just cause." Just cause shall include:

87 (a) Immorality.

88 (b) Misconduct in office.

89 (c) Incompetency.

90 (d) Gross insubordination.

91 (e) Willful neglect of duty.

92 (f) Being convicted or found guilty of, or entering a plea
93 of guilty to, regardless of adjudication of guilt, any crime of
94 moral turpitude.

95 (g) Unsatisfactory performance as demonstrated by a lack of
96 student learning gains as specified in s. 1012.34.

97
98 ===== T I T L E A M E N D M E N T =====

99 And the title is amended as follows:

100 Delete lines 118 - 120



101 and insert:
102 1012.335, F.S.; providing definitions; providing
103 employment criteria for classroom teachers; providing
104 grounds for dismissal or suspension; requiring