Bill No. <u>CS/HBs 751, 753 & 755, 2nd Eng.</u>

Amendment No. ____

CHAMBER ACTION

<u>Senate</u>   <u>House</u>

.
1   .
.
2   .
.
3   .
.
4 _____

5

6

7

8

9

10 _____

11 Senator Horne moved the following amendment to amendment

12 (594764):

13

14   **Senate Amendment**

15   On page 119, line 10, through page 121, line 4, delete

16 those lines

17

18 and insert:

19   (d) If an employee is not performing his or her duties

20 in a satisfactory manner, the evaluator shall notify the

21 employee in writing of such determination. The notice must

22 describe such unsatisfactory performance and include notice of

23 the following procedural requirements:

24   1. Upon delivery of a notice of unsatisfactory

25 performance, the evaluator must confer with the employee, make

26 recommendations with respect to specific areas of

27 unsatisfactory performance, and provide assistance in helping

28 to correct deficiencies within a prescribed period of time.

29   2.a. <u>If the employee holds a professional service</u>

30 <u>contract as provided in s. 231.36,</u>the employee shall be

31 placed on performance probation and governed by the provisions

1

1 of this section for 90 calendar days <u>following</u> ~~from~~ the

2 receipt of the notice of unsatisfactory performance to

3 demonstrate corrective action. School holidays and school

4 vacation periods are not counted when calculating the

5 90-calendar-day period. During the 90 calendar days, the

6 employee <u>who holds a professional service contract</u> must be

7 evaluated periodically and apprised of progress achieved and

8 must be provided assistance and inservice training

9 opportunities to help correct the noted performance

10 deficiencies. At any time during the 90 calendar days, the

11 employee <u>who holds a professional service contract</u> may request

12 a transfer to another appropriate position with a different

13 supervising administrator; however, a transfer does not extend

14 the period for correcting performance deficiencies.

15   <u>b.</u>~~3.~~ Within 14 days after the close of the 90 calendar

16 days, the evaluator must assess whether the performance

17 deficiencies have been corrected and forward a recommendation

18 to the superintendent. Within 14 days after receiving the

19 evaluator's recommendation, the superintendent must notify the

20 employee <u>who holds a professional service contract</u> in writing

21 whether the performance deficiencies have been satisfactorily

22 corrected and whether the superintendent will recommend that

23 the school board continue or terminate his or her employment

24 contract. If the employee wishes to contest the

25 superintendent's recommendation, the employee must, within 15

26 days after receipt of the superintendent's recommendation,

27 submit a written request for a hearing. Such hearing shall be

28 conducted at the school board's election in accordance with

29 one of the following procedures:

30   <u>(I)</u>~~a.~~ A direct hearing conducted by the school board

31 within 60 days after receipt of the written appeal. The

Bill No. <u>CS/HBs 751, 753 & 755, 2nd Eng.</u>

Amendment No. ___

 1 | hearing shall be conducted in accordance with the provisions
 2 | of ss. 120.569 and 120.57. A majority vote of the membership
 3 | of the school board shall be required to sustain the
 4 | superintendent's recommendation. The determination of the
 5 | school board shall be final as to the sufficiency or
 6 | insufficiency of the grounds for termination of employment; or
 7 | (II)b. A hearing conducted by an administrative law
 8 | judge assigned by the Division of Administrative Hearings of
 9 | the Department of Management Services. The hearing shall be
10 | conducted within 60 days after receipt of the written appeal
11 | in accordance with chapter 120. The recommendation of the
12 | administrative law judge shall be made to the school board. A
13 | majority vote of the membership of the school board shall be
14 | required to sustain or change the administrative law judge's
15 | recommendation. The determination of the school board shall be
16 | final as to the sufficiency or insufficiency of the grounds
17 | for termination of employment.
18 |
19 |
20 |
21 |
22 |
23 |
24 |
25 |
26 |
27 |
28 |
29 |
30 |
31 |