

690-100AXA-38

Bill No. CS/HB 751 & others

Amendment No. 21 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Lynn and Feeney offered the following:

Amendment (with title amendment)

On page 106, line 9, through page 107, line 24,
remove from the bill: all of said lines

and insert in lieu thereof:

2.a. If the employee holds a professional service contract as provided in s. 231.36,the employee shall be placed on performance probation and governed by the provisions of this section for 90 calendar days following from the receipt of the notice of unsatisfactory performance to demonstrate corrective action. School holidays and school vacation periods are not counted when calculating the 90-calendar-day period. During the 90 calendar days, the employee who holds a professional service contract must be evaluated periodically and apprised of progress achieved and must be provided assistance and inservice training opportunities to help correct the noted performance deficiencies. At any time during the 90 calendar days, the employee who holds a professional service contract may request

1 a transfer to another appropriate position with a different
2 supervising administrator; however, a transfer does not extend
3 the period for correcting performance deficiencies.

4 ~~b.3.~~ Within 14 days after the close of the 90 calendar
5 days, the evaluator must assess whether the performance
6 deficiencies have been corrected and forward a recommendation
7 to the superintendent. Within 14 days after receiving the
8 evaluator's recommendation, the superintendent must notify the
9 employee who holds a professional service contract in writing
10 whether the performance deficiencies have been satisfactorily
11 corrected and whether the superintendent will recommend that
12 the school board continue or terminate his or her employment
13 contract. If the employee wishes to contest the
14 superintendent's recommendation, the employee must, within 15
15 days after receipt of the superintendent's recommendation,
16 submit a written request for a hearing. Such hearing shall be
17 conducted at the school board's election in accordance with
18 one of the following procedures:

19 ~~(I)a.~~ A direct hearing conducted by the school board
20 within 60 days after receipt of the written appeal. The
21 hearing shall be conducted in accordance with the provisions
22 of ss. 120.569 and 120.57. A majority vote of the membership
23 of the school board shall be required to sustain the
24 superintendent's recommendation. The determination of the
25 school board shall be final as to the sufficiency or
26 insufficiency of the grounds for termination of employment; or

27 ~~(II)b.~~ A hearing conducted by an administrative law
28 judge assigned by the Division of Administrative Hearings of
29 the Department of Management Services. The hearing shall be
30 conducted within 60 days after receipt of the written appeal
31 in accordance with chapter 120. The recommendation of the

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1 administrative law judge shall be made to the school board. A
 2 majority vote of the membership of the school board shall be
 3 required to sustain or change the administrative law judge's
 4 recommendation. The determination of the school board shall be
 5 final as to the sufficiency or insufficiency of the grounds
 6 for termination of employment.

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9 ===== T I T L E A M E N D M E N T =====

10 And the title is amended as follows:

11 On page 7, line 25, before "amending"

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insert:

14 revising provisions relating to the probation
 15 of certain employees;

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