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CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: FAV	.	
2/6/2008	.	
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1 The Committee on Education Pre-K - 12 (Gaetz) recommended the
 2 following **amendment**:

Senate Amendment

Delete line(s) 1013-1083

and insert:

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 8 (1) (a) Each person employed as a member of the instructional
 9 staff in any district school system shall be properly certified
 10 pursuant to s. 1012.56 or s. 1012.57 or employed pursuant to s.
 11 1012.39 and shall be entitled to and shall receive a written
 12 contract as specified in this section. All such contracts,
 13 except continuing contracts as specified in subsection (4),
 14 shall contain provisions for dismissal during the term of the
 15 contract only for just cause. Just cause includes, but is not



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16 limited to, the following instances, as defined by district
17 school board policy or rules ~~rule~~ of the State Board of
18 Education: immorality, misconduct in office, incompetency, gross
19 insubordination, willful neglect of duty, or the commission of a
20 criminal or delinquent act, regardless of adjudication, and a
21 crimes involving moral turpitude.

22 (4)

23 (c) Any member of the district administrative or
24 supervisory staff and any member of the instructional staff,
25 including any school principal, who is under continuing contract
26 may be suspended or dismissed at any time during the school
27 year; however, the charges against him or her must be based on
28 immorality, misconduct in office, incompetency, gross
29 insubordination, willful neglect of duty, drunkenness, ~~or~~ and
30 ~~conviction of a crimes~~ involving moral turpitude, as these terms
31 are defined by district school board policy or rules ~~rule~~ of the
32 State Board of Education, or the commission of a criminal or
33 delinquent act, regardless of adjudication. Whenever such
34 charges are made against any such employee of the district
35 school board, the district school board may suspend such person
36 without pay; but, if the charges are not sustained, he or she
37 shall be immediately reinstated, and his or her back salary
38 shall be paid. In cases of suspension by the district school
39 board or by the district school superintendent, the district
40 school board shall determine upon the evidence submitted whether
41 the charges have been sustained and, if the charges are
42 sustained, shall determine either to dismiss the employee or fix
43 the terms under which he or she may be reinstated. If such



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44 charges are sustained by a majority vote of the full membership
45 of the district school board and such employee is discharged,
46 his or her contract of employment shall be thereby canceled. Any
47 such decision adverse to the employee may be appealed by the
48 employee pursuant to s. 120.68, provided such appeal is filed
49 within 30 days after the decision of the district school board.

50 (6)

51 (b) Any member of the district administrative or
52 supervisory staff, including any principal but excluding an
53 employee specified in subsection (4), may be suspended or
54 dismissed at any time during the term of the contract; however,
55 the charges against him or her must be based on immorality,
56 misconduct in office, incompetency, gross insubordination,
57 willful neglect of duty, drunkenness, ~~or conviction of any and~~
58 crimes involving moral turpitude, as these terms are defined by
59 district school board policy or rules ~~rule~~ of the State Board of
60 Education. Whenever such charges are made against any such
61 employee of the district school board, the district school board
62 may suspend the employee without pay; but, if the charges are
63 not sustained, he or she shall be immediately reinstated, and
64 his or her back salary shall be paid. In cases of suspension by
65 the district school board or by the district school
66 superintendent, the district school board shall determine upon
67 the evidence submitted whether the charges have been sustained
68 and, if the charges are sustained, shall determine either to
69 dismiss the employee or fix the terms under which he or she may
70 be reinstated. If such charges are sustained by a majority vote
71 of the full membership of the district school board and such



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72 | employee is discharged, his or her contract of employment shall
73 | be thereby canceled. Any such decision adverse to the employee
74 | may be appealed by him or her pursuant to s. 120.68, provided
75 | such appeal is filed within 30 days after the decision of the
76 | district school board.

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