

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Jones offered the following:

2  
3 **Amendment (with title amendment)**

4 Remove lines 1055-1112 and insert:

5 1012.335 Contracts with classroom teachers newly hired on  
6 or after July 1, 2010.-

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

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

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

15 (c) "Performance contract" means a contract for a period  
16 of no longer than 1 school year which shall be renewed, in

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17 accordance with procedures developed by the district school  
18 board, for an additional 1 year term if the classroom teacher  
19 -serving pursuant to such contract achieves an appraisal rating  
20 of effective or highly effective as defined in s. 1012.34.

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

26 (2) EMPLOYMENT.-

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

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

35 1. Holds a professional certificate as prescribed by s.  
36 1012.56 and in the rules of the State Board of Education; and

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

40 (c) Upon completion of 5 years of employment, a classroom  
41 teacher shall be awarded a performance contract in accordance  
42 with procedures developed by the district school board if the  
43 teacher:

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44 1. Holds a professional certificate as prescribed by s.  
45 1012.56 and in the rules of the State Board of Education; and

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

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

55 1. Holds a professional certificate as prescribed by s.  
56 1012.56 and in the rules of the State Board of Education; and

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

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

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

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

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

85 (a) Immorality.

86 (b) Misconduct in office.

87 (c) Incompetency.

88 (d) Gross insubordination.

89 (e) Willful neglect of duty.

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

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

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98 **T I T L E A M E N D M E N T**

99 Remove lines 119-120 and insert:

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100 employment criteria for classroom teachers; providing grounds  
101 for dismissal or suspension; requiring