

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 1050-1107 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 111-113 and insert:

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100 1012.335, F.S.; providing definitions; providing employment
101 criteria for classroom teachers; providing grounds for dismissal
102 or suspension; requiring that the