



## **POLICY 3.15**

**5-A** I recommend that the Board approve development of the proposed **revised** Policy 3.15, entitled "Appointment and Reappointment of Personnel."

[Contact: Mark Mitchell, PX 48911 and Darron Davis, PX 48953.]

### **Development**

### **CONSENT ITEM**

- This proposed revision removes obsolete language and updates the policy to reflect the appointment and reappointment process to conform to statutory requirements.
- This revision also updates statutory references.

POLICY 3.15

1 APPOINTMENT AND REAPPOINTMENT OF PERSONNEL

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3 1. ~~Vacancies.~~—~~The Superintendent shall submit to the School Board a nomination to~~  
4 ~~fill any vacancy within a reasonable time after such vacancy occurs.~~

5 1. **Appointment.**—The School Board shall act upon written recommendations  
6 submitted for the persons nominated to fill positions. Pursuant to Fla. Stat. §  
7 1012.22(1)(a)2, 3, the School Board may reject for good cause any employee  
8 nominated. If the third nomination by the Superintendent for any position is rejected  
9 for good cause, or if the Superintendent fails to submit a nomination for initial  
10 employment within a reasonable time as prescribed by the School Board, or if the  
11 Superintendent fails to submit a nomination for re-employment within the time  
12 prescribed by law, the School Board may proceed on its own motion to fill such  
13 position. The School Board's decision to reject a person's nomination does not give  
14 that person a right of action to sue over the rejection and may not be used as a  
15 cause of action by the nominated employee.

16 2. **Reappointment.**-- ~~In accordance with Fla. Stat. § 1012.22(1)(b), principals~~  
17 Principals and department heads shall submit to Human Resources all nominations  
18 for reappointments not later than the time needed for statutorily required notice for  
19 a Board meeting, so that the Superintendent may submit the nominations to the  
20 Board in time for the Board to "act not later than 3 weeks following the receipt of  
21 FCAT scores and data, including school grades, or June 30, whichever is later, on  
22 the district school superintendent's nominations of supervisors, principals, and  
23 members of the instructional staff," as required by § 1012.22(1)(b). Employees to  
24 be non-reappointed shall be notified on or before the agenda submission date. All  
25 nominations for the reappointment of members of the instructional staff shall be  
26 made after conferring with the principals. Subject to the terms of each employee's  
27 employment contract, nominations for reappointments and nonreappointments may  
28 include, but not be limited to: instructional personnel; administrative personnel;  
29 educational support employees (as defined in Florida Statutes Section 1012.40)  
30 who are not included in a bargaining unit, and who are managers and/or  
31 confidential employees.

32 STATUTORY AUTHORITY: Fla. Stat. §§ 1012.01(1) & (2), 1012.40; 1001.32(2);  
33 1001.41(2); 1001.43(11); 1012.23(1)

34 LAWS IMPLEMENTED: Fla. Stat. §§ 1012.40(2)(b); 1001.32(2); 1001.41(1) & (3);  
35 1001.42(5) 1001.51(7);1012.22(1)(a),(b)

36 HISTORY: 6/16/82, 4/23/97; 12/8/03; 9/3/08; \_\_\_/\_\_\_/2010

Legal Signoff:

The Legal Department has reviewed proposed Policy 3.15 and finds it legally sufficient for development by the Board.

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Attorney

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Date