



POLICY 3.16

5-C I recommend that the Board approve development of the proposed repeal of Policy 3.16, entitled “Out-of-Field Teaching Assignments.”

[Contact: Darron Davis, PX 48953.]

Repeal-Development

CONSENT ITEM

- This policy is being repealed in light of the fact Palm Beach County has “sunsetting” as a pilot program charter school district and the waiver was statutorily based.

POLICY 3.16

OUT-OF-FIELD TEACHING ASSIGNMENTS

- 1
2
3 ~~1. **Purpose.** Pursuant to Fla. Stat. § 1003.62(2), this Policy implements Waiver # 5~~
4 ~~under charter district status, approved by the State Board of Education ("SBE") on~~
5 ~~January 21, 2003, providing exemption from the reporting timeline for teaching~~
6 ~~assignments of certified teachers in a field not listed on the certificate, by the dates~~
7 ~~normally required under State Board of Education Rule 6A-1.0503(3). The Policy~~
8 ~~should be revised as necessary to maintain consistency with the Charter School~~
9 ~~District Contract with the SBE and should be repealed if charter district status is not~~
10 ~~renewed. The scope of the exemption and the practices authorized to replace the~~
11 ~~waived requirements are set forth below, substantially as presented to the SBE.~~

- 12 ~~2. **Rationale.** Under requirements otherwise applicable, the District would need to~~
13 ~~have Board approval of out-of-field teacher assignments prior to each of the state~~
14 ~~student enrollment FTE survey weeks in October and February, which follows the~~
15 ~~hire date of the respective teachers. Due to the staggered timelines for hiring~~
16 ~~teachers and the established schedule of School Board meetings, the District is not~~
17 ~~able to have all teachers assigned out-of-field prior to each of the State's~~
18 ~~enrollment FTE Survey weeks, and failure to do so results in audit findings and~~
19 ~~levying of fines on the District. Due to increasing student enrollments in the~~
20 ~~opening weeks of each school semester, it is impossible to accurately project and~~
21 ~~fill all teaching positions with highly qualified teachers prior to the state required~~
22 ~~FTE survey schedule. In addition, staff adjustments are made for all schools, based~~
23 ~~upon student enrollment, several times throughout the school year. As a result of~~
24 ~~these adjustments, teaching units are added and/or reassigned based upon need~~
25 ~~and student count.~~

- 26 ~~3. **Approved Alternative Practice.** When the State FTE survey week dates conflict~~
27 ~~with School Board meeting dates, the list of out-of-field teacher assignments will be~~
28 ~~submitted for Board approval at the subsequent Board meeting date. This method~~
29 ~~will continue to ensure that all out-of-field teacher assignments are Board~~
30 ~~approved. It is not the intent of the District to forgo teacher quality by assigning~~
31 ~~teachers to positions out of their subject area. As before, out-of-field teacher~~
32 ~~assignments will be done only if there are no other qualified and certified teachers~~
33 ~~available from the applicant pool or faculty pool.~~

- 34 ~~4. **Impact on Students.** The District will continue to strive to hire the best-qualified~~
35 ~~teacher for the classroom to support student learning. The alternative practice will~~
36 ~~allow for a teacher selection process that is solely based on hiring the best-~~
37 ~~qualified teachers and may decrease the need to hire out-of-field teachers to meet~~
38 ~~an FTE reporting timeline requirement. Monies that have been lost to FTE audit~~
39 ~~findings for failure to timely report out-of-field teachers can, with this waiver, be~~
40 ~~used to provide coursework leading to certification for out-of-field teachers and for~~

41 the enhancement of instructional programs.

42 ~~5. **Monitoring and Reporting.** The impact of this waiver will be measured by the~~
43 ~~District having an FTE audit that does not result in fines for failure to report out-of-~~
44 ~~field teaching assignments within the specified timeline. The District will monitor to~~
45 ~~ensure that all out-of-field teachers are reported to the School Board for approval~~
46 ~~during each semester of the fiscal school year. The status of all out-of-field~~
47 ~~teachers will be monitored to ensure they are meeting the timeline of their out-of-~~
48 ~~field agreement as required by State Board of Education rule and to determine their~~
49 ~~eligibility to remain in the particular teaching assignment for the next school year.~~

50 STATUTORY AUTHORITY: Fla. Stat. §§ 1001.41(2); 1001.42(22); 1001.43(11); and 1003.62(2)

51 LAWS IMPLEMENTED: Fla. Stat. §§ 1001.41(1), (3); 1001.42(5); and 1003.62(2), Fla. Stat., and
52 exemption from the timeline under State Board of Education Rule 6A-1.0503(3)

53 HISTORY: 3/24/03 To Be Repealed: ___/___2010

Legal Signoff:

The Legal Department has reviewed the proposed repeal of Policy 3.16 and finds it legally sufficient for repeal-development by the Board.

Attorney

Date