



POLICY 3.55

4-B I recommend that the Board adopt the proposed revised Policy 3.55, entitled "Interim Appointments for Non-Instructional Employees or Temporary Personnel."

[Contact: Mark Mitchell, PX 48911.]

Adoption

CONSENT ITEM

- The Board approved development of this revised Policy at the development reading on July 30, 2008.
- The revision of this Policy removes references to probationary appointment, as this will now be covered in another Policy. It also adds language that if the provisions of a collective bargaining agreement conflict with this Policy, the provisions of the collective bargaining agreement will prevail.
- Statutory references were also updated.

POLICY 3.55

**INTERIM APPOINTMENTS ~~AND/OR PROBATIONARY APPOINTMENTS~~ FOR
NONINSTRUCTIONAL EMPLOYEES OR TEMPORARY PERSONNEL**

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4 1. Interim Appointments:

5 a. The Board may issue interim appointments to members of the noninstructional
6 staff:

7 i. when ~~When~~ a non-instructional employee is on authorized leave or is
8 otherwise unable to perform assigned duties.

9 A. For a period of time in excess of six (6) months-- A noninstructional
10 employee may receive an interim appointment for a term not to
11 exceed the duration of the emergency period or until such time as
12 the regular employee is able to return and perform assigned duties.

13 B. For a period of time less than six (6) months-- All employees hired to
14 replace regular employees expected to be on leave for less than six
15 (6) months shall be employed as temporary personnel eligible for all
16 benefits except Florida State Retirement.

17 ii. when ~~When~~ a new position is created or added or when a regular position
18 is permanently vacated, provided said position becomes available
19 following the start of the school year at or after a date determined by the
20 Superintendent. A qualified noninstructional employee may receive an
21 interim appointment for a period not to exceed the duration of the balance
22 of the school year.

23 iii. when ~~When~~ the Superintendent determines circumstances and conditions
24 to be such that it would be in the best interest of the School Board to
25 recommend an interim appointment. A noninstructional employee may
26 receive an interim appointment for a period not to exceed the duration of
27 the balance of the school year.

28 b. The salary and other benefits of employment of those persons appointed on
29 an interim basis shall be the same as those provided to regular
30 noninstructional personnel, except that the duration of service and
31 compensation for the holders of such appointments shall be limited to only
32 those days during which services are actually required or rendered. Interim
33 appointments may be terminated by the School Board upon three days' written
34 notice to the employee by the principal or director. The compensation for such
35 employees shall be computed at the same daily rate that is allowed to full-time
36 employees with the same qualifications and status.

37 c. All letters of interim appointments issued prior to the adoption of this policy
38 shall remain in full force and effect until such time as by their terms and
39 conditions they expire or lapse.

40 2. Probationary Appointment:

41 a. ~~Employees who have not completed such period of employment may be~~
42 ~~discharged without recourse.~~

43 b. ~~Probationary employees shall not be eligible for any type of leave except~~
44 ~~accrued sick leave, annual leave, or short-term unpaid leave (due to illness),~~
45 ~~not to exceed five (5) days.~~

46 c. ~~The salaries of those persons appointed on a probationary basis shall be the~~
47 ~~same as those of appointments on an interim or regular basis, except that the~~
48 ~~duration of service and compensation for the holders of such appointments~~
49 ~~shall be limited to only those days during which services are actually required~~
50 ~~or rendered.~~

51 d. ~~Appointments on a probationary basis may be terminated by the School Board~~
52 ~~upon three (3) days' written notice to the employee by the principal or~~
53 ~~department head.~~

54 3. If the provisions of a collective bargaining agreement conflict with this Policy, the
55 provisions of the collective bargaining agreement will prevail.

56 STATUTORY AUTHORITY: Fla. Stat. §§ 1001.32(2); 1001.41(1) & (2); 1001.42 (5) &
57 (23); 1001.43(1) & (2) 420.53, 230.22, 231.001, FS

58 LAWS IMPLEMENTED: 1001.32(2); 1001.42(5); 1001.43(11); 1012.22; 1012.23(1);
59 1012.33(3)(a)4; 1012.33(1)(b), 230.23(5), FS

60 HISTORY: New: 6/16/82; Revised: 01/24/90; / /08

Legal Signoff:

The Legal Department has reviewed proposed Policy 3.55 and finds it legally sufficient for development by the Board.

Attorney

Date