

**POLK COUNTY SCHOOL DISTRICT
HUMAN RESOURCE SERVICES DIVISION
QUESTIONS AND ANSWERS
FROM APRIL 9, 2010 REAPPOINTMENT TRAINING**

- 1. I don't see a SAP-RAP letter that pertains to my employee hired under a Limited Employment Agreement for 2010-2011. How do I handle this?**

An employee (Instructional or Non-Instructional) hired on a Limited Employment Agreement for the 2009-2010 school year should be terminated and not reappointed for the next school year. There is no SAP-RAP letter, however, you should submit the signed Limited Employment Agreement as back-up documentation for the ePAF to "Terminate, due to Other Reasons" and add the notation "Limited Employment Agreement on File" in the ePAF Note Section.

- 2. If a teacher is re-hired and works the first day back for teachers, would there be a break in service?**

Teachers who are terminated at the end of 2009-2010 will not show a break in service if they start back to work on the first day of the 2010-11 school year. In addition, they will not have a break in health insurance coverage.

- 3. What is a future compliance deadline date?**

*A Certification/NCLB Compliance deadline date is the date before which a teacher must meet the requirements of his/her Agreement to Earn and/or ESOL Plan of Study. This year's date has been extended to April 28, 2010 for those teachers who are already on track to complete their coursework by this time. A "future" compliance deadline date falls within the 2010-2011 school year (July 1, 2010-June 30, 2011) and **not** beyond that time.*

- 4. If I have a vacancy, will I be able to take someone from the District Transfer Request List before taking a name from the Displaced List?**

*No, the Priority I (PSC) Displaced List must be cleared and Open Hiring announced **before** transfer requests will be considered.*

- 5. School B needs a teacher for the Dual Language Program. School B had no openings last year, but this year has a vacancy. No teachers are available at School B to fill the unit. A teacher from School A has completed a Transfer Request for School B. Principal A no longer has the Dual Language Program and agrees with the transfer. The ESOL Department concurs with the transfer. Could this transfer occur when School B's unit allocations are confirmed rather than wait until the Displaced List is cleared and the Hiring Freeze is lifted?**

*No, the Priority I (PSC) Displaced List must be cleared and Open Hiring announced **before** this transfer could occur.*

- 6. A 3rd year Annual Contract (AC) teacher has a future Certification/NCLB Compliance date, so is not eligible to receive a Professional Service Contract (PSC). The principal then recommends her for a 4th Year AC, IF the teacher resolves the compliance issue prior to the first work day for 2010-2011, can the recommendation for PSC be made at**

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that time? In other words, can a change be made from 4th year AC to PSC for the 2010-2011 school year?

*If the **only** issue preventing the PSC recommendation is a Certification/NCLB Compliance issue, and it is resolved before the first contracted work day, then in this case, a recommendation for PSC may be made. In addition, the Certification/NCLB Compliance Dept. must verify that the compliance issue is resolved, AND the principal must meet with the teacher to recommend the First PSC on the teacher's first contracted work day for 2010-2011.*

- 7. I have a teacher currently on 4th Year AC. Her Certification/Compliance coursework finishes after April 28, so she has to be terminated. If, after she meets compliance requirements, would she be eligible for rehire at the same school?**

Yes, she is eligible for rehire at the same school, assuming that Open Hiring has been announced, there is a vacancy at that school, for which she is fully qualified.

Additionally, could she be recommended for a PSC?

If she is rehired at that school, or any school, she must immediately be granted a PSC on the first contracted work day of 2010-2011. First, the Certification/NCLB Compliance Dept. must verify that the compliance issue is resolved, AND then the principal must meet with the teacher to recommend the First PSC on the teacher's first contracted work day for 2010-2011. Please note there is no legal way to designate a teacher as having a 5th Year AC.

- 8. One of my discretionary units with the most seniority is certified in Middle Grades Integrated Curriculum (MGIC) but has never taught in a classroom. I also have a less senior teacher who is fully qualified in a core subject area (in this case, Math). Under the Reappointment procedures, who would be transferred and who would be displaced?**

A certification in MGIC allows the teacher to hold a position in any one of four Middle Grades (Grades 5-8) areas of the Course Code Directory: MG English, MG Math, MG Science and, MG Social Studies.

*Under this year's Reappointment procedures, the principal would compare seniority on the Certification/NCLB list provided on April 9 to determine the least senior teacher in a **core** subject area. The most senior teacher with MGIC would be transferred into the position at that school for which he/she is fully qualified, and the least senior Math teacher would be displaced.*

Please make sure you follow the procedures set forth in HRS Memo #10-020, page 9 of the Reappointment Guidelines (Remember that a series of steps are outlined in it such as asking for volunteers first). The intent of the new contract language in Article 17.6 is for the principal to make the best decision for his/her school.

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The principal should then meet with the teacher to inform her that if she agrees to teach in this “new” area of assignment, it is important that they have thought through the following question: “Do you believe you can achieve learning gains in this area?” If the teacher accepts the placement, the principal should provide additional support throughout the school year and the teacher should be encouraged to request assistance.

*If the teacher has concerns about an area of assignment, please encourage him/her to apply for a transfer out of this assignment **after** Open Hiring is announced.*

There may be additional requirements that pertain to Differentiated Accountability schools.

Please note, you will find similar answers to several questions below...this is purposeful as it reinforces their importance.

- 9. A high school is losing a Family & Consumer Sciences (FCS) teacher unit. The former FCS teacher is also fully qualified in PE, has taught Elementary PE, and has more seniority than the three existing PE teachers. Would the former FCS teacher with more seniority displace the least senior PE teacher?**

Please make sure you follow the procedures set forth in HRS Memo #10-020, page 9 of the Reappointment Guidelines (Remember that a series of steps are outlined in it such as asking for volunteers first). The intent of the new contract language in Article 17.6 is for the principal to make the best decision for his/her school.

The principal should then meet with the teacher to inform her that if she agrees to teach in this “new” area of assignment, it is important that they have thought through the following question: “Do you believe you can achieve learning gains in this area?” If the teacher accepts the placement, the principal should provide additional support throughout the school year and the teacher should be encouraged to request assistance.

*If the teacher has concerns about an area of assignment, please encourage him/her to apply for a transfer out of this assignment **after** Open Hiring is announced.*

There may be additional requirements that pertain to Differentiated Accountability schools.

- 10. A principal is removing a Media Specialist unit to comply with the budget requirements equating with the loss of one teacher unit. The Media Specialist has taught Language Arts and is also certified in MGIC. This school has one Social Studies vacancy, but the principal does not want to reassign her there.**

Under this year’s Reappointment procedures, the principal would compare seniority on the Certification/NCLB list provided on April 9 to determine the least senior fully qualified teacher, and the former Media Specialist would be placed in the Social Studies vacancy at this same school.

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The principal should then meet with the teacher to inform her that if she agrees to teach in this “new” area of assignment, it is important that they have thought through the following question: “Do you believe you can achieve learning gains in this area?” If the teacher accepts the placement, the principal should provide additional support throughout the school year and the teacher should be encouraged to request assistance.

*If the teacher has concerns about an area of assignment, please encourage him/her to apply for a transfer out of this assignment **after** Open Hiring is announced.*

There may be additional requirements that pertain to Differentiated Accountability schools.

Note: *The new 2010-2012 Collective Bargaining Agreements for Teachers, Paraeducators and Educational Support (Clerical) Personnel are now available on the District's website www.polk-fl.net, Keyword: Employee Relations.*