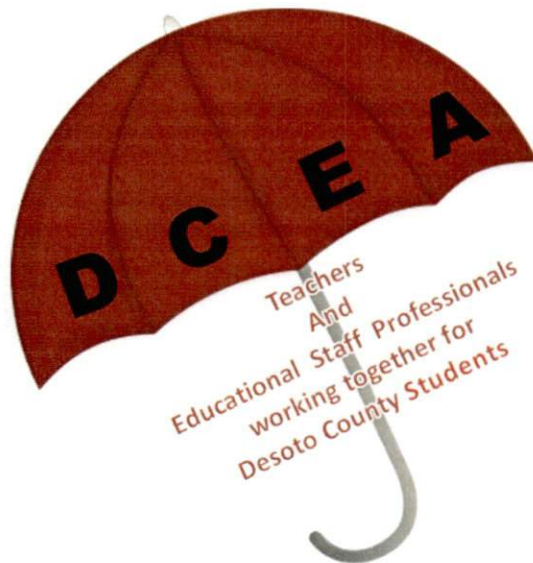


AGREEMENT
BETWEEN THE
DESOTO COUNTY EDUCATORS ASSOCIATION
AND THE
DESOTO COUNTY SCHOOL BOARD

EFFECTIVE JULY 1, 2024

THROUGH JUNE 30, 2027



DEFINITIONS (page 3)

**ADMINISTRATION/
ADMINISTRATOR(S)**

School District personnel as defined by section 1012.01(3), *Florida Statutes*.

UNION/DCEA

The DeSoto County Educators Association.

BOARD/EMPLOYER

The School Board of DeSoto County, Florida, or its designee.

BREAK IN SERVICE

A break in service occurs when an employee resigns, is terminated or otherwise stops working for the District for a period of six months or longer.

WORKDAY

A duty day of the employee unless otherwise indicated in this agreement.

TA: Gina Hafford 3/3/26 TA: Robert Klein 3/3/26

ARTICLE 8 (page 17)

EMPLOYEE RIGHTS

Section 14

An employee who is re-employed after a break in service will be placed on the new hire schedule if rehired. An employee who is on a leave of absence approved by the school board will not lose his prior experience level on the salary schedule including contract status as permitted by state statutes.

TA Gina Stafford 3/31/26 TA: Robert Heine 3/31/26

ARTICLE 10 (page 19)

INSTRUCTIONAL PERSONNEL ASSESSMENT

1012.34 Personnel evaluation procedures and criteria.—

(1) EVALUATION SYSTEM APPROVAL AND REPORTING.—

(a) For the purpose of increasing student academic performance by improving the quality of instructional, administrative, and supervisory services in the public schools of the state, the district school superintendent shall establish procedures for evaluating the performance of duties and responsibilities of all instructional, administrative, and supervisory personnel employed by the school district. The procedures established by the district school superintendent set the standards of service to be offered to the public within the meaning of s. 447.209 and are not subject to collective bargaining. The district school superintendent shall provide instructional personnel the opportunity to review their class rosters for accuracy and to correct any mistakes. The district school superintendent shall report accurate class rosters for the purpose of calculating district and statewide student performance and annually report the evaluation results of instructional personnel and school administrators to the Department of Education in addition to the information required under subsection (5).

(b) The department must approve each school district's instructional personnel and school administrator evaluation systems. The department shall monitor each district's implementation of its instructional personnel and school administrator evaluation systems for compliance with the requirements of this section.

(c) Annually, by February 1, the Commissioner of Education shall publish on the department's website the status of each school district's instructional personnel and school administrator evaluation systems. This information must include performance evaluation results for the prior school year for instructional personnel and school administrators using the four levels of performance specified in paragraph (2)(e). The performance evaluation results for instructional personnel shall be disaggregated by classroom teachers, as defined in s. 1012.01(2)(a), excluding substitute teachers, and all other instructional personnel, as defined in s. 1012.01(2)(b)-(d).

(2) EVALUATION SYSTEM REQUIREMENTS.—The evaluation systems for instructional personnel and school administrators must:

(a) Be designed to support effective instruction and student learning growth, and performance evaluation results must be used when developing district and school level improvement plans.

(b) Provide appropriate instruments, procedures, timely feedback, and criteria for continuous quality improvement of the professional skills of instructional personnel and school administrators, and performance evaluation results must be used when identifying professional learning.

(c) Include a mechanism to examine performance data from multiple sources, including opportunities for parents to provide input into employee performance evaluations when appropriate.

(d) Identify those teaching fields for which special evaluation procedures and criteria are necessary.

(e) Differentiate among four levels of performance as follows:

1. Highly effective.

2. Effective.

3. Needs improvement or, for instructional personnel in the first 3 years of employment who need improvement, developing.

4. Unsatisfactory.

(f) Provide for training and monitoring programs based upon guidelines provided by the department to ensure that all individuals with evaluation responsibilities understand the proper use of the evaluation criteria and procedures.

In addition, each district school board may establish a peer assistance process. This process may be a part of the regular evaluation system or used to assist employees placed on performance probation, newly hired classroom teachers, or employees who request assistance.

(3) EVALUATION PROCEDURES AND CRITERIA.—Instructional personnel and school administrator performance evaluations must be based upon the performance of students assigned to their classrooms or schools, as provided in this section. Pursuant to this section, a school district's performance evaluation system is not limited to basing unsatisfactory performance of instructional personnel and school administrators solely upon student performance, but may include other criteria to evaluate instructional personnel and school administrators' performance, or any combination of student performance and other criteria. Evaluation procedures and criteria must comply with, but are not limited to, the following:

(a) A performance evaluation must be conducted for each employee at least once a year, except that a classroom teacher, as defined in s. 1012.01(2)(a), excluding substitute teachers, who is newly hired by the district school board must be observed and evaluated at least twice in the first year of teaching in the school district. The performance evaluation must be based upon sound educational

principles and contemporary research in effective educational practices. The evaluation criteria must include:

1. Performance of students.—At least one-third of a performance evaluation must be based upon data and indicators of student performance, as determined by each school district. This portion of the evaluation must include growth or achievement data of the teacher’s students or, for a school administrator, the students attending the school over the course of at least 3 years. If less than 3 years of data are available, the years for which data are available must be used. The proportion of growth or achievement data may be determined by instructional assignment.

2. Instructional practice.—For instructional personnel, at least one-third of the performance evaluation must be based upon instructional practice. Evaluation criteria used when annually observing classroom teachers, as defined in s. 1012.01(2)(a), excluding substitute teachers, must include indicators based upon each of the Florida Educator Accomplished Practices adopted by the State Board of Education. For instructional personnel who are not classroom teachers, evaluation criteria must be based upon indicators of the Florida Educator Accomplished Practices and may include specific job expectations related to student support. This section does not preclude a school administrator from visiting and observing classroom teachers throughout the school year for purposes of providing mentorship, training, instructional feedback, or professional learning.

3. Instructional leadership.—For school administrators, at least one-third of the performance evaluation must be based on instructional leadership. Evaluation criteria for instructional leadership must include indicators based upon each of the leadership standards adopted by the State Board of Education under s. 1012.986, including performance measures related to the effectiveness of classroom teachers in the school, the administrator’s appropriate use of evaluation criteria and procedures, recruitment and retention of effective and highly effective classroom teachers, improvement in the percentage of instructional personnel evaluated at the highly effective or effective level, and other leadership practices that result in student learning growth. The system may include a means to give parents and instructional personnel an opportunity to provide input into the administrator’s performance evaluation.

4. Other indicators of performance.—For instructional personnel and school administrators, the remainder of a performance evaluation may include, but is not limited to, professional and job responsibilities as recommended by the State Board of Education or identified by the district school board and, for instructional personnel, peer reviews, objectively reliable survey information from students and parents based on teaching practices that are consistently associated with higher student achievement, and other valid and reliable measures of instructional practice.

(b) All personnel must be fully informed of the criteria, data sources, methodologies, and procedures associated with the evaluation process before the evaluation takes place.

(c) The individual responsible for supervising the employee must evaluate the employee's performance. The evaluation system may provide for the evaluator to consider input from other personnel trained under subsection (2). The evaluator must submit a written report of the evaluation to the district school superintendent for the purpose of reviewing the employee's contract. The evaluator must submit the written report to the employee no later than 10 days after the evaluation takes place. The evaluator must discuss the written evaluation report with the employee. The employee shall have the right to initiate a written response to the evaluation, and the response shall become a permanent attachment to his or her personnel file.

(d) The evaluator may amend an evaluation based upon assessment data from the current school year if the data becomes available within 90 days after the close of the school year. The evaluator must then comply with the procedures set forth in paragraph (c).

(4) NOTIFICATION OF UNSATISFACTORY PERFORMANCE.—If an employee who holds a professional service contract as provided in s. 1012.33 is not performing his or her duties in a satisfactory manner, the evaluator shall notify the employee in writing of such determination. The notice must describe such unsatisfactory performance and include notice of the following procedural requirements:

(a) Upon delivery of a notice of unsatisfactory performance, the evaluator must confer with the employee who holds a professional service contract, make recommendations with respect to specific areas of unsatisfactory performance, and provide assistance in helping to correct deficiencies within a prescribed period of time.

(b)1. The employee who holds a professional service contract shall be placed on performance probation and governed by the provisions of this section for 90 calendar days following the receipt of the notice of unsatisfactory performance to demonstrate corrective action. School holidays and school vacation periods are not counted when calculating the 90-calendar-day period. During the 90 calendar days, the employee who holds a professional service contract must be evaluated periodically and apprised of progress achieved and must be provided assistance and inservice training opportunities to help correct the noted performance deficiencies. At any time during the 90 calendar days, the employee who holds a professional service contract may request a transfer to another appropriate position with a different supervising administrator; however, if a transfer is granted pursuant to ss. 1012.27(1) and 1012.28(6), it does not extend the period for correcting performance deficiencies.

2. Within 14 days after the close of the 90 calendar days, the evaluator must evaluate whether the performance deficiencies have been corrected and forward a recommendation to the district school

superintendent. Within 14 days after receiving the evaluator's recommendation, the district school superintendent must notify the employee who holds a professional service contract in writing whether the performance deficiencies have been satisfactorily corrected and whether the district school superintendent will recommend that the district school board continue or terminate his or her employment contract. If the employee wishes to contest the district school superintendent's recommendation, the employee must, within 15 days after receipt of the district school superintendent's recommendation, submit a written request for a hearing. The hearing shall be conducted at the district school board's election in accordance with one of the following procedures:

a. A direct hearing conducted by the district school board within 60 days after receipt of the written appeal. The hearing shall be conducted in accordance with the provisions of ss. 120.569 and 120.57. A majority vote of the membership of the district school board shall be required to sustain the district school superintendent's recommendation. The determination of the district school board shall be final as to the sufficiency or insufficiency of the grounds for termination of employment; or

b. A hearing conducted by an administrative law judge assigned by the Division of Administrative Hearings of the Department of Management Services. The hearing shall be conducted within 60 days after receipt of the written appeal in accordance with chapter 120. The recommendation of the administrative law judge shall be made to the district school board. A majority vote of the membership of the district school board shall be required to sustain or change the administrative law judge's recommendation. The determination of the district school board shall be final as to the sufficiency or insufficiency of the grounds for termination of employment.

(5) ADDITIONAL NOTIFICATIONS.—The district school superintendent shall annually notify the department of any instructional personnel or school administrators who receive two consecutive unsatisfactory evaluations. The district school superintendent shall also notify the department of any instructional personnel or school administrators who are given written notice by the district of intent to terminate or not renew their employment. The department shall conduct an investigation to determine whether action shall be taken against the certificateholder pursuant to s. 1012.795.

(6) ANNUAL REVIEW OF AND REVISIONS TO THE SCHOOL DISTRICT EVALUATION SYSTEMS.—The district school board shall establish a procedure for annually reviewing instructional personnel and school administrator evaluation systems to determine compliance with this section. All substantial revisions to an approved system must be reviewed and approved by the district school board before being used to evaluate instructional personnel or school administrators. Upon request by a school district, the department shall provide assistance in developing, improving, or reviewing an evaluation system.

(7) MEASUREMENT OF STUDENT PERFORMANCE. —

¹(a) The Commissioner of Education shall approve a formula to measure individual student learning growth on the statewide, standardized assessments in English Language Arts and mathematics administered under s. 1008.22. A third party, independent of the assessment developer, must analyze student learning growth data calculated using the formula and provide access to a data visualization tool that enables teachers to understand and evaluate the data and school administrators to improve instruction, evaluate programs, allocate resources, plan professional learning, and communicate with stakeholders. The formula must take into consideration each student's prior academic performance. The formula must not set different expectations for student learning growth based upon a student's gender, race, ethnicity, or socioeconomic status. In the development of the formula, the commissioner shall consider other factors such as a student's attendance record, disability status, or status as an English language learner. The commissioner may select additional formulas to measure student performance as appropriate for the remainder of the statewide, standardized assessments included under s. 1008.22 and continue to select formulas as new assessments are implemented in the state system. By July 31 of each year, the commissioner shall provide to each school district the student learning growth data calculated using the formula.

(b) Each school district may, but is not required to measure student learning growth using the formulas approved by the commissioner under paragraph (a).

¹(8) RULEMAKING.—The State Board of Education shall adopt rules pursuant to ss. 120.536(1) and 120.54 which establish uniform procedures and format for the submission, review, and approval of district evaluation systems and reporting requirements for the annual evaluation of instructional personnel and school administrators.

History.—s. 708, ch. 2002-387; s. 7, ch. 2004-255; s. 11, ch. 2004-295; s. 60, ch. 2006-74; s. 29, ch. 2008-108; s. 2, ch. 2011-1; s. 13, ch. 2014-23; s. 94, ch. 2014-39; s. 12, ch. 2015-6; s. 36, ch. 2017-116; s. 2, ch. 2021-228; s. 61, ch. 2022-154; s. 27, ch. 2023-39; s. 36, ch. 2024-5.

¹Note.—Section 17, ch. 2011-1, provides that “[c]hapter 2010-279, Laws of Florida, does not apply to any rulemaking required to administer this act.”

TA: Gina Stappord TA: Robert Heio 3/20/24

ARTICLE 19 (page 38)

PARENTAL LEAVE

Section 1 Parental leave will be governed by the School Board's Family and Medical Leave Act policy, as it exists at the time an Employee submits a request for FMLA leave, with the exception that Employees need not have one year and 1250 hours of service to be eligible for FMLA-style leave. Employees shall be eligible for leave consistent with the FMLA upon completion of 95 duty days of full-time work for the District.

Section 2 By providing this auxiliary, FMLA-style leave with lesser eligibility requirements, the Parties agree that an individual receiving the benefit of such leave does not become, by use of such leave, an FMLA-qualified employee. To continue District benefits while on FMLA-style leave the employee would be required to pay both the District and the employee portion of the premiums.

TA: Gina Stafford 2/24/26 TA: Robert Heir 3/20/25

ARTICLE 20 (page 39)

PAID LEAVES

Section 2

Accumulated Sick Leave

a. Each full-time employee may earn, during a fiscal year, one (1) day of sick leave time for each month of employment. The District designates six (6) of these sick days as personal leave days.

— Each full-time employee is entitled to receive in advance four (4) days of sick leave as of the first day of employment of each current year, and thereafter is credited with the remaining sick days at the rate of one (1) additional day of sick leave at the end of each month of employment employment. The employee is entitled to earn no more than 1 day of sick leave times the number of months of employment during the year of employment.(Florida Statute 1012.61)

b. ~~to the maximum allowed by Florida Statute..~~

TA: Gina Stafford 2/24/26 TA: Robert Hein 3/20/26

ARTICLE 20 (page 41)

PAID LEAVES

Section 9 Leave for Legal Commitments and Transactions

- a. Subpoena-Related Absences
 - 1. Employees who are absent because of a mandatory subpoenaed appearance for a School District-related matter shall incur no reduction in pay or sick leave balance because of such appearance.
 - 2. Employees who are absent due to a mandatory subpoenaed appearance for matters unrelated to the School District must use accrued sick leave to receive pay for such time, unless the Employee does not have any accrued sick leave time, in which case, such absences will ~~either be without pay or paid by virtue of the Employee's use of donated leave.~~
- b. An employee may serve on jury duty without loss of pay for up to twenty (20) duty days per school year if he so desires, with any additional time being paid by virtue of the Employee's use of donated leave and/or the Employee's accrued leave time. Any jury duty compensation shall be retained by the employee.

TA: Gina Stafford 2/24/26 TA: Robert Hein 3/20/26

ARTICLE 21 (page 43)

UNPAID LEAVES

All instructional staff members in this District who are commissioned reserve officers or reserve enlisted personnel in the United States military or naval service or members of the National Guard are entitled to leaves of absence from their respective duties, without loss of vacation leave, pay, time, or efficiency rating, on all days during which they are engaged in training ordered under the provisions of the United States military or naval training regulations for such personnel when assigned to active or inactive duty. This leave shall be in accordance with applicable law and School Board Policy 3430.07.

TA: Gina Stafford 2/24/26 TA: Robert Hein 3/20/26

ARTICLE 21 (page 44)

UNPAID LEAVES

Section 6

Any Employee granted a leave of absence as provided in this Article shall be given the opportunity within thirty (30) days of the start of the unpaid leave, unless restricted by insurance contracts with the Board, to continue insurance in the existing school programs during the leave, provided that the premiums (district and employee portions) for such insurance programs shall be paid by the Employee on a monthly basis in advance of the month due.

TA: Gina Stafford 2/24/26 TA: Robert Heine 3/20/26

ARTICLE 27 (page 56)

WAGES

Section 2

Method of Payment

a. Number of Payments

Each Employee will be paid in 26 installments.

b. Pay Days

Pay days shall be bi-weekly on Friday.

c. Exceptions

When a pay day falls on a bank holiday or on a Friday when School District offices are closed, employees shall be paid on the preceding workday.

d. Final Pay

Each Employee shall receive his final paycheck(s) on the last work day.

e. Withholding of Pay

1. Payment for workdays completed shall not be withheld for punitive reasons.

~~1.2.~~ School Board Property must be returned by the end of an employee's last work day when there is a separation of employment. Property as well as administrative costs will be deducted from last pay check or billed to an employee if not returned within three (3) days of the last working day unless other arrangements have been made and approved by supervisor.

~~2.3.~~ When an employee is terminated or resigns, his/her final contract payout may be withheld for no more than 5 days in order to make necessary payroll adjustments.

~~3.4.~~ The payroll specialist may withhold the direct deposit of a final payment, when notified by the Principal or other authorized personnel, to make adjustments necessitated by Employee absence during the final pay cycle. Payment of the corrected amount shall be made to the teacher as soon as possible and within (5) days of notification of the needed correction.

TA: Gina Hafford 3/31/26 TA: Robert Hein 3/31/26

ARTICLE 27 (page 57)

WAGES

Section 3

Employees of the School Board of DeSoto County shall not have their salaries decreased in any continuous, successive year of employment with the School District, except as controlled by a change in the individual's employment status, i.e. work hours, involuntary transfer, promotion, demotion, certificate level upgrade. The exact amount for employees will be determined during the budget cycle and/or the collective bargaining process with the local employee representatives.

TA: Gina Stafford 2/24/26 TA: Robert Heine 3/20/26

APPENDIX 7: SUMMER SCHOOL RUBRIC

SUMMER SCHOOL RUBRIC

All applicants need to meet the following requirements to be considered:

1. Meeting requirements stated in funding source
2. Having appropriate certification
3. Having received effective or highly effective on the classroom observation portion of the evaluation in the previous and/or current school year.
4. Having been board approved for re-employment in the ensuing year.
- 4-5. Having no more than 10 days absent during the school year without documentation.

Once criteria above have been met the following rubric will be used to select Summer School employees:

Applicant Name:			
School Year Work Location:			
Criterion	Response	Rating	Notes
Number of the years in the district		0 1 2 3 4 5 6 7 8 9 10	
Number of years in public education		0 1 2 3 4 5 6 7 8 9 10	
Having taught the same grade level/subject in the previous school year		0 1 2 3 4 5 6 7 8 9 10	
Attendance for previous 2 school years		0 1 2 3 4 5 6 7 8 9 10	
Summer School availability		0 1 2 3 4 5 6 7 8 9 10	
Principal Recommendation		0 1 2 3 4 5 6 7 8 9 10	
Sum of the Ratings			

The employee with the highest score will be employed.

In case where the tie breaker does not resolve the issue, seniority will be the tie breaker.

TA: Gina Stafford 2/24/26 TA: Robert Heine 3/20/26