

ARTICLE VII
Teacher Authority and Protection

- 7.1 A copy of the Board's Student Code of Conduct will be given electronically to all teachers with an explanation of the changes.
- 7.2 A teacher may impose classroom discipline as stated in School Board Policies where necessary in cases of infractions and may use reasonable force to protect himself/herself from attack or to prevent injury to himself/herself, another student, or any other school employee or volunteer, or school property.
- 7.3 Teachers may send disruptive students to the office to maintain effective discipline in the classroom. Prior to sending disruptive students to the office, the teacher will endeavor to achieve correction of student misbehavior. Teachers sending students to the office will either notify office staff by phone or ensure the student is supervised **by an adult** on his/her way to the office. Student discipline referrals will be maintained on the preferred school-based platform. In order to ensure maximum student safety, appropriate disciplinary consequences, appropriate student supports and timely dispositions, teachers must:
- A. Complete the office referral using the preferred single school-based platform as quickly as possible (*preferably within 30 minutes of sending the student to the office/requesting his or her removal*) without interrupting instruction.
 - B. Document previous intervention attempts, strategies, resources or parent contacts related to an ongoing disciplinary concern as directed by the school-based process.
- 7.4 Any case of assault and/or battery upon a teacher shall be promptly reported, in writing, to the Facility Manager or his/her designated representative. Appropriate action by the Facility Manager shall include **documenting** ~~recording~~ the incident, reporting to parents and the appropriate law enforcement agency office. At the conclusion of each semester, ABCE shall be entitled to a summary report listing the number of incidents and summarizing the outcomes.
- 7.5 Time lost by a teacher in connection with any incident in this article shall be handled as follows:
- A. Time for appearances before a School Board, judicial body, or legal authority shall result in no loss of wages or reductions in accumulated leave.

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District Proposal #10

September 25, 2025

B. In case of job connected disability which materially affects a teacher's ability to perform his/her duties, the teacher's wages shall continue in full without reduction in accumulated leave until Worker's Compensation payments begin.

7.6 No formal action (anything affecting future employment status) against a teacher shall be taken solely on a basis of a complaint by a parent or student or other individual, nor any notice thereof, shall be included in the teacher's personnel file.

The personnel file shall be defined as a composite of the school file and the District office file. There shall be no other personnel files.

7.7 If a teacher is complained against or sued as a result of any action consistent with School Board Policies taken by the teacher while performing normally assigned duties, the Board will provide legal counsel to be selected from a list of five (5) attorneys approved by the Board or an attorney from the insurance carrier.

7.8 A teacher shall be entitled to have present representation when he/she is being formally reprimanded, warned, or disciplined for any infraction of rules or delinquency in professional performance if such actions may affect future employment status. When a request for such representation is made no action shall be taken with respect to the teacher until such representative is present. Employees will be given a minimum notice of one business day or 24 hours (whichever is greater) of such a meeting. Meetings must commence within two business days or 48 hours (whichever is least) of the date/time initially scheduled.

Prior to conducting any meeting with bargaining unit employees in which the employee may be subject to a reprimand, warning, or disciplined for any infraction of rules or delinquency in professional status; Principals, Administrators, or other supervisory/management personnel conducting such meetings shall inform the employee of his/her right to union representation and whether or not disciplinary action may be taken.

7.9 Each teacher shall be notified of any materials to be placed in, and have the right to respond to, all materials contained in his/her personnel file. Such teacher responses shall become part of said file.

7.10 Each teacher shall have the right, upon request, to review and have copied at the same cost as set by the Board for the general public, the contents of his/her own personnel file. The review will be made in the presence of the administrator or designee responsible for the

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District Proposal #10

September 25, 2025

safekeeping of such file, and the teacher may request the presence of a representative of his/her choice.

The Board or designee shall inform the teacher if any person other than the appropriate administrative/clerical personnel has examined the teacher's personnel file.

- 7.11 Each teacher has the right to due process.
- 7.12 Each teacher will be allowed two (2) working days from the close of the grading period to submit grades for which they are directly responsible (does not include State end of course exams).
- 7.13 Teachers shall not be required to administer medication to students or perform any invasive medical procedures in accordance with Florida Statutes. However, if a teacher is sponsoring a field trip, it is the responsibility of the teacher to ensure at least one medication-trained person is willing and available to attend and to administer medicine if needed.
 - A. The school administration will maintain a list of employees trained to administer medication.
 - B. A teacher will not be required to sponsor field trips.
 - C. In accordance with Florida Statute 768.28, sovereign immunity language applies.
- 7.14 Every effort shall be made by management to place teachers in positions for which they are both certified and qualified. Such placement should be accomplished with minimum disruption to the educational program at a school.
- 7.15 Teachers shall only be assigned to teach out-of-field for one year unless the teacher agrees to the assignment in writing and is willing to take the required course work toward the appropriate certification.
- 7.16 Professional Service or continuing contract teachers with multiple certifications must maintain a minimum of three (3) certifications areas or their current level of certification, if less than three (3) areas, or they will revert to annual contract status.

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District Proposal #10
September 25, 2025

- 7.17 Each teacher will be allowed two (2) working days to prepare transfer grades for a student withdrawing or transferring.
- 7.18 If a gradebook entry is to be altered by any party other than the teacher of record, **it must be approved by the principal, and** said teacher will be notified in writing of the change if he or she is still employed by BDS at the time of the change.
- 7.19 If a discipline referral is to be changed or deleted by someone other than the teacher who submitted it, said teacher will be notified in writing of the change if he or she is still employed by BDS at the time of the change.

TA date: _____

BDS Chief Negotiator: _____

ABCE Chief Negotiator: _____

ABCE Executive Director: _____

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