

*Effectively Addressing Employee Behavior and Performance  
Concerns*

# Taking Action



# Instructional

**Pasco County Schools**

**Office for Employee Relations**

## Introduction

# *Taking Action*

It is expected that all employees function at a high level of performance and behavior; however, there may be times when the performance or professional behavior of an employee reduces his/her effectiveness in the classroom, school, worksite, and/or community.

It is imperative that an administrator has a skilled professional who is committed to providing quality education for each student in every position – instructional or noninstructional. Therefore, it is important that the administrator take corrective action when behavioral or performance deficiencies arise. It is equally important that the action be appropriate to the situation. If possible, the action should focus on continuous professional growth by providing guidance, support, supervision, and resources.

The purpose of this manual is to provide administrators with assistance in making timely decisions and prescribing the appropriate action to be taken.

Due to some of the inherent differences between instructional and non-instructional staff, there is an instructional manual and a non-instructional manual. Each manual has been divided into sections for templates and information appropriate for all categories of employees: instructional employees, and other noninstructional staff including school related personnel (SRP) and non-instructional non-bargaining (NNB).

## Probationary Teacher Concerns

Please ensure that you are aware of your instructional employees who are probationary and who are employed pursuant to an annual contract, as the documentation process has some key differences from that for instructional employees who are employed pursuant to a professional services or continuing contract.

**How long is the probationary period?** Starting with the 2011-2012 school year, the probationary period for newly hired teachers is to the end of the school year for which the teacher was hired. In many cases, this represents an increase in the amount of time teachers are considered to be on probation. Importantly, for teachers hired during second semester, it may actually represent a decrease in the time a teacher is on probation.

An employee on a probationary contract may resign or be dismissed without creating a breach of the contract. If you are observing performance problems, monitor the performance of your new hires carefully, especially those teachers hired closer to the end of the school year.

If you have ongoing concerns or questions about the behavior or performance of any teacher in his/her probationary period, please contact the Office for Employee Relations for assistance as soon as the need is identified. We are available to assist you with a plan to support probationary teachers as well as the appropriate documentation.

## Annual Contract Teacher Concerns

An employee cannot be dismissed during the term of the contract (196 days) without “just cause.” Florida Statute 1012.34 defines “just cause” to be, but not limited to, misconduct in office, incompetency, gross insubordination, willful neglect of duty, or conviction of a crime involving moral turpitude. Instructional employees may also be dismissed based upon the results of evaluation process. Legislation provides that two consecutive annual performance evaluation ratings of unsatisfactory or two annual performance evaluation ratings of unsatisfactory within a 3-year period or three consecutive annual performance evaluation ratings of needs improvement or a combination of needs improvement and unsatisfactory may result in dismissal.

Additionally, annual contract teachers may be non-reappointed for the following school year. An annual contract teacher must be notified of his/her nonreappointment for the following school year by **April 1**.

## Professional Services Contract or Continuing Contract Teacher Concerns

An employee cannot be dismissed during the term of the contract (196 days) without “just cause.” Florida Statute 1012.34 defines “just cause” to be, but not limited to, misconduct in office, incompetency, gross insubordination, willful neglect of duty, or conviction of a crime involving moral turpitude. Instructional employees may also be dismissed based on the results of the evaluation process. Legislation provides that two consecutive annual performance evaluation ratings of unsatisfactory or two annual performance evaluation ratings of unsatisfactory within a 3-year period or three consecutive annual performance evaluation ratings of needs improvement or a combination of needs improvement and unsatisfactory may result in dismissal.

Though the process for addressing performance and behavior concerns for teachers employed pursuant to a professional services or continuing contract is typically more comprehensive than that for a probationary teacher or annual contract teacher, as a teacher with a PSC cannot be released by being non-reappointed, the Office for Employee Relations can assist you with a plan to support these teachers as well as the appropriate documentation if there are performance or behavioral concerns.

**Please contact the Office for Employee Relations for guidance if you have any teacher, regardless of contract status, who receives a Needs Improvement or Unsatisfactory status score or a summative evaluation of Needs Improvement or Unsatisfactory. We can assist with the proper support and documentation.**

## Walking through the Steps

### Step 1: Determine if the concern should be addressed with the employee

In most cases the report or existence of a concern will create the need for some type of investigation and ultimately a discussion with the employee. There are some cases, however, where the concern will be so small and/or isolated that a simple notation of the concern, paired with a future monitoring plan, will suffice.

Use your best professional judgment in answering this question. If you are unsure, call Employee Relations for assistance.

### Step 2: Select and execute data gathering activities

The type of concern that you are dealing with will often dictate the types of data gathering techniques most appropriate in addressing the concern.

Example: If you have concerns with a teacher's effectiveness in the classroom, a combination of classroom observations, student assessment data review, and lesson plan evaluation will probably be most helpful. However, if you are dealing with a teacher who has been accused of inappropriate language with a student, witness statements will probably prove most helpful.

Regardless of your data collection method, you should document it.

### Step 3: Classify the problem(s)

Identify the general category of problem that you are encountering.

- **Work Habits** (Missing paperwork deadlines or consistently arriving late to work)
- **Personal Behavior at Work** (Gossiping about others, or being uncooperative)
- **Classroom Performance** (Students off-task or a high number of students performing unsatisfactorily)
- **Personal Behavior Away from School** (Discussing confidential student information within the community)
- **Outside Agency Referral** (Child abuse allegation, or arrest by law enforcement)

It is quite possible that a concern might fall into more than one of these categories, or that you will be dealing with multiple concerns that fall into a variety of categories.

### Step 4 – Review information and formulate a written statement of the problem(s)

Use the data you have collected to develop an effective statement of the problem. Summarize the information that supports your conclusions. Ensure that the statement is clear, precise, and unambiguous. Your statement should stick to the facts you have collected as much as possible and should provide a detailed explanation of what the problem is and why it is a problem.

### Step 5 – Select the appropriate corrective process and meet with the employee

After having defined the problem, the administrator must now determine what action to take. There are two general categories of corrective action: the performance process and the behavioral/reprimand process.

The corrective action processes for performance and behavior are not always exclusive of one another. In many cases they interact with one another and multiple corrective actions may need to be taken to address a single concern or incident.

When the appropriate category of corrective action has been determined, you will want to give notice of meeting to the employee. When calling a meeting with a bargaining unit (Instructional or SRP) employee that could lead to discipline, the supervisor has two options:

1. **Inform the employee of the purpose of the meeting and let the employee make a decision about requesting representation; or,**
2. **Not inform the employee about the purpose of the meeting, but inform the employee prior to the meeting that he/she has the right to representation.**

It is not necessary to go into great detail when informing an employee about the purpose of a meeting. For example:

*“Please plan to meet on January 21<sup>st</sup> at 3:00 PM in my office to discuss a concern that has been brought to my attention. You may feel free to bring representation.”*

Employees have what is known as “Weingarten rights” during investigatory interviews. An investigatory interview occurs when a supervisor or member of management, e.g. the Principal or a representative from the Office for Employee Relations, questions an employee to obtain information which could be used as basis for discipline or asks an employee to defend or explain his or her conduct. An employee does not have to be a member of the union to be entitled to representation. Additionally, the representative does not need to be a union representative and can be a family member, friend, co-worker or attorney. That being said, remember that you have the right to suspend any meeting if an employee’s representative, union or otherwise, is rude or disruptive during a meeting.

## **Step 6 – Select appropriate corrective action based on progressive discipline.**

The final step involves analyzing the problem or concern and deciding what is the least severe, yet still appropriate, action that should be taken. Making this decision involves looking at, not only the severity of the immediate problem or concern, but also looking at whether or not the employee has had difficulties in this same area in the past.

**Progressive discipline does not require that you always start with the least severe consequence, or that you follow every step on the progressive discipline continuum, and there is no guarantee that progressive discipline will be appropriate in every situation.** The administrator should evaluate all the facts and context involved to make an informed decision. Employee Relations can provide guidance in this area if needed.

An **informal written warning** is a written letter to an employee that addresses the employee's performance/behavior that is considered to be unsatisfactory, unacceptable, or inappropriate. An informal written warning serves to bring a concern about the employee's behavior to the attention of the employee, states what needs to be done immediately to eliminate the concern, and specifies the possible further disciplinary consequences of a repeat of the behavior. An informal written warning is an informal disciplinary action and is usually issued when an administrator has reason to believe that such a warning will be sufficient to bring an end to the behavior that is addressed.

A **formal letter of reprimand** is a written letter that documents the employee's performance/behavior that is considered to be unsatisfactory, unacceptable, or inappropriate. A formal letter of reprimand serves to bring a concern about the employee's behavior to the attention of the employee, states what needs to be done immediately to eliminate the concern, and specifies the possible further disciplinary consequences of a repeat of the behavior. The formal letter of reprimand memorializes the incident in written form by issuing a formal letter of reprimand to the employee with the original to be placed in the employee's personnel file in the Office for Human Resources and Educator Quality.

## Probationary Teachers

24-hour minimum notice of meeting required

<u>Performance</u>	<u>Behavior</u>	<u>Attendance*</u>
Probationary First Notice (p. 8)	Probationary First Letter of Caution (p. 10)	Probationary First Notice of Attendance Concerns (p. 12)
Probationary Notice of Continued Concerns (p. 9) <i>Contact Emp Relations</i>	Probationary Second Letter of Caution (p. 11) <i>Contact Emp Relations</i>	Probationary Notice of Continued Attendance Concerns (p. 13) <i>Contact Emp Relations</i>
Possible Probationary Release *authorized only by Superintendent	Possible Probationary Release *authorized only by Superintendent	Probationary Notice of Continued Attendance Concerns (p. 13) <i>Contact Emp Relations</i>
		Possible Probationary Release *authorized only by Superintendent

## Annual Contract Teachers

24-hour minimum notice of meeting required

<u>Performance</u>	<u>Behavior</u>	<u>Attendance*</u>
Annual First Notice (p. 14)	Annual First Letter of Caution (p. 16)	Annual First Notice of Attendance Concerns (p. 19)
Annual Notice of Continued Concerns (p. 15) <i>Contact Emp Relations</i>	Annual Second Letter of Caution (p. 17) <i>Contact Emp Relations</i>	Annual Notice of Continued Attendance Concerns (p. 20) <i>Contact Emp Relations</i>
Annual Notice of Continued Concerns (p. 15) <i>Contact Emp Relations</i>	Annual Informal Letter of Reprimand (p. 18) <i>Contact Employee Relations</i>	Annual Notice of Continued Attendance Concerns (p. 20) <i>Contact Emp Relations</i>
Possible Non-reappointment *authorized only by Superintendent	Possible Non-reappointment *authorized only by Superintendent	Possible Non-reappointment *authorized only by Superintendent

## Professional Services Contract Teachers

24-hour minimum notice of meeting required

<u>Performance</u>	<u>Behavior</u>	<u>Attendance*</u>
Conference Summary (p. 21)	Conference Summary (p. 25)	Notice of Attendance Concerns (p. 29)
Notice of Performance Concerns (p. 22) <i>Contact Emp Relations</i>	Letter of Caution (p. 26) <i>Contact Emp Relations</i>	Notice of Continued Attendance Concerns (p. 30) <i>Contact Emp Relations</i>
Notice of Continued Performance Concerns (p. 23) <i>Contact Emp Relations</i>	Informal Letter of Reprimand (p. 27) <i>Contact Emp Relations</i>	Notice of Continued Attendance Concerns (p. 30) <i>Contact Emp Relations</i>
Formal Notice of Performance Concerns (p. 24) <i>Contact Emp Relations</i>	Formal Letter of Reprimand (p. 28) <i>Contact Emp Relations</i>	Informal Letter of Reprimand (p. 31) <i>Contact Emp Relations</i>
Second Formal Notice of Performance Concerns (p. 24) <i>Contact Emp Relations</i>		Formal Letter of Reprimand (p. 32) <i>Contact Emp Relations</i>

\* Note that attendance is a behavior concern; however, specific templates are provided to address attendance so that FMLA and EAP are relayed to the employee.

\*Employee Relations can be contacted to discuss where on the chart to start, depending on the issue/concern.

Sample Letter  
Probationary First Notice (Performance)  
*Transfer template to letterhead*

Date

Teacher Name  
Job Title  
School

Re: Notice of Concerns

Dear Name:

This letter is to inform you of my concerns relative to your performance as a classroom teacher at *(school)*. Specifically, *(insert performance concerns)*.

We met on *(date)* along with *(list all others present at meeting)* to discuss this and review specific teacher behaviors that you need to make your focus at this time. In our meeting, you stated that *(describe employee's statements, including any acceptance of responsibility or pledge to improve performance)*.

My suggestions that may assist you with improving your performance are *(identify supports that will be provided to improve performance)*.

I will continue to monitor your performance. Should you have any specific date and time you would like me to observe a class, please contact me. If I, or any of our staff, can be of assistance, feel free to call me.

I am reminding you that your work status is probationary during the first year of your employment. Accordingly, it is critical that your performance improve to a satisfactory level.

Sincerely,

Administrator Name  
Title



Sample Letter  
Probationary Notice of Continued Concerns (Performance)  
*Transfer template to letterhead*

Date

Teacher Name  
Job Title  
School

Re: Notice of Continued Concerns

Dear Name:

This letter is to inform you of my continued concerns relative to your performance as a classroom teacher at *(school)*. Specifically, *(insert performance concerns)*.

We met on *(date)* along with *(list all others present at meeting)* to discuss this and review specific teacher behaviors that you need to make your focus at this time. In our meeting, you stated that *(describe employee's statements, including any acceptance of responsibility or pledge to improve performance)*.

*(Name)*, this is especially troubling since we already met regarding performance concerns in the past, yet I continue to observe deficiencies which reduce your effectiveness as a classroom teacher. On *(date)*, we discussed *(describe each past meeting that pertained to performance)*.

My suggestions that may assist you with improving your performance are *(identify supports that will be provided to improve performance)*.

I will continue to monitor your performance. Should you have any specific date and time you would like me to observe a class, please contact me. If I, or any of our staff, can be of assistance, feel free to call me.

I am reminding you that your work status is probationary during the first year of your employment. Accordingly, it is critical that your performance improve to a satisfactory level. If it does not, a recommendation for a release during your probationary period may be made.

Sincerely,

Administrator Name  
Title



Sample Letter  
Probationary First Letter of Caution (Behavior)  
*Transfer template to letterhead*

Date

Teacher Name  
Job Title  
School

Re: Letter of Caution

Dear Name:

This letter is to inform you of my concerns relative to your behavior as a classroom teacher at *(school)*. Specifically, *(insert behavior concerns)*.

We met on *(date)* along with *(list all others present at meeting)* to discuss this and review specific teacher behaviors that you need to make your focus at this time. In our meeting, you stated that *(describe employee's statements, including any acceptance of responsibility or pledge to improve behavior)*.

*(Name)*, your recent behavior is unacceptable and you must ensure that this behavior does not occur again. If I, or any of our staff, can be of assistance, feel free to call me.

I am reminding you that your work status is probationary during the first year of your employment. Accordingly, it is critical that your behavior improve to a satisfactory level.

Sincerely,

Administrator Name  
Title

Sample Letter  
Probationary Second Letter of Caution (Behavior)  
*Transfer template to letterhead*

Date

Teacher Name  
Job Title  
School

Re: Second Letter of Caution

Dear Name:

This letter is to inform you of my concerns relative to your behavior as a classroom teacher at *(school)*. Specifically, *(insert behavior concerns)*.

We met on *(date)* along with *(list all others present at meeting)* to discuss this and review specific teacher behaviors that you need to make your focus at this time. In our meeting, you stated that *(describe employee's statements, including any acceptance of responsibility or pledge to improve behavior)*.

*(Name)*, your recent behavior is unacceptable. This is especially troubling since we already met regarding behavior concerns in the past, yet I continue to observe deficiencies which reduce your effectiveness as a classroom teacher. On *(date)*, we discussed *(describe each past meeting that pertained to behavior and any supports that have been provided)*.

I am reminding you that your work status is probationary during the first year of your employment. Accordingly, it is critical that your behavior improve to a satisfactory level. If it does not, a recommendation for a release during your probationary period may be made.

Sincerely,

Administrator Name  
Title

Sample Letter  
 Probationary First Notice of Attendance Concerns  
*Transfer template to letterhead*

Date

Teacher Name  
 Title  
 School

Re: First Notice of Attendance Concerns

Dear Name:

Thank you for meeting with me on \_\_\_\_\_ to discuss my concern regarding your attendance. As we discussed, satisfactory performance in the area of attendance is generally defined by being at work a sufficient number of days to accomplish the essential tasks of the position, without having to distribute to other employees or to delay those essential tasks. Satisfactory performance is generally characterized by not exceeding during an annual period the combined number of sick or vacation days which are earned by an employee during that period with the exception of approved FMLA or other district leaves. While unexpected illnesses or other circumstances which may entail prolonged absences are understandable, frequent absences and/or questionable absences which result in hardship to other employees or which result in the delay of essential tasks can result in documentation of unsatisfactory performance.

During our meeting on \_\_\_\_\_, I shared with you the summary of your absences for the last \_\_\_ years (if attendance issue is a pattern). You stated that \_\_\_\_\_. Below is a summary of the hours that you have missed during the school year:

School Year	Total Hours	Total School/Work Days

We also discussed how your excessive absences hinder the quality of instruction in your classroom. Your students need consistency and have the right to be taught by a highly qualified teacher. We also discussed that you cannot rely on your teammates to constantly pull together lesson plans for your substitute (if applicable). That is your responsibility unless there is an emergency situation. Due to your absences, your students did not have consistency and were constantly being taught by others who did not know their instructional needs. It is imperative that we provide consistency to our students.

I am reminding you that your work status is probationary during your first year of employment with our District. Accordingly, it is critical that your attendance improve.

If I can be of assistance, please do not hesitate to contact me. If you have any questions regarding leave eligibility under provisions of the Family and Medical Leave Act (FMLA), please call the Leaves Division of the Office for Human Resources and Educator Quality at 813-794-2353. If you believe that the Employee Assistance Program may be of assistance to you, please call extension 813-794-2366.

Sincerely,

Name  
 Title

Sample Letter  
 Probationary Notice of Continued Attendance Concerns  
*Transfer template to letterhead*

Date

Teacher Name  
 Title  
 School

Re: Notice of Continued Attendance Concerns

Dear Name:

Thank you for meeting with me on \_\_\_\_\_ to discuss my concern regarding your attendance. As we discussed, satisfactory performance in the area of attendance is generally defined by being at work a sufficient number of days to accomplish the essential tasks of the position, without having to distribute to other employees or to delay those essential tasks. Satisfactory performance is generally characterized by not exceeding during an annual period the combined number of sick or vacation days which are earned by an employee during that period with the exception of approved FMLA or other district leaves. While unexpected illnesses or other circumstances which may entail prolonged absences are understandable, frequent absences and/or questionable absences which result in hardship to other employees or which result in the delay of essential tasks can result in documentation of unsatisfactory performance.

During our meeting on \_\_\_\_\_, I shared with you the summary of your absences for the last \_\_\_ years (if attendance issue is a pattern). You stated that \_\_\_\_\_. Below is a summary of the hours that you have missed during the school year:

School Year	Total Hours	Total School/Work Days

We also discussed how your excessive absences hinder the quality of instruction in your classroom. Your students need consistency and have the right to be taught by a highly qualified teacher. We also discussed that you cannot rely on your teammates to constantly pull together lesson plans for your substitute (if applicable). That is your responsibility unless there is an emergency situation. Due to your absences, your students did not have consistency and were constantly being taught by others who did not know their instructional needs. It is imperative that we provide consistency to our students.

\_\_\_\_\_, I am concerned because we already met on *(date)* regarding your attendance. I am reminding you that your work status is probationary during your first year of employment with our District. Accordingly, it is critical that your attendance improve to a satisfactory level. If it does not, a recommendation for a release during your probationary period may be made.

If I can be of assistance, please do not hesitate to contact me. If you have any questions regarding leave eligibility under provisions of the Family and Medical Leave Act (FMLA), please call the Leaves Division of the Office for Human Resources and Educator Quality at 813-794-2353. If you believe that the Employee Assistance Program may be of assistance to you, please call extension 813-794-2366.

Sincerely,

Name  
 Title

Sample Letter  
Annual First Notice (Performance)  
*Transfer template to letterhead*

Date

Teacher Name  
Job Title  
School

Re: Notice of Concerns

Dear Name:

This letter is to inform you of my concerns relative to your performance as a classroom teacher at *(school)*. Specifically, *(insert performance concerns)*.

We met on *(date)* along with *(list all others present at meeting)* to discuss this and review specific teacher behaviors that you need to make your focus at this time. In our meeting, you stated that *(describe employee's statements, including any acceptance of responsibility or pledge to improve performance)*.

My suggestions that may assist you with improving your performance are *(identify supports that will be provided to improve performance)*.

I will continue to monitor your performance. Should you have any specific date and time you would like me to observe a class, please contact me. If I, or any of our staff, can be of assistance, feel free to call me.

I am reminding you that you are employed with the District on an annual contract. Accordingly, it is critical that your performance improve to a satisfactory level.

Sincerely,

Administrator Name  
Title

Sample Letter  
Annual Notice of Continued Concerns (Performance)  
*Transfer template to letterhead*

Date

Teacher Name  
Job Title  
School

Re: Notice of Continued Concerns

Dear Name:

This letter is to inform you of my continued concerns relative to your performance as a classroom teacher at *(school)*. Specifically, *(insert performance concerns)*.

We met on *(date)* along with *(list all others present at meeting)* to discuss this and review specific teacher behaviors that you need to make your focus at this time. In our meeting, you stated that *(describe employee's statements, including any acceptance of responsibility or pledge to improve performance)*.

*(Name)*, this is especially troubling since we already met regarding performance concerns in the past, yet I continue to observe deficiencies which reduce your effectiveness as a classroom teacher. On *(date)*, we discussed *(describe each past meeting that pertained to performance)*.

My suggestions that may assist you with improving your performance are *(identify supports that will be provided to improve performance)*.

I will continue to monitor your performance. Should you have any specific date and time you would like me to observe a class, please contact me. If I, or any of our staff, can be of assistance, feel free to call me.

I am reminding you that you are employed with the District on an annual contract. Accordingly, it is critical that your performance improve to a satisfactory level. If it does not, a recommendation may be made for your non-reappointment.

Sincerely,

Administrator Name  
Title

Sample Letter  
Annual First Letter of Caution (Behavior)  
*Transfer template to letterhead*

Date

Teacher Name  
Job Title  
School

Re: Letter of Caution

Dear Name:

This letter is to inform you of my concerns relative to your behavior as a classroom teacher at *(school)*. Specifically, *(insert behavior concerns)*.

We met on *(date)* along with *(list all others present at meeting)* to discuss this and review specific teacher behaviors that you need to make your focus at this time. In our meeting, you stated that *(describe employee's statements, including any acceptance of responsibility or pledge to improve behavior)*.

*(Name)*, your recent behavior is unacceptable and you must ensure that this behavior does not occur again. If I, or any of our staff, can be of assistance, feel free to call me.

I am reminding you that you are employed with the District on an annual contract. Accordingly, it is critical that your behavior improve to a satisfactory level.

Sincerely,

Administrator Name  
Title



Sample Letter  
Annual Second Letter of Caution (Behavior)  
*Transfer template to letterhead*

Date

Teacher Name  
Job Title  
School

Re: Second Letter of Caution

Dear Name:

This letter is to inform you of my concerns relative to your behavior as a classroom teacher at *(school)*. Specifically, *(insert behavior concerns)*.

We met on *(date)* along with *(list all others present at meeting)* to discuss this and review specific teacher behaviors that you need to make your focus at this time. In our meeting, you stated that *(describe employee's statements, including any acceptance of responsibility or pledge to improve behavior)*.

*(Name)*, your recent behavior is unacceptable. This is especially troubling since we already met regarding behavior concerns in the past, yet I continue to observe deficiencies which reduce your effectiveness as a classroom teacher. On *(date)*, we discussed *(describe each past meeting that pertained to behavior)*.

I am reminding you that you are employed with the District on an annual contract. Accordingly, it is critical that your behavior improve to a satisfactory level. If it does not, a recommendation may be made for your non-reappointment.

Sincerely,

Administrator Name  
Title

Sample Letter  
Annual Informal Letter of Reprimand (Behavior)  
*Transfer template to letterhead*

Date

Teacher Name  
Job Title  
School

Re: Informal Letter of Reprimand

Dear Name:

This letter serves as an informal letter of reprimand for your actions on *(date)*, when you *(insert behavior concerns)*.

We met on *(date)* along with *(list all others present at meeting)* to discuss this situation and review specific teacher behaviors that you need to make your focus at this time. In our meeting, you stated that *(describe employee's statements, including any acceptance of responsibility or pledge to improve behavior)*.

*(Name)*, your recent behavior is unacceptable. This is especially troubling since we already met regarding behavior concerns in the past, yet I continue to observe deficiencies which reduce your effectiveness as a classroom teacher. On *(date)*, we discussed *(describe each past meeting that pertained to behavior and any supports that have been provided)*.

I am reminding you that you are employed with the District on an annual contract. Accordingly, it is critical that your behavior improve to a satisfactory level. If it does not, a recommendation may be made for your non-reappointment.

Sincerely,

Administrator Name  
Title

Sample Letter  
Annual First Notice of Attendance Concerns  
*Transfer template to letterhead*

Date

Teacher Name  
Title  
School

Re: First Notice of Attendance Concerns

Dear Name:

Thank you for meeting with me on \_\_\_\_\_ to discuss my concern regarding your attendance. As we discussed, satisfactory performance in the area of attendance is generally defined by being at work a sufficient number of days to accomplish the essential tasks of the position, without having to distribute to other employees or to delay those essential tasks. Satisfactory performance is generally characterized by not exceeding during an annual period the combined number of sick or vacation days which are earned by an employee during that period with the exception of approved FMLA or other district leaves. While unexpected illnesses or other circumstances which may entail prolonged absences are understandable, frequent absences and/or questionable absences which result in hardship to other employees or which result in the delay of essential tasks can result in documentation of unsatisfactory performance.

During our meeting on \_\_\_\_\_, I shared with you the summary of your absences for the last \_\_\_ years (if attendance issue is a pattern). You stated that \_\_\_\_\_. Below is a summary of the hours that you have missed during the school year:

School Year	Total Hours	Total School/Work Days

We also discussed how your excessive absences hinder the quality of instruction in your classroom. Your students need consistency and have the right to be taught by a highly qualified teacher. We also discussed that you cannot rely on your teammates to constantly pull together lesson plans for your substitute (*if applicable*). That is your responsibility unless there is an emergency situation. Due to your absences, your students did not have consistency and were constantly being taught by others who did not know their instructional needs. It is imperative that we provide consistency to our students.

I am reminding you that you are employed with the District on an annual contract. Accordingly, it is critical that your attendance improve.

If I can be of assistance, please do not hesitate to contact me. If you have any questions regarding leave eligibility under provisions of the Family and Medical Leave Act (FMLA), please call the Leaves Division of the Office for Human Resources and Educator Quality at 813-794-2353. If you believe that the Employee Assistance Program may be of assistance to you, please call extension 813-794-2366.

Sincerely,

Administrator Name  
Title

Sample Letter  
Annual Notice of Continued Attendance Concerns  
*Transfer template to letterhead*

Date

Teacher Name

Title

School

Re: Notice of Continued Attendance Concerns

Dear Name:

Thank you for meeting with me on \_\_\_\_\_ to discuss my concern regarding your attendance. As we discussed, satisfactory performance in the area of attendance is generally defined by being at work a sufficient number of days to accomplish the essential tasks of the position, without having to distribute to other employees or to delay those essential tasks. Satisfactory performance is generally characterized by not exceeding during an annual period the combined number of sick or vacation days which are earned by an employee during that period with the exception of approved FMLA or other district leaves. While unexpected illnesses or other circumstances which may entail prolonged absences are understandable, frequent absences and/or questionable absences which result in hardship to other employees or which result in the delay of essential tasks can result in documentation of unsatisfactory performance.

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\_\_\_\_\_, I am concerned because we already met on (date) regarding your attendance. I am reminding you that you are employed with the District on an annual contract. Accordingly, it is critical that your attendance improve to a satisfactory level. If it does not, a recommendation may be made for your non-reappointment.

If I can be of assistance, please do not hesitate to contact me. If you have any questions regarding leave eligibility under provisions of the Family and Medical Leave Act (FMLA), please call the Leaves Division of the Office for Human Resources and Educator Quality at 813-794-2353. If you believe that the Employee Assistance Program may be of assistance to you, please call extension 813-794-2366.

Sincerely,

Administrator Name

Title

Sample Letter  
PSC Conference Summary (Performance)  
*Transfer template to letterhead*

Date

Teacher Name

Job Title

School

Re: Conference Summary

Dear Name:

We met on *(date)* along with *( list all others present at meeting)* to discuss performance concerns. Specifically, *(explicitly state performance concerns)*. In our meeting, you stated that *(describe employee's statements, including any acceptance of responsibility or pledge to improve performance)*.

You agreed that you will \_\_\_\_\_ by *(date)*. I offered you assistance *(describe assistance)*.

Please let me know if you have any questions or if there is anything else that I can do to assist you.

Sincerely,

Administrator Name

Title

Sample Letter  
PSC Notice of Performance Concerns  
*Transfer template to letterhead*

Date

Teacher Name

Job Title

School

Re: Notice of Performance Concerns

Dear Name:

This letter is to inform you of my concerns relative to your performance as a classroom teacher at *(school)*. Specifically, *(insert performance concerns)*.

We met on *(date)* along with *(list all others present at meeting)* to discuss this and review specific teacher behaviors that you need to make your focus at this time. In our meeting, you stated that *(describe employee's statements, including any acceptance of responsibility or pledge to improve performance)*.

My suggestions that may assist you with improving your performance are *(identify supports that will be provided to improve performance)*.

Please begin to implement the above suggestions immediately. I will continue to monitor your performance. Should you have any specific date and time you would like me to observe a class, please contact me. If I can be of assistance, please contact call me.

If your performance does not improve, further administrative action, which could include formal documentation or a recommendation for the termination of your employment may result.

Sincerely,

Administrator Name

Title

Sample Letter  
PSC Notice of Continued Performance Concerns  
*Transfer template to letterhead*

Date

Teacher Name

Job Title

School

Re: Notice of Continued Performance Concerns

Dear Name:

This letter is to inform you of my continued concerns with your performance as a \_\_\_\_\_ at *(School)* in the areas of *(identify categories/domains)*, to delineate the deficiencies, to again offer assistance, and to establish a time line in which you will be expected to demonstrate improvement in these areas.

We met on *(date)* along with *(list all others present at meeting)* to discuss this and review specific teacher behaviors that you need to make your focus at this time. In our meeting, you stated that *(describe employee's statements, including any acceptance of responsibility or pledge to improve performance)*.

*(Name)*, this is especially troubling since we already met regarding performance concerns in the past, yet I continue to observe deficiencies which reduce your effectiveness as a classroom teacher. On *(date)*, we discussed *(describe each past meeting that pertained to performance)*.

My suggestions that may assist you with improving your performance are *(identify supports that will be provided to improve performance)*.

Please begin to implement the above suggestions immediately. I will continue to monitor your performance. Should you have any specific date and time you would like me to observe a class, please contact me. If your performance does not improve, further administrative action, which could include formal documentation or a recommendation for the termination of your employment may result.

Sincerely,

Administrator Name

Title

Sample Letter  
PSC Formal Notice of Performance Concerns  
*Note: Contact the Office for Employee Relations before issuing this letter*  
*Transfer template to letterhead*

Date

Teacher Name

Job Title

School

Re: Formal Notice of Performance Concerns

Dear Name:

This letter is to formally notify you of my concerns with your performance as a \_\_\_\_\_ at (School) in the areas of (identify categories/domains), to delineate the deficiencies, to again offer assistance, and to establish a time line in which you will be expected to demonstrate improvement in these areas.

We met on (date) along with (list all others present at meeting) to discuss this and review specific teacher behaviors that you need to make your focus at this time. In our meeting, you stated that (describe employee's statements, including any acceptance of responsibility or pledge to improve performance).

(Name), this is especially troubling since we already met regarding performance concerns in the past, yet I continue to observe deficiencies which reduce your effectiveness as a classroom teacher. On (date), we discussed (describe each past meeting that pertained to employee performance).

My suggestions that may assist you with improving your performance are (identify supports that will be provided to improve performance).

Should you need further clarification concerning these deficiencies and/or suggestions for improvement, please contact administration immediately. I will continue to monitor your performance in an effort to provide assistance. If I can be of assistance, please contact me. If your performance does not improve, further administrative action, which could include a recommendation for the termination of your employment may result.

Sincerely,

Administrator Name

Title

Original: Personnel File

Cc: Assistant Superintendent (Insert correct name and title)

Director/Supervisor, Office for Employee Relations (Insert correct name and title)

My signature indicates that I received this letter and understand that any written statement I wish to make regarding this letter will be attached to the copy filed in my official personnel file located in the Office for Human Resources and Educator Quality. My signature also indicates that I understand that this letter is subject to disclosure under Florida's public records laws.

\_\_\_\_\_  
Signature of Employee or Witness

\_\_\_\_\_  
Date

This document is subject to review under provisions of F.S. 1012.31 and 119.07



Sample Letter  
PSC Conference Summary (Behavior)  
*Transfer template to letterhead*

Date

Teacher Name  
Job Title  
School

Re: Conference Summary

Dear Name:

We met on *(date)* along with *(list all others present at meeting)* to discuss behavior concerns. Specifically, *(behavior concerns)*. In our meeting, you stated that *(describe employee's statements, including any acceptance of responsibility or pledge to improve behavior)*.

You agreed that you will \_\_\_\_\_ by *(date)*. I offered you assistance *(describe assistance)*.

Please let me know if you have any questions or if there is anything else that I can do to assist you.

Sincerely,

Administrator Name  
Title

Sample Letter  
PSC Letter of Caution (Behavior)  
*Transfer template to letterhead*

Date

Teacher Name  
Job Title  
School

Re: Letter of Caution

Dear Name:

This letter is to inform you of my concerns relative to your behavior as a classroom teacher at *(school)*. Specifically, *(insert behavior concerns)*.

We met on *(date)* along with *(list all others present at meeting)* to discuss this and review specific teacher behaviors that you need to make your focus at this time. In our meeting, you stated that *(describe employee's statements, including any acceptance of responsibility or pledge to improve behavior)*.

*(Name)*, your recent behavior is unacceptable and you must ensure that this behavior does not occur again. If I, or any of our staff, can be of assistance, feel free to call me.

I will continue to monitor your behavior in the coming months. Please be advised that future concerns may result in additional disciplinary action, which could include formal documentation, a recommendation for suspension without pay, or a recommendation for the termination of your employment.

Sincerely,

Administrator Name  
Title

Sample Letter  
PSC Informal Letter of Reprimand (Behavior)  
*Transfer template to letterhead*

Date

Teacher Name  
Job Title  
School

Re: Informal Letter of Reprimand

Dear Name:

This letter serves as an informal letter of reprimand for your actions on *(date)*, when you *(insert behavior concerns)*.

We met on *(date)* along with *(list all others present at meeting)* to discuss this situation and review specific teacher behaviors that you need to make your focus at this time. In our meeting, you stated that *(describe employee's statements, including any acceptance of responsibility or pledge to improve behavior)*.

*(Name)*, your recent behavior is unacceptable. This is especially troubling since we already met regarding behavior concerns in the past, yet I continue to observe deficiencies which reduce your effectiveness as a classroom teacher. On *(date)*, we discussed *(describe each past conference that pertained to behavior and any supports that have been provided)*.

I will continue to monitor your behavior in the coming months. In the meantime, if there is any assistance that I can provide you in order to help you take the steps described above, please do not hesitate to let me know. Please be advised that future concerns may result in additional disciplinary action which could include formal documentation, a recommendation for suspension without pay, or a recommendation for the termination of your employment.

Sincerely,

Administrator Name  
Title

Sample Letter  
PSC Formal Letter of Reprimand (Behavior)  
*Note: Contact the Office for Employee Relations before issuing this letter*  
*Transfer template to letterhead*

Date

Teacher Name  
Job Title  
School

Re: Formal Letter of Reprimand

Dear Name:

This letter serves as a formal letter of reprimand for your actions on *(date)*, when you *(insert behavior concerns)*.

We met on *(date)* along with *(list all others present at meeting)* to discuss this situation and review specific teacher behaviors that you need to make your focus at this time. In our meeting, you stated that *(describe employee's statements, including any acceptance of responsibility or pledge to improve behavior)*.

*(Name)*, your recent behavior is unacceptable. This is especially troubling since we already met regarding behavior concerns in the past, yet I continue to observe deficiencies which reduce your effectiveness as a classroom teacher. On *(date)*, we discussed *(describe each past conference that pertained to behavior)*.

My suggestions that may assist you with improving your behavior *(describe each past meeting that pertained to behavior and any supports that have been provided)*.

I will continue to monitor your behavior in the coming months. In the meantime, if there is any assistance that I can provide you in order to help you take the steps described above, please do not hesitate to let me know. If your behavior does not improve, further administrative action, which could include a recommendation for the termination of your employment may result.

Sincerely,

Administrator Name  
Title

Original: Personnel File

Cc: Assistant Superintendent *(Insert correct name and title)*  
Director/Supervisor, Office for Employee Relations *(Insert correct name and title)*

My signature indicates that I received this letter and understand that any written statement I wish to make regarding this letter will be attached to the copy filed in my official personnel file located in the Office for Human Resources and Educator Quality. My signature also indicates that I understand that this letter is subject to disclosure under Florida's public records laws.

\_\_\_\_\_  
Signature of Employee or Witness

\_\_\_\_\_  
Date

This document is subject to review under provisions of F.S. 1012.31 and 119.07.

Sample Letter  
PSC First Notice of Attendance Concerns  
*Transfer template to letterhead*

Date

Teacher Name  
Title  
School

Re: First Notice of Attendance Concerns

Dear Name:

Thank you for meeting with me on \_\_\_\_\_ to discuss my concern regarding your attendance. As we discussed, satisfactory performance in the area of attendance is generally defined by being at work a sufficient number of days to accomplish the essential tasks of the position, without having to distribute to other employees or to delay those essential tasks. Satisfactory performance is generally characterized by not exceeding during an annual period the combined number of sick or vacation days which are earned by an employee during that period with the exception of approved FMLA or other district leaves. While unexpected illnesses or other circumstances which may entail prolonged absences are understandable, frequent absences and/or questionable absences which result in hardship to other employees or which result in the delay of essential tasks can result in documentation of unsatisfactory performance.

During our meeting on \_\_\_\_\_, I shared with you the summary of your absences for the last \_\_\_ years (*if attendance issue is a pattern*). You stated that \_\_\_\_\_. Below is a summary of the hours that you have missed during the school year:

School Year	Total Hours	Total School/Work Days

We also discussed how your excessive absences hinder the quality of instruction in your classroom. Your students need consistency and have the right to be taught by a highly qualified teacher. We also discussed that you cannot rely on your teammates to constantly pull together lesson plans for your substitute (if applicable). That is your responsibility unless there is an emergency situation. Due to your absences, your students did not have consistency and were constantly being taught by others who did not know their instructional needs. It is imperative that we provide consistency to our students.

I will continue to monitor your attendance more closely. If your attendance does not improve, further administrative action, which could include a formal documentation and/or a recommendation for the termination of your employment, may result.

If I can be of assistance, please do not hesitate to contact me. If you have any questions regarding leave eligibility under provisions of the Family and Medical Leave Act (FMLA), please call the Leaves Division of the Office for Human Resources and Educator Quality at 813-794-2353. If you believe that the Employee Assistance Program may be of assistance to you, please call extension 813-794-2366.

Sincerely,

Administrator Name  
Title

Sample Letter  
PSC Notice of Continued Attendance Concerns  
*Transfer template to letterhead*

Date

Teacher Name  
Title  
School

Re: Notice of Continued Attendance Concerns

Dear Name:

Thank you for meeting with me on \_\_\_\_\_ to discuss my concern regarding your attendance. As we discussed, satisfactory performance in the area of attendance is generally defined by being at work a sufficient number of days to accomplish the essential tasks of the position, without having to distribute to other employees or to delay those essential tasks. Satisfactory performance is generally characterized by not exceeding during an annual period the combined number of sick or vacation days which are earned by an employee during that period with the exception of approved FMLA or other district leaves. While unexpected illnesses or other circumstances which may entail prolonged absences are understandable, frequent absences and/or questionable absences which result in hardship to other employees or which result in the delay of essential tasks can result in documentation of unsatisfactory performance.

During our meeting on \_\_\_\_\_, I shared with you the summary of your absences for the last \_\_\_ years (*if attendance issue is a pattern*). You stated that \_\_\_\_\_. Below is a summary of the hours that you have missed during the school year:

School Year	Total Hours	Total School/Work Days

We also discussed how your excessive absences hinder the quality of instruction in your classroom. Your students need consistency and have the right to be taught by a highly qualified teacher. We also discussed that you cannot rely on your teammates to constantly pull together lesson plans for your substitute (*if applicable*). That is your responsibility unless there is an emergency situation. Due to your absences, your students did not have consistency and were constantly being taught by others who did not know their instructional needs. It is imperative that we provide consistency to our students.

\_\_\_\_\_, I am concerned because we already met on (*date*) regarding your attendance. I will continue to monitor your attendance more closely. If your attendance does not improve, further administrative action, which could include a formal documentation and/or a recommendation for the termination of your employment, may result.

If I can be of assistance, please do not hesitate to contact me. If you have any questions regarding leave eligibility under provisions of the Family and Medical Leave Act (FMLA), please call the Leaves Division of the Office for Human Resources and Educator Quality at 813-794-2353. If you believe that the Employee Assistance Program may be of assistance to you, please call extension 813-794-2366.

Sincerely,

Administrator Name  
Title

Sample Letter  
PSC Informal Letter of Reprimand (Attendance)  
*Transfer template to letterhead*

Date

Teacher Name  
Title  
School

Re: Informal Letter of Reprimand

Dear Name:

This letter serves as an informal letter of reprimand for excessive absences. We met on \_\_\_\_\_ to discuss this situation and for me to gain your perspective.

In our meeting, I explained, once again, that satisfactory performance in the area of attendance is generally defined by being at work a sufficient number of days to accomplish the essential tasks of the position, without having to distribute to other employees or to delay those essential tasks. Satisfactory performance is generally characterized by not exceeding during an annual period the combined number of sick or vacation days which are earned by an employee during that period with the exception of approved FMLA or other district leaves. While unexpected illnesses or other circumstances which may entail prolonged absences are understandable, frequent absences and/or questionable absences which result in hardship to other employees or which result in the delay of essential tasks can result in documentation of unsatisfactory performance.

You responded by stating that *(describe employee's statements, including any acceptance of responsibility or pledge to change behavior)*. I am particularly concerned because we have already met regarding your attendance in the past. On *(date)* we discussed *(describe past conferences on same issue)*. You agreed to *(describe changes employee was to make)*.

Below is a summary of the hours that you have missed since during the school year:

School Year	Total Hours	Total School/Work Days

*(Name)*, your poor attendance is unacceptable and you must ensure that you do not miss any more work. I am concerned because we already met on *(date)* regarding your attendance. I will continue to monitor your attendance. If your attendance does not improve, further administrative action, which could include a formal documentation and/or a recommendation for the termination of your employment, may result.

If I can be of assistance, please do not hesitate to contact me. If you have any questions regarding leave eligibility under provisions of the Family and Medical Leave Act (FMLA), please call the Leaves Division of the Office for Human Resources and Educator Quality at 813-794-2353. If you believe that the Employee Assistance Program may be of assistance to you, please call extension 813-794-2366.

Sincerely,

Name  
Title

Sample Letter  
PSC Formal Letter of Reprimand (Attendance)  
*Transfer template to letterhead*

Date

Teacher Name  
Title  
School

Re: Formal Letter of Reprimand

Dear Name:

This letter serves as a formal letter of reprimand for excessive absences. We met on \_\_\_\_\_ to discuss this situation and for me to gain your perspective.

In our meeting, I explained, once again, that satisfactory performance in the area of attendance is generally defined by being at work a sufficient number of days to accomplish the essential tasks of the position, without having to distribute to other employees or to delay those essential tasks. Satisfactory performance is generally characterized by not exceeding during an annual period the combined number of sick or vacation days which are earned by an employee during that period with the exception of approved FMLA or other district leaves. While unexpected illnesses or other circumstances which may entail prolonged absences are understandable, frequent absences and/or questionable absences which result in hardship to other employees or which result in the delay of essential tasks can result in documentation of unsatisfactory performance.

You responded by stating that *(describe employee's statements, including any acceptance of responsibility or pledge to change behavior)*. I am particularly concerned because we have already met regarding your attendance in the past. On *(date)* we discussed *(describe past conferences on same issue)*. You agreed to *(describe changes employee was to make)*.

Below is a summary of the hours that you have missed during the school year:

School Year	Total Hours	Total School/Work Days

*(Name)*, your poor attendance is unacceptable and you must ensure that you do not miss any more work. I am concerned because we already met on *(date)* regarding your attendance. I will continue to monitor your attendance. If your attendance does not improve, further administrative action, which could include a recommendation for the termination of your employment may result.

If I can be of assistance, please do not hesitate to contact me. If you have any questions regarding leave eligibility under provisions of the Family and Medical Leave Act (FMLA), please call the Leaves Division of the Office for Human Resources and Educator Quality at 813-794-2353. If you believe that the Employee Assistance Program may be of assistance to you, please call extension 813-794-2366.

Sincerely,

Name of Administrator  
Title

Original: Personnel File



Cc: Assistant Superintendent *(Insert correct name and title)*  
Director/Supervisor, Office for Employee Relations *(Insert correct name and title)*

My signature indicates that I received this letter and understand that any written statement I wish to make regarding this letter will be attached to the copy filed in my official personnel file located in the Office for Human Resources and Educator Quality. My signature also indicates that I understand that this letter is subject to disclosure under Florida's public records laws.

\_\_\_\_\_  
Signature of Employee or Witness

\_\_\_\_\_  
Date

This document is subject to review under provisions of F.S. 1012.31 and 119.07.

# APPENDIX

The templates on the previous pages are provided to aid or to ensure consistency and equitability when taking corrective action with employees.

Some general considerations are the following:

- Sometimes the templates may need to be edited or combined. If the template does not meet your concern, contact Employee Relations.
- The purpose of the meeting is to offer the employee due process, an opportunity to respond to the concern. As such, the letter must not be written until *after* the meeting and must include the employee's response to your concern.
- The language of the templates is designed to ensure progressive discipline is utilized
- Employee Relations is always willing to discuss situations to determine the level of discipline and read letters to provide feedback.

## Attendance Monitoring

The principal or supervisor has a responsibility to take action when it is necessary and ensure that the action is appropriate to the situation. If possible, this action should focus on professional growth and improved performance while providing assistance in the form of guidance, support, supervision, and other resources.

The Employee Assistance Program (EAP) is available to all employees to assist them with issues that may or may not be work related. It may be particularly helpful when non-work factors are having a negative effect on job performance. Don't pry or be judgmental, but do not hesitate to discuss the program and encourage the employee to use the services if it may be helpful.

**Problems with attendance** cannot always be simply measured by the number of hours or days an employee is absent. A planned absence of twenty (20) consecutive days for an employee to have surgery has a much different impact than twenty (20) days of sporadic unscheduled absences. Employees with different lengths of annual work calendars earn different amounts of leave time. Employees in vacation earning positions earn vacation leave time based on length of service. Absences that are part of an American with Disabilities Act (ADA) accommodation or absences that are classified as leave under provisions of the Family and Medical Leave Act (FMLA) cannot be used to justify a negative employment action. Injury-in-line-of-duty, workers' compensation, judicial, military, etc. are not indicative of poor performance.

### What is satisfactory attendance?

In very general terms, if an employee's absences during a school year do not exceed the combined amount of sick and vacation time earned by the employee during an annual period, the overall attendance is satisfactory.

The following statement is used to generally describe satisfactory attendance.

***ATTENDANCE:** Satisfactory performance is characterized by being at work a sufficient number of days to accomplish the essential tasks of the position without having to distribute to other employees or to delay those essential tasks. Satisfactory performance is generally characterized by not exceeding during an annual period the combined number of sick or vacation days which are earned by an employee during that period with the exception of approved FMLA or other district leaves. While unexpected illnesses or other circumstances which may entail prolonged absences are understandable, frequent absences and/or questionable absences which result in hardship to other employees or which result in the delay of essential tasks can result in documentation of unsatisfactory performance.*

### Identifying an Attendance Problem

Maintaining an accurate record of each employee's attendance and reviewing it on a regular basis is a good method of identifying questionable attendance before it becomes a problem. This early identification of a potential problem allows timely intervention that might avoid a more serious problem later.

A **record of attendance calendar** is to be used to document individual employee attendance. Use of this form (on the Office for Employee Relations website) will allow a quick review of attendance and early detection of problems. It will not only show numbers and types of absences, it will also show patterns of absences that may cause concern. This visual representation of an employee's record of attendance will make it easy to share this information with the employee.

Using the absence codes listed at the top of the form makes it easy to record the different types of absences. If the absence is for less than a full day, there is room in each cell to list the number of hours absent. Always verify the accuracy of an attendance record before discussing concerns with an employee that might lead to disciplinary action. Contact the Leaves Section of the Office for Human Resources and Educator Quality if you need assistance with this.

### **What would indicate an attendance problem?**

A Principal or Supervisor should suspect there is a performance problem in the area of attendance when an employee has used all available paid leave and absences continue, or if an employee is incurring absences at a rate that will far exceed the amount of paid leave the employee will earn in the annual period. Periods of extended absence for expressed documented reasons are not generally an indication of poor performance. Please remember that absences that are part of an American with Disabilities Act (ADA) accommodation or absences that are classified as leave under provisions of the Family and Medical Leave Act (FMLA) or other approved district leave cannot be used to justify a negative employment action. Absences of a suspicious nature, e.g. patterns of Monday or Friday absences, may also be addressed.

It is a good idea to look at all of your employees' attendance and set some form of a threshold to use when considering whether employees have an attendance problem. For example, you could meet with each employee who has missed five (5) days as of November 1 in a school year. When doing so, please remember not to count absences that are part of an ADA accommodation or FMLA or other district leaves. Additionally, five (5) absences due to one situation or illness can be quite different from missing five (5) Fridays. There are many factors and nuances to consider, so please call the Office for Employee Relations if you have any questions.

## Child Protective Investigations and Law Enforcement

### Child Protective Investigations

Teachers, support staff, and other school personnel play a critical role in forming a trusting relationship with children and helping to protect them from abuse and neglect. Per Chapter 39 of Florida Statutes, school personnel are obligated to know and follow procedures for reporting suspected child abuse, abandonment, or neglect to Department of Children and Families/Child Protective Investigations (CPI). At the moment there is suspicion, school personnel, as mandatory reporters, are required to call CPI immediately without delay, without investigation, and without need for approval.

This requirement applies to all suspicions, including allegations against parents or other family members, co-workers/school staff, or other students. Best practice is for the person with the most firsthand knowledge to call CPI to make the report. If reports are communicated to school personnel from parents or community members, school personnel should first encourage the reporter to call, but then also to call it in themselves. Do not discuss this with the person accused of the alleged abuse.

The most reliable way to report suspected abuse, abandonment, and neglect is to call the hotline at 1-800-96-ABUSE. Using this method, you will be provided the intake specialist's name, ID number, and screening decision.

In addition, there are three other ways to report child abuse:

- Call TDD (for the hearing impaired) at 1-800-453-5145
- Fax the completed reporting form (from Child Abuse sourcebook on pages 110-11 of <http://www.fldoe.org/ese/pdf/chiabuse.pdf>) to 1-800-914-0004
- Complete the online web report at <http://www.dcf.state.fl.us/abuse/report/>

Please notify the Office for Employee Relations immediately if you report a concern to the hotline regarding an employee or once you become aware that CPI and/or law enforcement is investigating an employee. Please remember that reporting suspected abuse, abandonment or neglect on the part of an employee to the Office for Employee Relations does not satisfy your obligation as a mandatory reporter. If you are undecided about whether to report a concern to CPI or have questions, please call the Office for Employee Relations.

### Law Enforcement

If you learn of allegations or evidence of criminal behavior, you should report the matter to law enforcement. Please notify the Office for Employee Relations immediately if you report a matter to law enforcement regarding an employee. You are also welcome to consult the Office for Employee Relations prior to contacting law enforcement.