FELE STUDY GUIDE

Remember to always pick answers that show:

- Shared Decision Making
- Community Involvement
- Needs Assessment Tools
- Data Driven Results
- Research Based Results
- Site Based Management
- Technology
- Student Achievement
- Surveying needs first

SCHOOL LAW

The majority of court cases involving church + state issues center around two concepts:

1. **Establishment Clause** – Public Schools cannot take any action that would have the primary effect of advancing religion.
2. **Free Exercise Clause** – Public Schools cannot prohibit free exercise of religion beliefs.

THE LEMON TEST

"First, the statute must have a secular legislative purpose; second, its principal or primary effect must be one that neither advances nor inhibits religion . . .; finally the statute must not foster `an excessive government entanglement with religion."

1. Is the purpose secular?
2. Is the primary effect to enhance or inhibit religion?
3. Is there excessive entanglement by the state in religious matters?

Equal Access Act (1984) - Public schools cannot deny the use of their facilities for any religious, political, or philosophical reasons if the school has created a "limited open forum".

Two Major Issues

1. Public funding of Religious Schools and
2. Religious Issues in Public Schools
Related Church and State related issues
1. Opening prayers at legislative sessions are constitutional.
2. Religious invocations violate the Establishment Clause.
3. Religious benedictions violate the Establishment Clause.

Attendance at graduation ceremonies, however, can be denied for disciplinary reasons:
- Excessive unexcused absences can be viewed as academic nonperformance.
- Grades cannot be lowered for disciplinary reasons if unrelated to academic performance.
- Limiting participation in extracurricular activities are valid actions under a school board’s authority.

The 14th Amendment provides protection regarding equal protection. No state can deny equal protection of laws to anyone within its jurisdiction.

Individualized Education Plans (IEP’s) - identifies needs, goals/objectives, evaluation procedures, and annual review. Developed by multi-disciplinary team and the parents.

Least Restrictive Environment
The EAHCA advocates educating handicapped individuals within regular classrooms as much as possible. Mainstreaming is considered less restrictive compared with a segregated environment.

Several factors should be considered:
1. The child’s ability to profit from the regular curriculum
2. Social interaction benefits
3. The impact on the regular education students in the class

IDEA does not require that a district provide special education services at a private parochial school where the parents have unilaterally placed the child so long as the services are made available at a public school.

The state’s regulation of home instruction is designed to protect children. The key burden is on the state to show that home instruction is inadequate. For these purposes, states often use achievement tests to monitor home instruction.

Marriage - Marriage removes a child from compulsory attendance and truancy laws.
STUDENT RIGHTS

**Procedural due process** protects an individual against arbitrary state action. Certain steps must be followed in order to take away one’s individual rights. Procedural due process requires notice and hearing.

School Board rules and regulations must be reasonable and not arbitrary or capricious. Students need to know what is expected and stated in common terms.

DUE PROCESS - The 14th Amendment speaks to two kinds of due process:

1. **Procedural due process** protects an individual against arbitrary state action. Certain steps must be followed in order to take away one’s individual rights. Procedural due process requires notice and hearing.

2. **Substantive due process** is not a "process" but rather another word for liberty or freedom. It includes life, liberty, property, education, travel, appearance, and the freedoms of religion, speech, press and assembly, as well as, the right to marry, have children, choose a career, or acquire knowledge.

Freedom of Speech and Expression

Freedom of speech cannot be taken away unless there is clear and present danger for material and substantial disruption. It cannot be used to avoid unpleasantness or an unpopular viewpoint.

Students were warned not to wear **black armbands** to protest the Vietnam war. The Courts ruled in favor of the students because there was not sufficient evidence that their expression would cause a substantial disruption. An undifferentiated fear or apprehension of disturbance is not enough to overcome one's freedom of expression. This was a landmark case-recognizing Students as persons with rights.

A high school principal edited out two articles from the student newspaper having to do with premarital sex and pregnancy and reactions to divorce. The court upheld the school official's action to remove the articles stating that it was a school sponsored and funded paper, part of the curriculum, and the actions were
reasonably related to legitimate pedagogical concerns. The court found that the school newspaper was viewed as part of a journalism class and not a public forum.

Search and Seizure - Strip searches require "probable cause" because they are considered highly intrusive.

New Jersey v. T.L.O., U.S. Supreme Court, 1985 - A female student was seen smoking in the bathroom. She denied the accusation and had her purse searched. Officials found drug paraphernalia and letters implicating her as a drug dealer. The court ruled in favor of the school district. Her 4th Amendment rights were not violated. The court found that there was a "nexus" or connection between the infraction and the items searched for. A search is permitted when:

1. The measure is reasonably related to the objectives of the search
2. The search is not intrusive in light of age and sex of the student
3. The reason for the search must justify the degree of the intrusiveness.

TEACHER RIGHTS AND FREEDOMS

First Amendment - 1968 - Before 1968, teachers had no rights and worked at the pleasure of the board. After 1968, teachers were recognized with constitutional rights and could speak out regarding matters of public concern. Teachers were held to be "Exemplars" of the community.

Non-tenured Teachers - Unless required by state law or a collective bargaining agreement that states otherwise, a non-tenured teacher can be dismissed without a reason at the end of their contract period.

Freedom of Religion - The expression of ones religion can be curtailed if their behavior infringes on the rights of students. On the other hand, an employer must make reasonable accommodations for an employee's religious beliefs. The burden of proof is on the teacher to show that the board's actions were religiously motivated. The board is only required to make minor accommodations known as 'DeMinimus accommodations'. A board cannot pay for religious leaves without granting the same for all employees.

Age Discrimination in Employment Act- removes maximum age limitation, requires employers to not use age as a factor in deciding promotions, hiring, etc.
TORTS - A tort is an intentional or negligent civil wrong. Torts are different from crimes.

Negligence - These are accidents that should have been prevented through ordinary care.

The injury must occur as a result of an "unreasonable risk" taken by another person.

A. The Ordinary Reasonable and Prudent Person Standard - This is an ideal, mythical figure used to compare a person's behavior. It is assumed that this person would have the same physical attributes, normal intelligence, normal perception, memory, and information common to the community, and superior skills matching those of the defendant. A teacher's negligent act would be compared with those of an Ordinary Reasonable and Prudent Teacher.

B. Duty - Schools have a duty to protect students. There is no duty if the injury was not foreseeable. Teachers have duty to care for children in school.

C. Standard of Care - This standard varies according to age. Ages 1-7: No capacity for Negligence. Ages 7-14: Debatable presumption for negligence. The standard of care for teachers is that of an Ordinary and Reasonable Prudent Teacher.

D. Proximate or Legal Cause - A defendant's acts or failure to act is the "substantial" cause of the harm if the injury could have been reasonably foreseen.

E. Injury or Actual Loss - The defendant's act must cause some actual injury or loss.

Defenses for Negligence

1. Contributory Negligence - The victim fails to protect himself from injury. Your defense rests on the premise that the plaintiff is partially responsible.

2. Comparative Negligence - The victim recovers damages only to the degree the defendant is liable, e.g. the defendant's liability = 75%: the plaintiff's liability=25%.

3. Assumption or Risk - The plaintiffs recognize danger of an activity and assume all risks.

4. Immunity - This usually applies to:
   A. National and State Governments
   B. Public officials performing discretionary functions.
   C. Charitable organizations
   D. Infants
   E. Insane persons

Family Educational Rights and Privacy Act (FERPA)
FERPA is a Federal law that protects the privacy of students’ educational records. This law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. FERPA gives parents certain rights with respect to their children’s education records. These rights transfer to the student when he/she reaches the age of 18 or attends a school beyond the high school level.

Parents or eligible students have the right to:

- Inspect and review the student’s education records maintained by the school.
- Request that a school correct records which they believe to be inaccurate or misleading.
- If the school does not remove it, the parents or eligible students have the right to a hearing.
- After the hearing, if it is not removed, parents or eligible students have the right to place a statement with the record.

Under a doctrine known as “fair use,” courts have ruled that it is in the public interest to allow certain uses of copyright materials. This is what teacher’s have. Teachers are permitted to make single copies for the following copyrighted works for their own use in scholar research or classroom preparation:

- Chapter of a book
- Article from a periodical
- Short story, short essay, or short poem
- Chart, graph, diagram, cartoon, or picture

A teacher can make multiple copies of the following copyrighted works for use in the classroom (with the number of copies not to exceed one copy per student in the class) provided that copying meets certain tests of brevity, spontaneity, and cumulative effect and that each copy includes a notice of copyright.

- A complete poem, than 250 words and printed on not more than two pages.
- An excerpt from a longer poem, it is not more than 250.
- A complete article, story, or essay if it is less than 2,500 words
- An excerpt from a prose work, if it is less than 1,000 words or 10 % of the work, whichever is less.
- One chart, diagram, cartoon, or picture per book or periodical.
- The copying is at the instance and inspiration of the individual teacher
• The inspiration and decision to use the work and the moment of its use for maximum teaching effectiveness.
• The copying of the material is for only one course in the school in which the copies are made.
• Not more than one short poem, article, story, essay; or two excerpts are copied from the same author or more than three from the same collective work or periodical volume during one class term.
• There are not more than nine instances of such multiple copying for one course during a one term class.

The Florida Board of Education

• Effective July 1, 2001, the Governor shall appoint a seven-member Florida Board of Education and a Secretary of said Board.
• Responsible for overseeing K-Graduate school education; the establishment of goals and objectives consistent with policies and guiding principles and mission goals.
• Serves as the body corporate for Florida’s seamless K-20 education system and work hand-in-hand with the Secretary of the Florida Board of Education, the commissioner, the chancellors and the executive director.

Commissioner of Education

• Serves as CEO of the State Board of Education
• Works in cooperation with the Secretary of the FBE in overseeing K-20.
• Establishes the Commissioner as the Secretary of the State Board of Education
• Establishes the Secretary of the Florida Board of Education to serve as liaison for transition to new governance structure.
• Directs FBE Secretary to serve as head of Reorganization Workgroup to oversee reorganization of DPE to K-20.
**INSTRUCTIONAL TECHNOLOGY**

**Database:** A collection of information organized for easy retrieval. Databases are organized in a hierarchy of:
- **Files:** group of related information (students in a school)
- **Record** information about a particular student
- **Field:** the data items are placed in fields (i.e. DOB)
  
  **Common titles:** *Access, FoxPro, and Filemaker Pro*

**Spreadsheet:** A program that simulates an accountant’s worksheet, being made up of rows and columns. Often used to calculate budgets, financial analyses, projections, etc.
  
  **Common titles:** *Excel, Lotus 123*

**Word Processing:** A type of software used to produce written documents. Many word processing programs incorporate desktop publishing (generates typeset quality text and graphics) and word prediction (spelling and grammar checking) features.
  
  **Common titles:** *Word, Word Perfect*

**Educational Software (Instructional/Student)**

**Drill & Practice** Software designed to supplement and reinforces instruction through repetition. Drill and practice provides a review of previously learned material.

**Simulation:** Software that presents key aspects or elements of an environment to students and invites the student to participate in decision-making. Students are able to manipulate variables which results in differing outcomes.

**Tutorial:** Software intended to stand alone as an instructional unit. Tutorials present new and remedial material as well as provide drill and practice exercises.

**Copyright Regulations Addressing Software and Hardware Use**

Copyright laws protect software. It is a violation of these laws to make and/or distribute unauthorized copies of software. Commercial software is copyrighted and should not be duplicated, except for archival (back-up) purposes. By installing software, the user agrees to abide by the publisher’s licensing agreement.

**Software types can be classified as follows:**
**Proprietary Software**  Privately created, owned, and copyrighted software. To use this software, the user must purchase the product from a vendor or the owner. Commercial software programs fall into this category.

**Public Domain:** Software that can be used by anyone. This software is copyrighted but no longer owned by the developer.

**Shareware:** Copyrighted software that is distributed for sample use. If the user chooses to continue using the software after “trying it out” the user must purchase the software from the owner.

**Freeware** Software that is legally available to any user at no cost.

<table>
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<th><strong>FTE</strong></th>
<th>Full-time equivalent. A student can be counted as 1.0 FTE for 900 hours of instruction during the school year (180 days X 5 hr/day). If a student attend less than the full day, their FTE = # min/wk / 1500. When referring to FTE, the state is referring to &quot;headcount&quot;.</th>
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| **Individuals with Disabilities Education Act (IDEA)** | This act was a revision of the Education of the Handicapped Act (EHA) otherwise known as PL 94-142. This act provides entitlement dollars to state and local education agencies to supplement educational services for the handicapped. |
SCHOOL FINANCE

Taxation & Equity - State & Local Sources of Funds for Education

Property taxes are the most common type of local sources of funds.

Sales Tax is the primary state source for funding public education in Florida.

Required Local Effort (RLE): This represents a millage rate, annually set by the Florida Legislature.

The concept of Student Equity is addressed through the inclusion of two component of the FEFP:

• Basic Student Allocation: This is the value the state allocates per weighted FTE (student X Program Cost Factor(s)). Every district receives this legislatively determined amount, which is determined annually, for every student reported in his or her district.

• District Cost Differential: This component is a cost of living adjustment applied to the total value of all students reported by a district. This component insures that additional funds are assigned to school districts with higher costs of living.

The concept of Program Equity is addressed through the inclusion of:

• Program Cost Factors: These are weights assigned to students in different instructional programs (i.e. ESE, ESOL, Vocational) that address the additional costs associated with teaching these students. Program Cost Factors are constant across school districts.

School Internal Funds - the School Board is responsible for administration and control of internal funds of the district school system.

School Internal Funds accounts for all cash & check transactions within the school and are regulated by the Florida Legislature.

School Choice - Many state legislatures across the nation have enacted charter school regulations. Additionally, there has been a push to provide opportunity scholarships (vouchers) to parents that can be used to offset the cost of a private school education.
Much of the school choice legislation has been enacted to allow parents to choose their children’s schools as the public schools have been perceived as falling farther behind and students are not making adequate progress.

The state of Florida has enacted various pieces of school choice legislation that allows parents to:

- Pick their child’s school within a district
- Use a publicly funded voucher for private school tuition
- Enter their children in a charter school that has been sponsored by the local school district.

The state of Florida has several types of school choice options for parents.

- Charter Schools
- Opportunity Scholarships (McKay, Opportunity, Corporate Tax Credit)
- Virtual Schools
- Home Schooling

**FTE of Students - Full Time Equivalent**

**Program Cost Factors (PCF)**
Annually set by legislature - reflect relative cost of providing educational programs, compares the cost per student for each program in relation to the cost of providing services to regular students in grades 4-8

**Weighted FTE:** This is calculated by multiplying the student’s unweighted FTE for a particular program by the appropriate Program Cost Factor.

**The Base Student Allocation (BSA):** The value of every weighted FTE for the current school year. The Florida Legislature as part of the General Appropriations Act determines the value of the BSA annually. For 2003/2004, the BSA is set at $3,630.03 per WFTE.

**District Cost Differential** – This adjustment in the FEFP recognizes differences in the cost of living. The DCD is determined annually by the Legislature and is applied to each school district’s student value. If the DCD is above 1.00 (i.e. 1.05), the district receives that percent more (i.e. 5%) student. If the DCD is less than 1.00 (i.e. .97), the district receives a percentage (i.e. 3%) less than other districts. The DCD addresses the concept of student equity.

**Required Local Effort (RLE):** This represents the amount of expected revenue from the required property taxes for school operations. This amount is subtracted from each school district’s Gross State and Local FEFP to determine the amount of state funds necessary
to provide an equitable allocation to school districts. The RLE cannot exceed 90% of the Gross State and Local FEFP, thereby ensuring that at least 10% of a district's revenue comes from sales tax.

To be counted in the FEFP, each student must meet the following requirements (FDOE, 2003):

**Membership** - Student must be enrolled 1 day during Survey (FTE) week. The student can only be enrolled in one public school district during a particular survey period. If the student is enrolled in more than one district during Survey week, the student is counted in the district that has the student closest to the Friday of Survey week.

**Attendance** - The student must be in attendance during one day during FTE week or one of the six school days preceding FTE week. Attendance is based upon daily attendance. For example, if a secondary student attends class one period on one day in the eleven-day window, the student meets the attendance eligibility requirement. The student would be counted as eligible for all classes. The Florida Department of Education (FDOE) determines which week is designated as Survey week. Every district counts students during the designated school week. If a district has a non-school day during the week prior to the Survey week, then the count is backed up to a previous school day.

**Bids** - Bids shall be requested from three or more sources if the purchase or contract for services exceeds $10,000 ($50,000?). The school board may set the limit lower and has the authority to reject any or all bids and request new bids.
EDUCATIONAL LEADERSHIP

Situational / Contingency Theories (Beginning 1950's)

Vroom-Yetton Leadership Model - This model suggests the selection a leadership style for making a decision. There are five decision-making styles:

- **Autocratic 1** - Problem is solved using information already available.
- **Autocratic 2** - Additional information is obtained from group before leader makes decision.
- **Consultative 1** - Leader discusses problem with subordinates individually, before making a decision.
- **Consultative 2** - Problem is discussed with the group before deciding.
- **Group 2** - Group decides upon problem, with leader simply acting as chair.

The style is chosen by the consideration of seven questions, which form a decision tree.

Hersey-Blanchard Situational Theory - This theory suggests that leadership style should be matched to the maturity of the subordinates. Maturity is assessed in relation to a specific task and has two parts:

- **Psychological maturity** - Their self-confidence and ability and readiness to accept responsibility.
- **Job maturity** - Their relevant skills and technical knowledge.

As the subordinate maturity increases, leadership should be more relationship-motivated than task-motivated. For four degrees of subordinate maturity, from highly mature to highly immature, leadership can consist of:

- **Delegating** to subordinates.
- **Participating** with subordinates.
- **Selling** ideas to subordinates.
- **Telling** subordinates what to do

**Paul Hersey, Kenneth Blanchard (Situational Leadership Theory)**

Paul Hersey and Kenneth Blanchard came up to Toronto in the early seventies to attend one of Bill Reddin's 3-D seminars. They were both junior academics teaching in Michigan or thereabouts. They loved what they saw and took Reddin's model and introduced what they called a "maturity curve".
Abraham Maslow *(Hierarchy of Needs)*
Maslow believed that people are motivated to satisfy those needs that are important to them at that point in their life; the strength of a particular need would depend on the extent to which needs lower in the hierarchy had been met.
- Self Actualization
- Esteem
- Belongingness and Love
- Safety
- Physiological

Frederick Hertberg *(Hygiene / Motivation Theory)*
According to this theory, people work first and foremost in their own self-enlightened interest, for they are truly happy and mentally healthy through work accomplishment.

People's needs are of two types:

*Animal needs (hygiene factors)*
- Supervision
- Interpersonal Relations
- Working Conditions
- Salary

*Human Needs (motivators)*
- Recognition
- Work
- Responsibility
- Advancement

Kurt Lewin *(Social Systems Theory)* - Lewin is known as the "Father of Social Psychology". Individuals based on the tensions between their self-perception and their environment. Our "mind set" develops + grows, especially in groups + you become a member of the group.
- Feedback
- Unfreezing
- Change/intervention
- Refreezing

Jacob Getzel – Egon Guba lists three styles of leadership:
1. Nomothetic - leader emphasizes the expectations of the organization
2. Idiographic - leader emphasizes the needs of the individual who achieve the goals
3. Transactional - leader attempts to negotiate a course between the two extremes.

Transformational Leadership
Leithwood finds that transformational leaders pursue three fundamental goals:
1. *Helping staff develop and maintain a collaborative, progressive school culture*:
   This means staff members often talk, observe, critique, and plan together.
Transformational leaders involve staff in collaborative goal setting, reduce teacher isolation, share leadership with others by delegating power, and actively communicate the school's norms and beliefs.

2. **Fostering teacher development**: One of Leithwood's studies suggests that teachers' motivation for development is enhanced when they internalize goals for professional growth.

3. **Helping teachers solve problems more effectively**: Transformational leadership is valued by some because it stimulates teachers to engage in new activities and put forth that "extra effort." Transformational leaders share a genuine belief that their staff members as a group can develop better solutions than the principal can alone.

**STRATEGIES USED BY TRANSFORMATIONAL LEADERS**

1. Visit each classroom every day
2. Involve the whole staff in deliberating on school goals
3. Use action research teams or school improvement teams
4. Publicly recognize the work of staff
5. Survey the staff often about their wants and needs.
6. Get teachers to share their talents with one another. Give workshops yourself and share information with staff on conferences that you attend.

**Kurt Lewin** - Promotes facilitating change by unfreezing the norms and behaviors, and then refreezing the new norms and behaviors. A method often utilized with this approach includes modeling the new behaviors with the opportunity to internalize the new behaviors.

**Summary of Characteristics common to successful leaders of change:**

- Being visionary
- Believing that schools are for learning
- Valuing human resources
- Communicating and listening effectively
- Being proactive
- Taking risks
**CURRICULUM**

1. **Vertical planning** - planning from one grade to another in one subject
2. **Horizontal planning** - integration of curriculum using several different means to teach the curriculum (whole language)

**Cooperative Learning** - refers to groups that are formed to work together to complete a specific task. The group creates one specific product cooperatively.

**Team-teaching** - uses teacher strengths, teacher s plan together extensively, etc.

**School-based Curriculum** - based upon the needs of students in the school. The students, teachers, and parents have more active roles in the development of the curriculum.

**Curriculum should be decided by** - Needs of child by using DATA!!!

**Bloom's Taxonomy:**
- **Evaluation**: making judgments about the value of the material
- **Synthesis**: putting together elements or parts to form a whole.
- **Analysis**: breaking down of a communication into its various parts.
- **Application**: ability to use abstractions in concrete situations.
- **Comprehension**: lowest level of understanding
- **Knowledge**: ability to recognize or recall information

**Maslow's Hierarchy of Needs:**
- Need for self-actualization
- Self esteem needs
- Belongingness and love needs
- Safety
- Physiological needs

- A good curriculum is systematically planned and evaluated:
  - A definite organization is responsible for coordinating, planning and evaluation.
  - Steps in planning and evaluation are logically defined and taken.
  - Ways of working utilize the contributions of all concerned.
- A good curriculum reflects adequately the aims of the school....the faculty has defined comprehensive educational aims.
- A good curriculum maintains balance among all aims of the school...guidance of each individual helps provide him a program that is well balanced in terms of his needs and capacities.
- A good curriculum promotes continuity of experience:
• Provisions are made for the smooth transition and continuing achievement of pupils from one classroom, grade, or school to another.
• Curriculum plans in areas that extend over several years are developed vertically.
• Classroom practices give attention to the maturity and learning problems of each pupil.

A good curriculum arranges learning opportunities flexibly for adaptation to particular situations and individuals. Curriculum guides encourage teachers to make their own plans for specific learning situations.

Professional Learning Communities: Schools with an emphasis on learning as opposed to teaching who embrace PLC’s are characterized by an emphasis upon the following guiding principles:
• Shared Mission, Vision, Values and Goals
• Collective Inquiry
• Collaborative Teams
• Action Orientation / Experimentation
• Continuous Improvement
• Results Orientation

Sunshine State Standards - The Sunshine State Standards are the centerpiece of a reform effort in Florida to align curriculum, instruction and assessment. They identify what students should know and be able to do for 21st century and are thus both content standards and performance standards.

Data-Driven Instruction - is a curriculum design framework that allows teachers, parents, students and administrators an opportunity to see student expectations for each grade level. With this approach, it is possible to track student progress, identify needs, and provide focused instruction and interventions. The framework four major components:
• Curriculum alignment: What are we going to teach?
• Curriculum mapping: When are we going to teach it?
• Curriculum benchmarking: Did students learn it?
• Differentiation: What teaching methods would be best for each student?

Types of Tests
Norm-Referenced (NRT) is the classic approach to assessment in which a student’s performance is compared to the performance of other students who took the test. Criterion-Referenced (CRT) is a type of test that compares the performance of the student to criteria that were established in the instructional objective. A student’s success depends on demonstrated mastery of the objectives and not on his or her performance as related to others in the class.
COMMUNICATION IN THE SCHOOLS

Lateral-diagonal communication occurs:
- Between persons within a department or in different departments
- It typically involves contacts between line and staff members.
- Informal communication, commonly called the grapevine, also plays an important role in the organization." (Mosley, Megginson, and Pietri, pp. 161-62)

Personal contact: Includes face-to-face, telephone, small groups, meetings, special events, and all personal communication.

Controlled media: Includes house publications such as newsletters, brochures and enclosures, audio-visual presentations, exhibits and other media tools where the sender controls the message.

Public or mass media: Includes newspapers, other print periodicals, radio and television, all public media not controlled by the message sender.

Steps to improve communication include:
- Consider the setting - create a proper climate recognizing sensitivity issues, the privacy issue, individual or group situation, etc.
- Plan the message - collect factual information in advance and anticipate rather than "shooting from the lip"
- Be sincere - insincerity is transparent and will be picked up in the message
- Request feedback - communication is a two way process with the receiver of the message able to react fully without fear of reprisal
- Use active listening with reflective statement - repeat what you think the speaker has told you, i.e. summarize what you just heard to reinforce and allow for correcting any misunderstanding.
Victor Vroom - believed that motivated behavior in a work setting increases if a person perceives a positive relationship between effort and performance.

Rensis Likert - Refer to the Leadership section of this document to review Likert’s Management System.

**PERSONALITY DEVELOPMENT**

**Personality** - derived from habit patterns or conditioned responses.

**Maslow’s Hierarchy of Needs (Low to High)**
1. Physiological needs - money (shelter, food, clothing)
2. Safety needs - fringe benefits (insurance)
3. Social needs - affiliation (informal work groups)
4. Esteem needs - prestige, power
5. Self-actualization needs - competence and achievement

Frederick Herzberg - Hygiene Theory
Herzberg conducted an extensive interview of 200 engineers and accountants in Pittsburgh industries to determine what made these employees happy or unhappy, satisfied or unsatisfied on their respective jobs. Herzberg found that those who were dissatisfied with their jobs were concerned about working conditions. These became known as "hygiene factors".

McClelland’s Needs Theory
- The Need for Achievement - to accomplish goals
- The Need for Power - to control others, influence others
- The Need for Affiliation - desire for close relationships

**DETERMINING EFFECTIVENESS**

Kurt Lewin - Force Field Analysis
Lewin felt that there are two driving and restraining forces that influence change:
1. Driving forces - affect a situation that tend to initiate change (pressure from supervisor, earning incentives, etc.)
2. Restraining forces - decrease the driving forces (apathy, hostility, etc.)
Kurt Lewin is also generally credited as the person who coined the term 'action research.'
Situational Leadership

Hersey and Blanchard developed this model. It is based on the:
1. Amount of direction a leader gives
2. Amount of emotional support a leader provides
3. "Readiness" (willingness and ability) of the subordinate

According to Hersey and Blanchard, the leadership style that a leader uses with an individual will depend on the "readiness" level of the employee. Readiness levels are as follows (high to low):
1. Able and willing
2. Able and unwilling
3. Unable but willing
4. Unable and unwilling

Depending upon the readiness levels of the employees, the employer will manage the employee by one of the following:
1. Delegating
2. Participating
3. Selling
4. Telling

Lewin - Change Process
1. Unfreezing - motivating individuals or groups to change. Traditions and customs must be broken down.
2. Changing - once motivated, individuals are ready to change the behavior by identifying and internalizing
3. Refreezing - the new behavior becomes a patterned behavior

Jacob Getzel and Egan Guba - They believed that the relationship between institutions and individuals should be seen as independent and interactive. They described organizations as social systems that contain two classes of phenomena. Firstly, institutions have certain roles and expectations that are designed to fulfill the goals of the system. Secondly, institutions consist of individuals with certain personalities and need-dispositions, whose interaction make up what is commonly known as social behavior. These two classes of phenomena are independent conceptually, yet can be very interactive. Organizational behavior may be conceived as ultimately deriving from the interaction between personalities and the institutional requirements.

Max Weber - Sociologist (1864-1920) early work in social and economic organizational theory provided a foundation for the study of a bureaucracy that he viewed as the ideal organizational structure. Weber's Ideal Organization is based on the following structure:
- Hierarchical - Defined hierarchy of authority
- Functional Specialization - Division of labor based on ability to perform task
- Rules of Behavior - Prevent unpredictability of employee behavior
- Impersonal Relationships - Relationships are free of personal and emotional feelings that lead to irrational decisions
- **Career Orientation** - Competence focused on certification of abilities

**David McClelland** - He studied motivation and achievement need. McClelland is chiefly known for his work on achievement motivation, but his research interests extended to personality and consciousness. David McClelland pioneered workplace motivational thinking, developing achievement-based motivational theory and models, and promoted improvements in employee assessment methods, advocating competency-based assessments and tests, arguing them to be better than traditional IQ and personality-based tests. His ideas have since been widely adopted in many organizations, and relate closely to the theory of **Frederick Herzberg**.

**Steps to Increasing Parent Involvement**
- The school must work to have two way communication with the parents and community on a regular basis.
- Parents must be permitted to have a voice in the school by making decisions about their child and education.
- Parents must be informed of what their responsibilities are and instructed how to work with their child.
- A sense of trust must be developed and maintained in order for parents and the community to support the school and its staff.
SCHOOL PERSONNEL

COLLECTIVE BARGAINING

There is general agreement among the states on the following points:

1. Strikes of public employees are unlawful.
2. Bargaining units may not represent more than one employee group (e.g. Teachers and administrators)
3. Parties are allowed to negotiate a procedure for resolving impasses and disagreements regarding interpretation of the contract.
4. In some states, binding arbitration is required to arrive at a contract. (Not used in Florida at the present time).
5. Florida laws refer to "Good Faith" bargaining.

Modes of Negotiating Behavior

- Competitive - Attempts by both parties to achieve dominance over the other (WIN/LOSE; ADVERSARIAL)
- Collaborative - Caring by each party for the other party, active listening, willingness to offer alternative options (WIN/WIN, MUTUAL ACCEPTANCE)
- Subordinate - No contest, one party subordinates itself to the others position (SENSE OF LOSS BY SUBORDINATE)
- Impasse - When negotiations are deadlocked:
  - Mediation
  - Arbitration
  - School Board Action

The following Interview Questions are Off-Limits:

- How old are you?
- What is your race?
- Of what country are you a citizen?
- Tell me about your accent.
- How tall are you?
- What is your native language?
- How did you acquire your second language?
- What is your marital status?
- Are you a single parent?
- What is your preferred form of address: Miss, Mrs., or Ms.?
- What are the names of your next of kin?
- How many children do you have?
- What are your child-care arrangements?
- Do you own or rent your home?
- Do you live alone?
- Do you have any large debts?
- Who is your emergency contact?
- What is your sexual orientation?
- Tell me about your religious beliefs?
- Describe your political beliefs or affiliations.
- Describe your attitude toward unions.
- Of what clubs are you a member?
- To what organizations do you donate money or time?
- Are you physically fit?
- Are you disabled? If so, how severe is your disability?
- Have you ever been treated for any conditions or diseases?
- Do you use alcohol or drugs on your own personal time? Have you ever had a problem with either?
- What is your military service history?
- Have you ever been arrested?
- Do you have any additional outside income?
- What is your retirement plans?

Organizing and Scheduling Questions

Avoiding Interviewer Bias - the "halo effect" of one or two outstanding applicant characteristics

FERPA gives parents certain rights with respect to their children’s education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

Parents or eligible students have the right to inspect and review the student’s education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.

Parents or eligible students have the right to request that school correct records, which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.
Generally, schools must have written permission from the parent or eligible student in order to release any information from a student’s education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

- School officials with legitimate educational interest;
- Other schools to which a student is transferring;
- Specified officials for audit or evaluation purposes;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the school;
- Accrediting organizations;
- To comply with a judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies; and
- State and local authorities, within a juvenile justice system, pursuant to specific State law.

WHAT IS INDUCTION? A good induction program involves more than introducing a new staff member to their job and colleagues. It is the process by which you help a new staff member fit into a job, a work team, and an organization as smoothly as possible. It means anticipating the questions a new person might want or need to know the answers to when they don’t know who to ask or feel confident enough to ask.

- There are usually three types of induction programs in the public schools:
  - **Orientation** - introduces new teacher to the school and community
  - **Performance Improvement Programs** - in addition to receiving information about the school and district, participants receive individualized assistance with their teaching from an administrator, supervisor, or peer teacher. Assistance usually includes observations combined with feedback.
  - **Induction for Certification** - In some states, state mandates require beginning teachers to demonstrate mastery of specified teaching competencies in order to receive a permanent teaching certificate.

An effective staff development program will:

- Be designed as a collective effort of a faculty (collaborative)
- Be scheduled at times that do not compete with professional obligations
- Be sequenced so what new skills can be tried then receive feedback at a later date (ongoing and observable in the classroom)
• Require active participation, not lecture

PERSONNEL FILES

1. Except for materials pertaining to work performance or such other matters that may be cause for discipline, suspension, or dismissal under laws of this state, no derogatory materials relating to an employee’s conduct, service, character, or personality shall be placed in the personnel file of such employee.
2. No anonymous letter or anonymous materials shall be placed in the personnel file.
3. Materials relating to work performance, discipline, suspension, or dismissal must be reduced to writing and signed by a person competent to know the facts or make judgment. These materials need to be put in writing within 45 days of the school system becoming aware of these facts.
4. Additional information may be appended to clarify materials in the file provided that the employee receives a copy by certified mail or return receipt requested or by personal delivery. The employee must sign acknowledging receipt and does not necessarily indicate agreement.
5. Employees have the right to request an informal inquiry regarding material in his/her personnel file that the employee believes to be false.
6. Payroll deduction records shall be confidential and exempt from public scrutiny.
7. Employee medical records, including psychiatrist and psychological records, shall be confidential and exempt from public scrutiny. However, if an employee’s competency is an issue, a hearing officer or panel should have access to such records.
8. Notwithstanding the above exemptions, all aspects of the personnel file of each employee shall be made available to school board members, the superintendent, and the principal or designee in the exercise of their duties.
9. Law enforcement personnel shall have access in the conduct of a lawful criminal investigation.
10. The term "personnel files" means all records maintained by a public school system, in any form or retrieval system, in one or more locations.

CONTRACTS

1. Annual Contract of Employment for Instructional Personnel of the Public Schools.

2. Professional Service Contract of Employment for Instructional Personnel of the Public Schools.

- Each employee shall be properly certified and shall receive a contract. The contract must include provisions for dismissal outlining just cause. Just cause includes, but is not limited to, misconduct in office, incompetence, gross insubordination, willful neglect of duty, or conviction of a crime involving moral turpitude.
1. Employees who violate the terms of their contract or leave their position without first being released by the school board shall be subject to the jurisdiction of the Education Practices Commission.

2. Professional Services Contracts must be offered to members of the instructional staff who satisfy the following requirements:
   A. Completed 3 years of probationary service including one year in a professional orientation program where required.
   B. The member must be recommended by the Superintendent for such contract

3. Districts may issue a professional service contract to any employee who has previously held a professional service contract in another district within this state.

4. Employees, may, but are not required to, exchange a continuing contract for a professional contract in the same district. The Professional Service Contract shall be reviewed each year unless the employee is charged with unsatisfactory performance.

5. If an employee receives notice of unsatisfactory performance:
   A. The employee shall be given the opportunity to meet with the superintendent or his designee for an informal review of the determination of unsatisfactory performance.
   B. The employee may request a transfer to another appropriate position, with a different supervising administrator.
   C. During the subsequent year, the employee shall be provided assistance and in-service training opportunities to correct the deficiencies. The employee shall also be evaluated periodically so that he will be kept apprised of progress achieved.

Not less than 6 weeks prior to the close of the post school conference period of the subsequent year, the superintendent shall notify the employee in writing whether the performance deficiencies have been corrected. Hearing and appeal processes are outlined in Chapter 231. Adverse decisions may be appealed to District Court within 30 days.

6. Any member of the district administrative or supervisory staff may be dismissed or may be returned to annual contract status when a recommendation to that effect is submitted in writing to the school board on or before April 1 of any school year. Employees shall be notified five days prior to the filing of such written recommendations and shall include a copy of the charges and recommendations to the school board.

7. Anyone under continuing contract may be suspended or dismissed at any time during the school year if the charges are based on immorality, misconduct, in office, incompetence, gross insubordination, willful neglect of duty, drunkenness, or conviction of a crime involving moral turpitude.

8. Employees can be suspended without pay; but, if the charges are not sustained, he shall be immediately reinstated, and his back salary shall be paid.
9. The school board shall grant continuing service credit for time spent as a member of the Legislature provided they have a professional services contract, multi-year contract, or continuing contract.

10. Retired employees may be reemployed in any public school on a probationary contractual basis.

11. Before a teacher gets a professional services contract, his/her contract need not be renewed and the district is not required to give a reason.

GRIEVANCE AND ARBITRATION PROCEDURES

Every Collective Agreement usually contains a grievance and arbitration procedure, though there are many variations in the actual process set out in each.

The purpose of the procedure is to resolve disputes between employees and the union on the one side, and the employer on the other, in regards to matters covered by the Collective Agreement.

Essentially, the grievance process is the first process and arbitration is only pursued if the dispute is not resolved during the grievance process.

Grievance procedures usually have two or three 'steps', or stages, involving progressively higher levels of management and union representation. Also, the grievance and arbitration clause has time limits for proceeding to each subsequent stage.

Types of Disputes

The most common dispute is whether a discipline or discharge was proper. Examples of other disputes that can be resolved using the grievance and arbitration procedure include a claim by an employee that the wage rate set out in the agreement has not be paid, that an overtime assignment was wrongly made, or that a safety shoe allowance has not been paid.

Employees are usually required to first discuss most complaints with their supervisor. If the supervisor can not resolve the problem, then the dispute will proceed to higher levels of the grievance process in the search for a resolution.

Steps from Grievance to Arbitration

The right to go to higher levels in the grievance procedure and ultimately to arbitration is almost always the right of the trade union, not the employee. The union may therefore decide for many reasons not to pursue the employee’s complaint.

In situations that impact many employees, unions usually have the right to submit a group complaint, often called a policy grievance. In a policy grievance no particular employee involved in filing the grievance is named.
If the matter is not resolved at some level of the grievance process, the union may take the matter to arbitration. Arbitration is a type of informal court. The arbitrator is the judge, but unlike the courts, both the union and the employer in equal amounts, regardless of who wins the case, pay for this judge. The arbitrator can be selected by agreement or, if either the union or employer asks, by the Ministry of Labor.

Three person Boards of Arbitration were once popularly used. They consisted of the neutral arbitrator, an arbitrator appointed by the union and an arbitrator appointed by the employer. Not surprisingly, most decisions were 2 to 1. Today the use of a single arbitrator rather than a Board is common.

At an arbitration hearing, both sides present their case. Facts must either be agreed to or proved by witnesses and other evidence such as documents. Following the hearing, which can take many days in complex situations, the Arbitrator will usually take some time to consider the problem and then issue a written decision. The arbitrator's decision is legally binding and final.

**BEGINNING TEACHER REQUIREMENTS:**

Look this up:

- Know about the timeline for get GK, Subject area, Profession Knowledge tests???
- How many years a new teacher/out of field teacher can have before passing these tests, if not where can the principal stop hiring him/her???
- What level of clearance do chaperones need to be an overnight field trip?

**Principles of Professional Conduct for the Education Profession in Florida**

- Violation of any of these principles shall subject the individual to revocation or suspension of the individual educator’s certificate, or the other penalties as provided by law.
- Obligation to the student requires that the individual: Shall not harass or discriminate against any student on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition, sexual orientation, or social and family background and shall make reasonable effort to assure that each student is protected from harassment or discrimination.
Shall not exploit a relationship with a student for personal gain or advantage.

Shall keep in confidence personally identifiable information obtained in the course of professional service, unless disclosure serves professional purposes or is required by law.

- Obligation to the public requires that the individual:
  Shall not use institutional privileges for personal gain or advantage.

- Obligation to the profession of education requires that the individual:
  (a) Shall maintain honesty in all professional dealings.
  (b) Shall not on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition if otherwise qualified, or social and family background deny to a colleague professional benefits or advantages or participation in any professional organization.
  (c) Shall self-report within forty-eight (48) hours to appropriate authorities (as determined by district) any arrests/charges involving the abuse of a child or the sale and/or possession of a controlled substance. Such notice shall not be considered an admission of guilt nor shall such notice be admissible for any purpose in any proceeding, civil or criminal, administrative or judicial, investigatory or adjudicatory. In addition, shall self-report any conviction, finding of guilt, withholding of adjudication, commitment to a pretrial diversion program, or entering of a plea of guilty or Nolo Contendre for any criminal offense other than a minor traffic violation within forty-eight (48) hours after the final judgment. When handling sealed and expunged records disclosed under this rule, school districts shall comply with the confidentiality provisions of Sections 943.0585(4)(c) and 943.059(4)(c), Florida Statutes.

Criteria for Suspension and Dismissal

The basis for charges upon which dismissal action against instructional personnel may be pursued are set forth in Section 231.36, Florida Statutes. The basis for each of such charges is hereby defined:

(1) Incompetency is defined as inability or lack of fitness to discharge the required duty as a result of inefficiency or incapacity. Since incompetency is a relative term, an authoritative decision in an individual case may be made on the basis of testimony by members of a panel of expert witnesses appropriately appointed from the teaching profession by the Commissioner of Education. Such judgment shall be based on a preponderance of evidence showing the existence of one (1) or more of the following.
- Inefficiency: (1) repeated failure to perform duties prescribed by law (Section 231.09, Florida Statutes);

- Gross insubordination or willful neglect of duties is defined as a constant or continuing intentional refusal to obey a direct order, reasonable in nature, and given by and with proper authority.

- Conviction on the charge of drunkenness by a court of law.

**Equity in Hiring Personnel**

**Equal Employment Opportunities**

- Salary policies, employee classification, assignments and other practices shall not discriminate on the basis of race, sex, national origin, marital status or handicap.

- Pregnancy. Pregnancy and childbirth shall be treated in the same manner as temporary disabilities with respect to all job-related purposes,

- An institution may not deny employment opportunity to a qualified handicapped employee or applicant if the basis for the denial is the need to make reasonable accommodation to the employee or applicant.

**CERTIFICATIONS**

Effective date of certificates: Each certificate shall bear an effective date of July 1 of the school fiscal year for which it is issued.

**Renewal of a Professional Certificate** - Subject area tests. A passing score on a subject area test in the certification area shown on the certificate may be used to renew the coverage on the professional certificate.
**Essay Preparation**

Make sure you are ready to write a letter to the parents, superintendents, or teachers about your falling FCAT grade. You will have to analyze the data, explain, and provide ways to make changes in your school next year.

Make a list of key Words before you write and plan. Here are some examples of key words: differentiated instruction, analysis of assessment data, professional learning communities, on-going professional development, collaboration with stakeholders, addressing needs based on assessments, suspend electives

Here are some ideas for Elementary but make sure you prepare for High School as well!!!

**Reading**
- Additional Reading Teachers
- Assess students then group in Walk To - remediation and enrichment for students in small groups based on progress monitoring - remediation and/or enrichment for all
- On-line custom courses for students in Reading - lab twice a week and morning club for those in need of remediation
- Smaller class sizes and work in small group for intensive reading strategies
- Booster Groups = extra reading time during Specials time - 3 times a week with hired subs who are qualified
- Parent Curriculum Nights with a focus on Reading Strategies for parents to assist their children at home

**Writing**
- Writing Coach
- Pull out programs based on missing pieces in writing
- Teacher training on new program
- Journals with teacher feedback at least once a week on focus skill
- Integration of writing across the curriculum

**Math**
- Math Coach
- Pre-assess for grouping
- New textbook series with intensive, on-going professional development for teachers
- Strategic intervention with on-line piece students can access at school and home
- Teacher utilizing Professional Learning communities to analyze data from scores to share ideas and increase student achievement
- On-line custom courses for students in Math - lab twice a week and morning club for those in need of remediation
- Assess - District Math Progress Monitoring Assessment and pre/post chapter assessments based on NGSSS
- Parent Curriculum Nights with a focus on Math Strategies for parents to assist their children at home

**Science**
- Science Lab with an emphasis on inquiry based learning
- Science Coach
- Teacher utilizing Professional Learning communities to analyze data from scores to share ideas and increase student achievement
- School Wide Science Nights to increase interest in science related topics