

PCPS-PEA Negotiations #3 10.1.25 Teacher 6 Air Conditioning
10-28-25 District Rejected AC
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ARTICLE VI - TEACHING CONDITIONS

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Definitions:

- **Planning time** – Teacher self-directed time during the teacher workday set aside for teachers to plan to meet the educational needs of their assigned students.
- **Collaborative Planning** – Time spent with other faculty focused on designing effective instructional plans by grade level or subject area in collaboration to improve student learning, share best practices, develop assessments for learning, and other practices designed to meet the educational needs of their assigned students.
- **Professional Learning Community (PLC)** – An extended learning opportunity to foster collaborative learning among colleagues within a particular work environment or subject area designed to meet the educational needs of the school's students.
- **Instructional time** - Time spent conducting activities that meet lesson plan, curriculum, AIP's or IEP's is instructional time.
- **Non-instructional duty** - Time spent supervising students in which no curriculum, lesson plan, AIP or IEP goals are met.
- **Student Contact time** - Time during which a teacher has direct responsibility for students; may include both instructional and non-instructional time.
- **Special Programs** – Self-contained instructional classrooms for Exceptional Student Education and teachers assigned to any alternative education program or worksite.

6.1 Teacher Responsibility: The Board and the Association acknowledge that a teacher's primary responsibility is to teach, and that support personnel and volunteers shall be used to assist with and reduce teachers' non-instructional responsibilities. The Board and the Association agree that, in order to encourage the efficient use of time and to conserve paper, paperwork required of teachers should be kept to a minimum.

6.1-1 As a part of teachers' professional responsibilities, they are expected to attend such after school activities as: parent-teacher meetings, open house, graduation. The parties recognize that teachers have obligations outside their professional responsibilities and agree that schedules for such activities shall be provided no later than the last day of teacher pre-planning of each school year and that flex time be provided to those participating teachers by mutual agreement of the principal and teachers.

6.1-2 With the exception of the last grading period, grades will be due by the end of the duty day of the second working day following the end of the grading period. For the last grading period, middle and high school grades will be due at 8:00 a.m. on the first workday following the last student contact day. For teachers of graduating seniors, grades will be due one (1) day before

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the last official school day for seniors. Grades should be submitted no later than the end of the duty day for this group and the date will be determined during second semester. For elementary schools, grades will be due on the 172nd student day. The exact due dates and time for grades will be published within the school calendar whenever possible.

6.1-3 If a teacher is required to utilize a specific software program in the execution of their job, that program must be available to them in their classroom. If software is unavailable appropriate handwritten forms may be used.

6.1-4 Substitute teachers shall be employed, when available, for all absent teachers. Employees shall be able to report an illness with one contact 24 hours per day whether through a phone call or through a computer to an automatic substitute placement system. In the instance of an employee who has been the subject of disciplinary action for absenteeism, a call to a school's administration can be required. This contact shall satisfy any requirements for scheduling a substitute, if required. When a substitute is not available, the unfilled job number from the substitute placement system must be provided to impacted staff upon request. Substitute teachers shall be expected to perform all of the teacher duties normally performed by the regular teacher as determined by the building principal. Except in emergencies, classroom teachers will leave adequate written teaching plans for the substitute teachers so that the normal classroom activities may be carried out.

6.1-5 A teacher may be requested, but not required, to substitute during his/her planning time for another teacher.

6.2 Teacher Workday: The workday for all teachers shall be no more than 7¾ hours. On non-student days teachers shall have a one (1) hour lunch break. On student days a teacher shall be scheduled for a maximum of ~~360~~ **345** minutes per day of student contact, a duty-free lunch period of at least 30 consecutive minutes, excluding any transition time where a teacher is supervising students, and at least 45 minutes of uninterrupted planning time for a traditional schedule or an uninterrupted block of at least 90 minutes every other day for a block schedule. In establishing at least 30 consecutive minutes, excluding any transition time where a teacher is supervising students, school year 2025-2026 will be a planning year with implementation school year 2026-2027. **Non-classroom/non-instructional positions within this contract not regularly assigned students shall have no more than 90 minutes per day of student contact duties that fall outside of their regular duties as specified within their job description.** Remaining minutes of student contact time may be utilized for non-instructional duties and may be accumulated within the week to facilitate this required coverage within the teacher's duty day. The staff shall be involved in designing the non-instructional duty schedule.

6.2-1 If the implementation of arrangements (e.g. re-assignment of paraeducators, changing of duty schedules, changing of teaching schedules of specialty teachers, etc.) for a duty-free lunch equivalent of at least 30 consecutive minutes, excluding any transition time where a teacher is supervising students is not acceptable to a majority of the school faculty as determined by secret ballot vote, then this provision shall not apply. In establishing at least 30 consecutive minutes, excluding any transition time where a teacher is supervising students, school year 2025-2026 will be a planning year with implementation school year 2026-2027. The determining secret ballot vote must occur at an announced time and place where ballots will be distributed, collected

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and counted publicly by the principal and teachers to include PEA representation, and, which allows for all teachers to attend. The vote must take place annually during the week of pre-planning.

6.2-2 Teachers assigned to Traviss and Ridge Technical Colleges shall work a seven (7) hour day consisting of three hundred thirty (330) minutes per day of instructional contact time and three hundred (300) minutes per week of planning time. Those employees who are under a teacher contract but do not have 330 student contact minutes per day shall work the regular 7 ¾ hour day.

6.2-3 Teachers at the Area Technical Colleges in special programs (such as: State Licensure Programs, Less Than 5 Days, etc.) shall work no more than a 35-hour week with no more than 1950 minutes of student contact time per week and no less than 150 minutes of planning time per week. In certain situations, teachers in these programs may not have a duty-free lunch.

6.2-4 Arrangements for classroom visits made during the prescribed teaching day shall be made by the teacher with the approval of the principal/immediate supervisor. Visits to a teacher's classroom by persons not connected with the Polk County school system shall be conducted only with the teacher's prior approval. Such access to public school classrooms shall not be unreasonably denied.

6.2-5 Evaluative visits by School District office personnel shall be made with a two (2) workday notification to the teacher and principal/immediate supervisor, except in case of emergency. Teacher approval is not required for visits by the Education Practices Commission or for special open house visitation planned by the faculty and administration.

6.2-6 Communication systems shall not be used for assessment purposes, nor shall they be used for monitoring classroom activities without the teacher's permission. School wide use of public address systems shall be kept to a minimum during student contact times. Morning and afternoon announcements shall be at predetermined times.

6.2-7 When school is not in session, a teacher may be given access to his/her classroom by arranging such access through the principal.

6.2-8 The principal or immediate supervisor shall have authority to grant a teacher's request for variation from the regular school day schedule when circumstances necessitate such a procedure. When granted, such variation shall not result in loss of pay or accumulated leave days to the teacher.

6.2-9 Teacher Resource Specialist Trainers (TRST) hired before July 1, 2005, who work a 10 or 11 month contract, for 7.75 hours daily with a 30 minute lunch inclusive, will not receive the TRST supplement ([APPENDIX C – SUPPLEMENTAL SALARY SCHEDULE](#)) and will be designated as a TRST I. No TRST hired after July 1, 2005 will be eligible for the Level I designation. TRST I may elect to reclassify to the appropriate TRST II or TRST III position by notifying their supervisor in writing.

6.2-10 Teacher Resource Specialist Trainers (TRST) hired after July 1, 2005 or those hired before July 1, 2005 who elect to be reclassified, will be designated as either a Level II TRST, working 10 or 11 month contract, for 8.5 hours daily with a 30 minute lunch inclusive and receiving the TRST supplement ([APPENDIX C – SUPPLEMENTAL SALARY SCHEDULE](#)),

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or, will be designated as a Level III TRST, working a 12 month contract, for 9 hours daily with a 1 hour lunch inclusive and receiving the TRST supplement ([APPENDIX C – SUPPLEMENTAL SALARY SCHEDULE](#)) and vacation days as outlined in school board policy.

6.2-11 Lowest-Performing Elementary Schools. Florida Statutes, require that each school district having one or more of the state designated lowest-performing elementary schools based on the state reading assessment have teachers or reading specialists, effective in teaching reading, provide an additional hour of intensive reading instruction each day of the school year at these schools. In order to comply with this mandate, teachers will work an eight (8) hour day with the additional time paid at their daily rate of pay. In the event that a teacher does not wish to work the eight (8) hour day, the principal shall have the authority to grant the request thus allowing the teacher to continue the traditional 7¼ hour day, as long as the additional hour of intensive reading instruction requirement can be met. All contractual rights including the amount of planning time as guaranteed in Article 6.3-1 will be honored.

6.2-12 A reasonable amount of travel time of at least thirty (30) minutes shall be allowed each way during the regular duty day if teachers are required to attend partial day meetings at locations other than their regularly assigned schools. For full day meetings, a reasonable amount of travel time of at least thirty (30) minutes shall be allowed each way.

6.2-13 When scheduled by the District administration, teachers may have their start and end time adjusted by up to ninety (90) minutes when given at least a two (2) week notice for attending a partial or full day inservice/meeting.

6.3 Planning Time: All teachers are to be guaranteed an uninterrupted daily block of at least 45 minutes of planning for a traditional schedule or an uninterrupted block of at least 90 minutes every other day for a block schedule. Planning time shall be used primarily for lesson/program planning, parent conferences, student conferences, and conferring with other faculty members.

A good faith effort must be made by the principal or designee to ensure equitable scheduling among the faculty for teacher participation and involvement for any accommodation plan meeting (IEP (Individual Education Plan), 504, BIP (Behavior Intervention Plan), etc.) in which the teacher's planning time and instructional time are disrupted as little as possible.

a) The principal may have up to one (1) of these 45-minute blocks per week designated for Collaborative Planning, Professional Learning Community (PLC), or Faculty Meetings (one (1) per month) or other data gathering/planning intended to increase student achievement ~~even on weeks shortened by a holiday.~~ **Principals/supervisors will not hold a PLC or Faculty Meeting on shortened weeks due to a holiday or full/split staff-development day. In-service points for PLC work will be loaded into the online District Professional Development System Scheduler by the end of each semester.**

b) Outside of the principal/admin directed planning each week, teacher planning time shall be used by the teacher solely for self-directed planning time. Recognizing that curriculum changes are inevitable throughout all areas of instruction, team/common planning may occur and is encouraged in order to meet the needs of the students. Teachers are responsible for the proper utilization of the self-directed portion of planning time.

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c) Classroom teachers may volunteer to cover classes during their planning period. Teachers will be compensated at their regular hourly rate of pay for the equivalent of their school's scheduled planning period. Any non-classroom instructional staff who is directed to cover a classroom for the entire student contact day will be compensated at their regular hourly rate of pay for the equivalent of their school's scheduled planning period. Instructional staff will use the Special Activity Payroll reporting process.

6.3-1 Elementary school teachers shall have an uninterrupted, continuous block of time of no fewer than forty-five (45) minutes per day of scheduled duty-free planning time during the student contact time. Should a continuous forty-five (45) minute block be unfeasible, the principal will schedule a continuous thirty (30) minute block during the student day and an additional fifteen (15) minute continuous block of time during the duty day for planning. Elementary teachers shall stay with their students when the students are participating in regularly scheduled special classes only when there is no certified instructor available.

6.3-2 Middle school teachers shall have an uninterrupted, continuous block of forty-five (45) minutes per day for a traditional schedule or an uninterrupted block of at least 90 minutes every other day for a block schedule of scheduled duty-free planning time during the student contact time. Middle school schedules should include time for teacher planning time for such concepts as team planning, back-to-back planning periods, parent conferences, student conferences, etc. In middle schools that elect to participate in a seven (7) or eight (8) period day, the normal teaching load will be six (6) out of seven (7) or seven (7) out of eight (8) periods. (Advisor/advisee instruction will count as a teaching period.) Teachers, excluding those teachers assigned to Special Programs, may be asked, but shall not be involuntarily assigned a teaching schedule requiring more than three (3) preparations. To indicate acceptance of a schedule with more than three (3) preparations, the teacher must be presented with the schedule in writing and indicate acceptance by attaching their signature.

6.3-3 High school teachers shall have an uninterrupted, continuous block of forty-five (45) minutes per day for a traditional schedule or an uninterrupted block of at least 90 minutes every other day for a block schedule of duty-free planning time during the student contact time. A normal teaching load will be six (6) out of seven (7) periods. Instructional time will be arranged according to the school's approved schedule and in accordance with Southern Association of Colleges and Schools (SACS) guidelines. Teachers, excluding those teachers assigned to Special Programs, may be asked, but shall not be involuntarily assigned a teaching schedule requiring more than three (3) preparations. To indicate acceptance of a schedule with more than three (3) preparations, the teacher must be presented with the schedule in writing and indicate acceptance by attaching their signature.

6.3-4 Traviss and Ridge Technical College-regular program and academic teachers shall have three hundred (300) minutes per week of planning time.

6.3-5 Adult School (East and West Areas) teachers shall have at least 250 minutes per week of planning time.

6.3-6 Teachers are required to make arrangements with the principal or immediate supervisor prior to leaving school grounds during this planning time. Arrangements shall not be unreasonably difficult so as to deny teachers the ability to leave.

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6.3-7 The Board shall structure a schedule for students that dismisses all students 150 minutes early to provide teachers 150 minutes of planning time in addition to the planning time described in Sections 6.3 through 6.3-5. There shall be at least ten (10) of these Student Early Dismissal Days distributed throughout the school year as mutually agreed upon.

6.3-8 Planning Time During Testing: When testing schedules are implemented the administrator will make all efforts to keep the teacher's normally scheduled day intact when possible. If not possible, teachers who lost planning time due to the testing schedule *must* still receive an average of 45 minutes each day of self-directed planning for each of the impacted testing weeks. The calculation of the weekly average self-directed planning time includes, but is not limited to, the self-directed planning time plus any minutes when a teacher is not assigned to non-instructional duties during that impacted testing week.

6.4 Non-instructional Duty: Representatives of the school staff shall be involved in developing the non-instructional duty schedule. All teachers shall be notified, and volunteers solicited to participate. All volunteers shall be allowed to participate. There shall be, insofar as possible, a fair and equitable distribution of non-instructional duties and responsibilities among all teachers and staff consistent with the law and School Board policies. No teacher will be required to work more than their contracted time. If a problem with planning or distribution of non-instructional duties and responsibilities becomes apparent that cannot be resolved by the staff, it shall be referred to the Safety, Maintenance and Non-Instructional Duties Committee.

6.4-1 Except for regularly assigned duty, teachers shall not be responsible for students before or after regularly scheduled student contact hours.

6.5 Faculty Meetings: The principal shall specify a day for regular faculty meetings. Except in extenuating circumstances, the faculty meeting should be limited to the designated day. If a change is needed, teachers shall be given two (2) days' notice except in cases of emergency. Such meetings shall have an agenda and shall be as brief and well planned as practical. A copy of minutes shall be kept and maintained in a designated, accessible place. Faculty meetings shall be conducted during the teacher duty day except in extenuating circumstances. Sales representatives will not be allowed access to the faculty prior to or during the faculty meeting.

6.6 Safe and Healthy Working Environment: The Superintendent shall be responsible for determining unsafe and hazardous conditions under which teachers shall not be required to work. In the event of a bomb threat or fire, teachers shall evacuate the building with their students and shall not be required to return to the building until the building has been determined safe to use according to the provisions of the School Board adopted Polk County Public Schools Disaster and Emergency Preparedness Plan. A copy of this and the school's safety plan will be included in the school's Teacher Handbook and will be reviewed annually, before the start of classes, by the faculty and staff.

The Superintendent shall be responsible for determining that teachers are working in safe and non-health threatening environments. To that end the Board shall:

6.6-1 The Board shall provide and require the use of necessary safety equipment to comply with the State Board of Education regulations concerning teachers assigned subject areas where the teacher is subjected to inordinate safety or health hazards. Provide each middle school and high

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school science teacher a copy of the most recent edition of the Polk County Schools Laboratory Safety Standards and Hygiene Plan.

6.6-2 Maintain heating and air conditioning equipment, where available, to provide a comfortable and healthy environment when school is in session except in emergency situations. **Staff will have the ability to turn thermostats as low as 70 degrees when units are set to cooling and as high as 72 degrees when units are set to heating. Staff will have access to toggle between cooling and heating, as needed.**

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6.6-3 Provide parking areas and walkways, which are hazard free and appropriately lighted for nighttime activities. Where unsafe conditions exist the teacher(s) affected shall notify the school's Safety, Maintenance, and Non-Instructional Duties Committee so that corrective action may be taken.

6.6-4 Provide custodial service to maintain classrooms and other learning areas in a clean and healthy condition. This determination shall be the responsibility of the principal or immediate supervisor. Bug spraying should be conducted after school hours. Teachers shall be informed at least two days in advance of such activity. (Bug spraying, painting, major maintenance projects, etc.). This provision shall not apply to emergency situations.

6.7 School Based Committees: In order to provide an efficient school operation and climate of collaboration certain school-based committees shall be established to include, but not limited to the following list of committees.

6.7-1 Curriculum Committee

Duties: **1)** Evaluate curriculum to ensure compliance with appropriate State Standards for that school level. **2)** Evaluate proposed changes to the curriculum to ensure the continued compliance with the State Standards and to meet specific learning needs (see Article 4.6-1). **3)** Participate in the determination of textbook budget allocation (see Article 4.6-1). Textbook purchase for ESE students will be provided through categorical textbook funding at each school. **4)** Where applicable, annually reviews the School's Curriculum guide and makes appropriate updates. **5)** Hear appeals (as indicated in 6.3) related to the assignment of more than three (3) preparations. **6)** Work with the principal in determining the need for and the nature of any school based in-service programs, and make recommendations to the Administration regarding curriculum, school improvement and training. **7)** The grade/department/team will meet to make recommendations to the principal in determining grade/department/team chairpersons. Make recommendations on the expenditure of funds allocated for materials and supplies. **NOTE:** ESE materials money will be designated at each school as part of the school budget. ESE teachers at each school should have input as to the expenditure of these funds. Teachers from other departments or grade levels may appeal to the ESE department for a portion of those funds to be used for materials provided to ESE students in regular classrooms. Recommendations are submitted to the principal/director for approval.

6.7-2 Safety, Maintenance and Non-Instructional Duties Committee

A. Duties: **1)** Develop and recommend a school safety plan; **2)** Review and support the Polk County Public Schools disaster and Emergency Preparedness Plan. **3)** Annually survey the school facility, staff and faculty to identify maintenance needs. Provide regular input on the

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maintenance of buildings, grounds, parking areas and heating and air conditioning systems. Make recommendations to the principal. 4) Survey non-instructional duty needs and make recommendations appropriate within the organizational framework and without adversely affecting the educational process and student control.

B. Membership: Consideration should be given to the inclusion of: the designated Health contact, the designated safety contact, a member of the school nutrition and custodial staff, a representative from the science department if a middle or high school and a school counselor as appropriate.

6.7-3 Student Concerns Committee

Duties: Discuss and make recommendations to the principal regarding new student orientation, student discipline, student attendance, and student recognitions. The orientation program for new/transfer students will be completed prior to entering the classroom. Instructional time shall not be interrupted for clerical duties except in cases where expediency is a necessity. New/transfer students will be admitted to the classroom with the least amount of disruption.

Committees will be appointed by the principal/supervisor and will include the following:

Elementary School – One teacher from each grade level, ESE and Specialty classes, principal or designee. (One committee member must be a PEA member.)

Middle School – One teacher per team, ESE and Specialty classes, principal or designee. (One committee member must be a PEA member.)

High School – One teacher per department (Academic Core, Electives, ESE, Specialty classes, vocational), principal or designee. (One committee member must be a PEA member.)

6.7-4 Placement Review Committee: Reference Article 10.4-3 - A teacher has the authority to remove a student from the classroom pursuant to §1003.32, Florida Statutes.

A. Duties: To comply with *Section 1003.32(6), Florida Statutes*, each school shall establish a Placement Review Committee to determine placement of a student when a teacher withholds consent to the return of a student to the teacher's class. A school principal must notify each teacher about the availability, the procedures, and the criteria for the Placement Review Committee.

B. Membership: Placement Review Committee membership must include at least the following:

1. Two (2) teachers, one selected by the school's faculty and one selected by the teacher who has removed the student.
2. One (1) member from the school's staff who is selected by the principal.

The teacher who withheld consent to readmitting the student may not serve on the committee. The Placement Review Committee must render a decision within five (5) days after the removal of the student from the classroom. If the Placement Review Committee's decision is contrary to the decision of the teacher to withhold consent to the return of the removed student to the teacher's class, the teacher may appeal the committee's decision to the district school superintendent.

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The staff member appointed by the principal and the teacher elected by the faculty must be in place on this committee by the *last student contact day in August*.

3. If the teacher is withholding consent to readmit a student with an accommodation plan (IEP, 504, BIP, etc.), a staff member with knowledge of that plan must be added to the Placement Review Committee.

a. Removing Students with Accommodation Plans (IEP, 504, BIP, etc.):

- i. Whenever possible, the teacher withholding consent will provide documentation to the Placement Review Committee that demonstrates the establishment of reasonable classroom rules that treat all students equitably; orderly and disciplined classrooms with positive and effective learning environments that maximize learning and minimize disruption; previous work with parents/guardians and school personnel to solve discipline problems including requests for behavior support and/or plan meetings (IEP, 504, BIP, etc.).
- ii. If a teacher is withholding consent to readmitting a student with a plan the LEA, or a staff member with knowledge of the student and their plan, shall when available provide the Placement Review Committee with available pertinent information. Such information may include items such as cumulative file review, academic/behavioral data, communication log, etc. The summary for that student must be reviewed by the Placement Review Committee within five (5) days after the removal of the student from the classroom, as part of the decision-making process of the committee.

6.7-5 Labor-Management Committee: The District and the Association agree to work together for the mutual benefit of the faculty, staff, and students. Site Administrators and Association Building Representatives may establish a site-based, joint Labor Management Committee within the work site. This Committee will be composed of at least one (1) of the work site's elected Association Building Representatives, the Principal/Supervisor, and a balance of up to five (5) other employees, which should include paraeducators and ESPs, and site administrators. The Committee will meet quarterly or as often as needed to discuss issues, concerns, suggestions, and ideas related to the work site, the faculty, and the staff and promote a better understanding between the Association and the work site. This Committee will also advise site Principals/Supervisors on recruitment and retention issues. This Committee will have no authority to modify or interpret the Collective Bargaining Agreements, School Board Policy, or replace the Grievance Procedure. A copy of the proposed resolution(s) will be submitted by the principal to the regional superintendent and the Association building representative to the PEA Office for review.

6.7-6 The committees described in Article 6.7 must be in place by the last student contact day in August. Committees described in 6.7-1, 6.7-2, and 6.7-3 shall meet a minimum of four (4) times per year. Minutes shall be taken and made available to all staff members. All committee

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meeting agendas shall support the District's Strategic Plan and each respective School's Improvement Plan (SIP). Other parties may be invited to participate in meetings as needed.

The Placement Review Committee shall only meet when necessary per Florida Statutes, and minutes from this committee shall be maintained.

6.8 Teachers may attend regular season sports events free of charge at their home schools. This provision does not apply to State sanctioned sports playoffs and tournaments.

6.9 **Lesson Plans:** The parties agree that instruction requires thoughtful preparation. The development of lesson plans by and for the teacher is a professional responsibility. However, a teacher's planning and preparation may be different based on personal style, professional needs, student needs and experience in the classroom. Plans are to be used as a guide to fulfill the state standards and District's instructional objectives for student achievement. Plans should include strategies and accommodations for students with disabilities, and English Language Learners, if needed. Remediation and enrichment and the type of progress monitoring should be included, if needed.

As such, administrators shall not require that lesson plans be in a particular format. Administrators also shall not require the posting or storage of lesson plans in a particular place or manner. A principal or principal's designee may request teachers to submit a copy of their lesson plans at the end of the teaching week *or* at the end of a particular unit. The teacher's plans are to be used as a guide in order to fulfill the county's instructional objectives and to assist the teacher in conducting a planned instructional program. Current lesson plans shall be available in the classroom for inspection at all times. Teachers shall not be routinely required to submit a copy of their lesson plans to the site administrator unless required by Article 6.9-2.

6.9-1 In the event a teacher is absent, it shall be the teacher's responsibility to have lesson plans at the school prior to the start of the pupil day to cover the period of absence not to exceed the balance of the week in which the absence occurred.

6.9-2 If the principal or their designee, through documented classroom observation, determines that a teacher is having difficulty with classroom instruction or is not meeting instructional objectives, the principal shall hold a conference with the teacher having difficulty. The principal may require lesson plans to be turned in at the start of each week if the teacher is in one of the following categories:

- a) Category I teacher as defined in Article 15: or
- b) The teacher is on an Instructional Assistance Conference (IAC) or on a Professional Development Plan (PDP); or
- c) The teacher holds an average rating of Needs Improvement or Unsatisfactory on their last overall summative evaluation; or

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d) Educational Emergency as outlined in Article XXXI – Board’s Rights per Section 1012.28(8), Florida Statutes.