

**FLORIDA DEPARTMENT OF EDUCATION
TEACHER REQUEST FOR APPOINTMENT OF
A SPECIAL MAGISTRATE**

This form must be completed to request the appointment of a Special Magistrate by the Commissioner of Education.

What is a Special Magistrate? A Special Magistrate is a member of the Florida Bar in good standing and who has at least 5 years of experience in administrative law. A hearing before the Special Magistrate provides a teacher with the opportunity to demonstrate they have been directed to violate general law or State Board of Education Rule.

Who can request the appointment of a Special Magistrate? The request can only be made by a person employed by a school district as a classroom teacher.

When can a request be made? A request can be made only after a teacher has sought to resolve the dispute at the school and school district level based upon the procedures adopted by the school district.

What types of disputes can be considered by a Special Magistrate? A Special Magistrate will only consider disputes where a classroom teacher alleges that he or she has been directed to violate general law or State Board of Education Rule by the school or the school district.

How will notice be provided of whether a Special Magistrate has been appointed? The Department will provide the teacher and the school district written notice once a decision has been made. A Special Magistrate may not be appointed for a number of other reasons, such as the failure to fully utilize school district procedures for resolution, or where referral would interfere with an investigation or other administrative, civil, or criminal proceedings. Please see Rule 6A-1.094127, F.A.C., for more details.

Name of Classroom Teacher _____

School District _____

School _____

Teacher Contact Information:

Email Address: _____

Mailing Address: _____

(City / State/ Zip Code)

DESCRIBE THE DISPUTE WITH THE SCHOOL DISTRICT

Identify the school district procedure or practice in question.

Identify the general law or State Board of Education rule that the teacher is being directed to violate through its procedure or practice.

Briefly describe the dispute with the school or school district that prompted your request to be heard before a Special Magistrate:

RESOLUTION

Yes No As the teacher, I have attempted to resolve the dispute with the school and school district by utilizing all of the procedures adopted by the districts to resolve the dispute or concern. Please attach the responses received from the school and school district.

_____ Date School Principal Responded to Dispute or Concern (Please attach response)

_____ Date School District Responded to Dispute or Concern (Please attach response)

Describe the Resolution Requested from the School and School District:

Describe the Resolution You Would Like the Special Magistrate and the State Board of Education to Provide to Resolve the Dispute:

ACKNOWLEDGEMENT

I understand that the hearing before the Special Magistrate and the State Board of Education is open to the public and that records relevant to the dispute may be disclosed to the public.

Signature of Teacher

Date

HOW TO SUBMIT THIS FORM TO THE DEPARTMENT OF EDUCATION:

The completed form along with required documentation must be sent via email to the following address:

SpecialMagistrate@fldoe.org

or by U.S. mail to:

Florida Department of Education
325 West Gaines Street, Suite 224
Tallahassee, FL 32399