

TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT

TO: Mayor and Council Members

FROM/PHONE: Mark Alan, Director of Human Resources Management (954) 797-1169

PREPARED BY: Mark Alan, Director of Human Resources Management

SUBJECT: Personnel Rules and Regulations Amendment

AFFECTED DISTRICT: All Districts

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AMENDING RULE XII, SECTION 3 OF THE PERSONNEL RULES AND REGULATION OF THE TOWN OF DAVIE, FLORIDA, ENTITLED "PAYMENT OF TUITION COSTS IN SELF-DEVELOPMENT COURSES"; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF: Currently, the payment of tuition is limited to the maximum charge per credit hour made by a state college regardless of whether or not the course was taken in a private or public institution of higher learning if the affected employee has been employed by the Town of Davie less than two (2) years; and full payment of tuition is granted to an employee who has been employed by the Town of Davie two (2) years or more regardless of whether or not the course was taken in a private or public institution of higher learning.

This resolution amends the Town's Tuition Reimbursement policy to indicate, in part, that it is the policy of the town to pay eighty percent (80%) of the tuition paid, up to a maximum amount per fiscal year [not to exceed the amount designated by the Internal Revenue Service (IRS) as the maximum amount which does not need to be reported as income] to be established by the Town Administrator, for reimbursement of tuition for college courses where the course is closely related to the work being performed by the employee, and when there is a reasonable indication that the course will help the employee render better performance to the town.

PREVIOUS ACTIONS: Town Council during the September 17, 2003, Town Council Meeting passed Ordinance 2003-036, Section 2 of which stated, "Any necessary future Town Council action regarding the Town of Davie's Personnel Rules and Regulations will be addressed through Resolution."

CONCURRENCES: not applicable

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

Attachment(s): Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AMENDING RULE XII, SECTION 3 OF THE PERSONNEL RULES AND REGULATION OF THE TOWN OF DAVIE, FLORIDA, ENTITLED "PAYMENT OF TUITION COSTS IN SELF-DEVELOPMENT COURSES"; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Town Council during the September 17, 2003, Town Council Meeting passed Ordinance 2003-036, Section 2 of which stated, "Any necessary future Town Council action regarding the Town of Davie's Personnel Rules and Regulations will be addressed through Resolution."; and

WHEREAS, The Town of Davie desires to amend Rule XII, Section 3 of the Personnel Rules and Regulation of The Town of Davie, Florida, Entitled "Payment Of Tuition Costs In Self-Development Courses";

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. The Town Council of the Town of Davie does hereby amend Rule XII, Section 3 of the Personnel Rules and Regulation of The Town of Davie, Florida, to read as follows:

RULE XII. EMPLOYEE DEVELOPMENT

Section 3. Payment of tuition costs in self-development courses.

Employees are encouraged to continue their self-development in whatever field they may be employed. Regular full-time employees who wish to take college courses after work hours may be able to have the tuition for such courses paid for. It is the policy of the town to pay tuition for college courses where the course is closely related to the work being performed by the employee, and when there is a reasonable indication that the course will help the employee render better performance to the town; provided other funds such as grants, scholarships, fellowships, or GI bill funds are not available from which such tuition may be paid. The payment of tuition shall be limited to the maximum charge per credit hour made by a state college regardless of whether or not the course was taken in a private or public institution of higher learning if the affected employee has been employed by the Town of Davie less than two (2) years. Full payment of tuition shall be granted to an employee who has been employed by the Town of Davie two (2) years or more regardless of whether or not the course was taken in a private or public institution of higher learning. eighty percent (80%) of the tuition paid, up to a maximum of amount per fiscal year [not to exceed the amount designated by the Internal Revenue Service (IRS) as the maximum amount which does not need to be reported as income] to be established by the Town Administrator, for reimbursement of tuition for college courses where the course is closely related to the work being performed by the employee, and when there is a reasonable indication that the course will help the employee render better performance to the town; provided the employee receives a grade of "C" or better for the course and other funds such as grants [Florida Resident

Access Grant (FRAG) and all others], scholarships, fellowships, or GI bill funds are not available from which such tuition may be paid. If the course is presented on a "pass/fail" basis, the employee must receive a grade of "pass" to be eligible for reimbursement. Pursuant to policies and procedures promulgated by the Town Administrator, An employee wishing to apply for tuition payment should submit his/her request in writing to his/her department director. The request should contain information as to the nature of the course, its length, and cost of tuition. If the department director feels that the course meets the criteria for payment, they will submit the request to the town administrator or designee with recommendation for approval. When the course is completed, a copy of the certificate or transcript received showing completing of it should be furnished to the department director. After review, the department director will forward it to the town administrator or designee for approval and to be placed in the employee's personnel file, at which time reimbursement will take place.

The town administrator or designee may require an employee who voluntarily resigns or who is terminated to reimburse the town for educational expenses if the employee has not completed two (2) years of paid continuous service after the course was completed. In making the determination whether or not to require reimbursement, the town administrator or designee shall consider criteria, including, but not limited to, length of continuous service, performance appraisal record, and reason(s) for leaving town employment.

SECTION 2. If any section, subsection, sentence, clause, phrase, or portion of this Resolution is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of the Resolution.

SECTION 3. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2007

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2007