

Office of Superintendent of Schools  
Board Meeting of April 9, 2003

March 19, 2003

Office of School Board Attorney  
Johnny Brown, Board Attorney

**SUBJECT: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v. CHARLES M. KEPLER, Jr. - DOAH CASE NO. 02-3502**

On August 21, 2002, the School Board suspended and initiated dismissal proceedings against Charles M. Kepler, Jr., a roofer, for just cause, including, but not limited to: excessive absenteeism; abandonment of position; conduct unbecoming a school board employee; non-performance and deficient performance of job responsibilities; gross insubordination; and violation of School Board Rules 6Gx13-4A-1.21, *Responsibilities and Duties*; and 6Gx13-4E-1.01, *Absences and Leaves*. A hearing was requested and the case was tried on December 2 and 20, 2002, before DOAH Administrative Law Judge Stuart M. Lerner.

By recommended order entered February 26, 2003, the Administrative Law Judge found that there was just cause to terminate Respondent's employment on charges of excessive absenteeism, abandonment of position, and conduct unbecoming a School Board employee, and recommended that the School Board enter a final order terminating Charles M. Kepler, Jr. from further employment with the School Board.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida enter a final order in the case of The School Board of Miami-Dade County, Florida v. Charles M. Kepler, Jr., DOAH Case No. 02-3502, adopting the Administrative Law Judge's Recommended Order sustaining the suspension without pay of Charles M. Kepler, Jr., and terminating his employment with The School Board of Miami-Dade County, Florida, as of August 21, 2002, and denying any claim for back pay.

JAB/pyc

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