

Enid Weisman, Chief Human Capital Officer  
Office of Human Capital Management

- SUBJECT:**            1) **RECOMMENDED ACCEPTANCE OF AGREED UPON  
DISCIPLINARY ACTION – SUSPENSION WITHOUT PAY**
- 15 CALENDAR DAYS**  
**JORGE GARCIA – FOOD SERVICE EQUIPMENT MANAGER**  
**FOOD & NUTRITION DEPARTMENT**
- 10 WORKDAYS**  
**BRETT L. SPENCE – TEACHER**  
**COCONUT PALM K-8 ACADEMY**
- 30 WORKDAYS**  
**DAVIE L. TOWBIN – FINANCIAL AID OFFICER**  
**ROBERT MORGAN EDUCATIONAL CENTER**
- 5 WORKDAYS**  
**ELVIA NUNEZ – PARAPROFESSIONAL**  
**DAVID LAWRENCE, JR., K-8 CENTER**
- 2 WORKDAYS**  
**NANCY O. PEREZ – PARAPROFESSIONAL**  
**CUTLER BAY ACADEMY OF ADVANCED STUDIES**
- 5 CALENDAR DAYS**  
**TYSHAWNNA D. GRANT – CUSTODIAN**  
**DR. EDWARD L. WHIGHAM ELEMENTARY SCHOOL**
- 5 CALENDAR DAYS**  
**JEAN B. LEANDRE – CUSTODIAN**  
**DR. EDWARD L. WHIGHAM ELEMENTARY SCHOOL**
- 5 CALENDAR DAYS**  
**DENNIS M. WILLIAMS – CUSTODIAN**  
**DR. EDWARD L. WHIGHAM ELEMENTARY SCHOOL**
- 30 WORKDAYS**  
**LEONEL MARRERO – TEACHER**  
**MIAMI CORAL PARK SENIOR HIGH SCHOOL**
- DEMOTION AND SUSPENSION WITHOUT PAY**  
**60 WORKDAYS**  
**ALBERTO G. PEREZ – LIEUTENANT**  
**CENTRAL OPERATIONS STATION 3**  
**MIAMI-DADE SCHOOLS POLICE DEPARTMENT**

**Replacement**  
**D-55**

**2) RECOMMENDED ACCEPTANCE OF DISCIPLINARY ACTION  
PENDING APPEAL**

**SUSPENSION WITHOUT PAY  
15 CALENDAR DAYS  
EDWARD L. BRICE – CUSTODIAN  
MIAMI NORTHWESTERN SENIOR HIGH SCHOOL**

**SUSPENSION WITHOUT PAY AND INITIATION OF DISMISSAL  
PROCEEDINGS  
SAMUEL WATERMAN – CUSTODIAN  
CUTLER BAY ACADEMY OF ADVANCED STUDIES**

**LINK TO DISTRICT  
FRAMEWORK: SCHOOL/DISTRICT LEADERSHIP**

The above-listed employees were provided written notice of the recommended disciplinary action in their respective cases.

The following employees have agreed in writing to the recommended disciplinary action and to waive their right to an administrative hearing or grievance/arbitration proceeding in the following manner:

Jorge Garcia: suspension without pay from his position as Food Service Equipment Manager at Food & Nutrition Department, for fifteen (15) calendar days, effective March 13, 2014, for just cause, including, but not limited to: violation of School Board Policy 4210, Standards of Ethical Conduct; and 4210.01, Code of Ethics. This action is taken in accordance with Sections 1001.32(2), 1012.22(1)(f), and 447.209, Florida Statutes; and Articles II and XI of the **Contract between the Miami-Dade County Public Schools and the American Federation of State, County, and Municipal Employees (AFSCME)**.

Brett L. Spence: suspension without pay from his position as Teacher at Coconut Palm K-8 Academy, for ten (10) workdays, effective March 13, 2014, for just cause, including, but not limited to: misconduct in office; and violation of School Board Policies 3210, Standards of Ethical Conduct; 3210.01, Code of Ethics; and 3213, Student Supervision and Welfare. This action is taken in accordance with Sections 1001.32(2), 1012.22(1)(f), 1012.33, and 447.209, Florida Statutes; and State Board Rules 6A-5.056, 6B-1.001, and 6B-1.006, FAC.

Davie L. Towbin: suspension without pay from her position as Financial Aid Officer at Robert Morgan Educational Center, for thirty (30) workdays, effective March 13, 2014, for just cause, including, but not limited to: misconduct in office; and violation of School Board Policies 3210, Standards of Ethical Conduct; and 3210.01, Code of Ethics. This action is taken in accordance with Sections 1001.32(2), 1012.22(1)(f), 1012.33, and 447.209, Florida Statutes; and State Board Rules 6A-5.056, 6B-1.001, and 6B-1.006, FAC.

Elvia Nunez: suspension without pay from her position as Paraprofessional at David Lawrence, Jr., K-8 Center, for five (5) workdays, effective March 13, 2014, for just cause, including, but not limited to: violation of School Board Policies 4210, Standards of Ethical Conduct; 4210.01, Code of Ethics; and 4213, Student Supervision and Welfare. This action is taken in accordance with Sections 1001.32(2), 1012.22(1)(f), and 447.209, Florida Statutes.

Nancy O. Perez: suspension without pay from her position as Paraprofessional at Cutler Bay Academy of Advanced Studies, for two (2) workdays, effective March 13, 2014, for just cause, including, but not limited to: violation of School Board Policies 4210, Standards of Ethical Conduct; 4210.01, Code of Ethics; and 4213, Student Supervision and Welfare. This action is taken in accordance with Sections 1001.32(2), 1012.22(1)(f), and 447.209, Florida Statutes.

Tyshawna D. Grant: suspension without pay from her position as Custodian at Dr. Edward L. Whigham Elementary School, for five (5) calendar days, effective April 9, 2014, for just cause, including, but not limited to: violation of School Board Policies 4210, Standards of Ethical Conduct; and 4210.01, Code of Ethics. This action is taken in accordance with Sections 1001.32(2), 1012.22(1)(f), and 447.209, Florida Statutes; and Articles II and XI of the **Contract between the Miami-Dade County Public Schools and the American Federation of State, County, and Municipal Employees (AFSCME)**.

Jean B. Leandre: suspension without pay from his position as Custodian at Dr. Edward L. Whigham Elementary School, for five (5) calendar days, effective March 13, 2014, for just cause, including, but not limited to: violation of School Board Policies 4210, Standards of Ethical Conduct; and 4210.01, Code of Ethics. This action is taken in accordance with Sections 1001.32(2), 1012.22(1)(f), and 447.209, Florida Statutes; and Articles II and XI of the **Contract between the Miami-Dade County Public Schools and the American Federation of State, County, and Municipal Employees (AFSCME)**.

Dennis M. Williams: suspension without pay from his position as Custodian at Dr. Edward L. Whigham Elementary School, for five (5) calendar days, effective April 4, 2014, for just cause, including, but not limited to: violation of School Board Policies 4210, Standards of Ethical Conduct; and 4210.01, Code of Ethics. This action is taken in accordance with Sections 1001.32(2), 1012.22(1)(f), and 447.209, Florida Statutes; and Articles II and XI of the **Contract between the Miami-Dade County Public Schools and the American Federation of State, County, and Municipal Employees (AFSCME)**.

Leonel Marrero: suspension without pay from his position as Teacher at Miami Coral Park Senior High School, for thirty (30) workdays, effective March 13, 2014, for just cause, including, but not limited to: gross insubordination; incompetency due to inefficiency; misconduct in office; and violation of School Board Policies 3210, Standards of Ethical Conduct; 3210.01, Code of Ethics; and 3213, Student Supervision and Welfare. This action is taken in accordance with Sections 1001.32(2), 1012.22(1)(f), 1012.33, and 447.209, Florida Statutes; and State Board Rules 6A-5.056, 6B-1.001, and 6B-1.006, FAC.

Alberto G. Perez: demotion from his position as Lieutenant at Central Operations Station 3, Miami-Dade Schools Police Department, to Sergeant and suspension without pay for sixty (60) workdays, effective March 13, 2014, for just cause, including, but not limited to: conduct unbecoming an officer/improper procedures; violation of Miami-Dade Schools Police Department (M-DSPD) Standards Operating Procedures (SOP) 1.2, Authority, SOP 4.2, Traffic Crash Investigations, SOP 5.2, Personalized Police Vehicle Program, 5.5, Agency Owned Property, and 9.1, Uniform Standards and Personal Appearance, and School Board Policies 4210, Standards of Ethical Conduct and 4210.01, Code of Ethics. This action is taken in accordance with Sections 1001.32(2), 1012.22(1)(f), and 447.209, Florida Statutes.

The following employees are being recommended for disciplinary action in the manner described below and may contest the recommended disciplinary action by requesting in writing an administrative hearing or grievance/arbitration proceeding:

Edward L. Brice: suspension without pay from his position as Custodian at Miami Northwestern Senior High School, for fifteen (15) calendar days, effective March 13, 2014, for just cause, including, but not limited to: gross insubordination; non-performance and poor performance of job responsibilities; and violation of School Board Policies 4210, Standards of Ethical Conduct; and 4210.01, Code of Ethics. This action is taken in accordance with Sections 1001.32(2), 1012.22(1)(f), and 447.209, Florida Statutes; and Articles II and XI of the **Contract between the Miami-Dade County Public Schools and the American Federation of State, County, and Municipal Employees (AFSCME)**.

Samuel Waterman: suspension without pay and initiation of dismissal proceedings from his position as Custodian at Cutler Bay Academy of Advanced Studies, effective March 13, 2014, for just cause, including, but not limited to: violation of School Board Policies 4210, Standards of Ethical Conduct; 4210.01, Code of Ethics; and 4213, Student Supervision and Welfare. This action is taken in accordance with Sections 1001.32(2), 1012.22(1)(f), 1012.40, and 447.209, Florida Statutes and Articles II and XI of the **Contract between the Miami-Dade County Public Schools and the American Federation of State, County, and Municipal Employees**.

**RECOMMENDED:**

- 1) That the School Board approve the Superintendent's recommendation for disciplinary action, which has been agreed to in the following manner:
  - A) Mr. Jorge Garcia, Food Service Equipment Manager, Food & Nutrition Department, suspension without pay for fifteen (15) calendar days, effective March 13, 2014.
  - B) Mr. Brett L. Spence, Teacher, Coconut Palm K-8 Academy, suspension without pay for ten (10) workdays, effective March 13, 2014.
  - C) Ms. Davie L. Towbin, Financial Aid Officer, Robert Morgan Educational Center, suspension without pay for thirty (30) workdays, effective March 13, 2014.
  - D) Ms. Elvia Nunez, Paraprofessional, David Lawrence, Jr., K-8 Center, suspension without pay for five (5) workdays, effective March 13, 2014.
  - E) Ms. Nancy O. Perez, Paraprofessional, Cutler Bay Academy of Advanced Studies, suspension without pay for two (2) workdays, effective March 13, 2014.
  - F) Ms. Tyshawna D. Grant, Custodian, Dr. Edward L. Whigham Elementary School, suspension without pay for five (5) calendar days, effective April 9, 2014.
  - G) Mr. Jean B. Leandre, Custodian, Dr. Edward L. Whigham Elementary School, suspension without pay for five (5) calendar days, effective March 13, 2014.
  - H) Mr. Dennis M. Williams, Custodian, Dr. Edward L. Whigham Elementary School, suspension without pay for five (5) calendar days, effective April 4, 2014.
  - I) Mr. Leonel Marrero, Teacher, Miami Coral Park Senior High School, suspension without pay for thirty (30) workdays, effective March 13, 2014.
  - J) Mr. Alberto G. Perez, Lieutenant, Central Operations Station 3, Miami-Dade Schools Police Department, demotion and suspension without pay for sixty (60) workdays, effective March 13, 2014.
  
- 2) That the School Board approve the Superintendent's recommendation for disciplinary action, pending the outcome of an administrative hearing or grievance/arbitration proceeding, if requested, in the following manner:
  - A) Mr. Edward L. Brice, Custodian, Miami Northwestern Senior High School, suspension without pay for fifteen (15) calendar days, effective March 13, 2014.
  - B) Mr. Samuel Waterman, Custodian, Cutler Bay Academy of Advanced Studies, suspension without pay and initiation of dismissal proceedings, effective March 13, 2014.

