

Jose L. Dotres, Chief Human Capital Officer
Office of Human Capital Management

- SUBJECT:**
- 1) **RECOMMENDED ACCEPTANCE OF AGREED UPON DISCIPLINARY ACTION**
 - 2) **RECOMMENDED ACCEPTANCE OF DISCIPLINARY ACTION PENDING APPEAL**
 - 3) **REQUESTED APPROVAL OF SETTLEMENT AGREEMENT FOR DISCIPLINARY MATTER THAT HAS BEEN APPEALED**

LINK TO STRATEGIC BLUEPRINT: **HIGHLY EFFECTIVE TEACHERS, LEADERS AND STAFF**

This item seeks the Board's approval for 1) employee disciplinary actions that are agreed upon by the employee; 2) employee disciplinary actions pending the outcome of an administrative hearing or grievance/arbitration proceeding, if requested; and 3) a Settlement Agreement, transmitted to the Board under separate cover, resulting from a disciplinary matter that has been appealed.

REVISED

- RECOMMENDED:**
- 1) That the School Board of Miami-Dade County, Florida, approve the Superintendent's recommendation for disciplinary action, which has been agreed to by the employees.
 - A) Constance D. Avant: suspension without pay from her position as Bus Aide at South Transportation Center, for thirty (30) calendar days, effective October 11, 2018, for just cause, including, but not limited to: violation of School Board Policies 4210, Standards of Ethical Conduct; 4210.01, Code of Ethics; 4213, Student Supervision and Welfare; and 8600, Transportation. 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).

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- B) Sherrie E. Brewton: suspension without pay from her position as Teacher at Hialeah-Miami Lakes Senior High School, for twenty (20) workdays, effective October 11, 2018, 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 and 6A-10.081, FAC.
- C) Nicole A. Brown: suspension without pay from her position as Teacher at Leisure City K-8 Center, for five (5) workdays, effective October 11, 2018, for just cause, including, but not limited to: misconduct in office; gross insubordination; excessive absences; and violation of School Board Policies 3210, Standards of Ethical Conduct; 3210.01, Code of Ethics; and 3430, Leaves of Absence. This action is taken in accordance with Sections 1001.32(2), 1012.22(1)(f), 1012.33, 1012.67, and 447.209, Florida Statutes; and State Board Rules 6A-5.056 and 6A-10.081, FAC.
- D) Athen B. Bunyan: suspension without pay from his position as Custodian at Brownsville Middle School, for ten (10) calendar days, effective October 11, 2018, for just cause, including, but not limited to: violation of School Board Policies 4210, Standards of Ethical Conduct; 4210.01, Code of Ethics; and 8700, Anti-Fraud. 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).
- E) Lissette Collazo: suspension without pay from her position as ESE Placement Specialist at Exceptional Student Education Department, for two (2) workdays, effective October 11, 2018, for just cause, including, but not limited to: misconduct in office; and violation of School Board Policies 3121.01, Employment Standards and Fingerprinting of All Employees; 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 and 6A-10.081, FAC.
- F) Xavier D. Ferguson: suspension without pay from his position as Lead Custodian at Brownsville Middle School, for fifteen (15) calendar days, effective October 25, 2018, for just cause, including, but not limited to: violation of School Board Policies 4210, Standards of Ethical Conduct; 4210.01, Code of Ethics; and 8700, Anti-Fraud. 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).

REVISED

- G) Saintelus Guerrier: suspension without pay from his position as Custodian at Thomas Jefferson Middle School, for ten (10) calendar days, effective October 11, 2018, for just cause, including, but not limited to: violation of School Board Policies 4210, Standards of Ethical Conduct; 4210.01, Code of Ethics; and 8700, Anti-Fraud. 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).
- H) Luis B. Gutierrez: suspension without pay from his position as Custodian at David Lawrence, Jr. K-8 Center, for fifteen (15) calendar days, effective October 11, 2018, for just cause, including, but not limited to: violation of School Board Policies 4210, Standards of Ethical Conduct; 4210.01, Code of Ethics; and 8700, Anti-Fraud. 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).
- I) Alonzo C. Henley: suspension without pay from his position as Custodian at Brownsville Middle School, for ten (10) calendar days, effective November 8, 2018, for just cause, including, but not limited to: violation of School Board Policies 4210, Standards of Ethical Conduct; 4210.01, Code of Ethics; and 8700, Anti-Fraud. 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).
- J) Joanel Joseph: suspension without pay from his position as Custodian at Linda Lentin K-8 Center, for ten (10) calendar days, effective October 11, 2018, for just cause, including, but not limited to: violation of School Board Policies 4210, Standards of Ethical Conduct; 4210.01, Code of Ethics; and 8700, Anti-Fraud. 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).
- K) Peter J. Kraus: suspension without pay from his position as Teacher at Miami Beach Senior High School, for fifteen (15) workdays, effective October 11, 2018, 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; 3213, Student Supervision and Welfare; and 5517.01, Bullying and Harassment. 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 and 6A-10.081, FAC.

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- L) Teresita J. O'Reilly: suspension without pay from her position as Head Start Educator at South Hialeah Elementary School, for five (5) workdays, effective October 11, 2018, for just cause, including, but not limited to: gross insubordination; excessive absenteeism; non-performance and poor performance of job responsibilities; and violation of School Board Policies 4210, Standards of Ethical Conduct; 4210.01, Code of Ethics; and 4430, Leaves of Absence. This action is taken in accordance with Sections 1001.32(2), 1012.22(1)(f), 1012.67, and 447.209, Florida Statutes.
 - M) Jennifer A. Sadoian: suspension without pay from her position as Teacher at Henry S. West Laboratory School, for five (5) workdays, effective October 11, 2018, for just cause, including, but not limited to: misconduct in office; and violation of School Board Policies 2605, Research and Evaluation; 2623, Student Assessment; 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 and 6A-10.081, FAC.
 - N) Marisel F. Vega: suspension without pay from her position as Teacher at Ronald W. Reagan/Doral Senior High School, for fifteen (15) workdays, effective October 11, 2018, 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; 3213, Student Supervision and Welfare; and 7540.04, Staff Responsible Use of Technology, Social Media, and District Network Systems. 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 and 6A-10.081, FAC.
- 2) That the School Board of Miami-Dade County, Florida, approve the Superintendent's recommendation for disciplinary action, pending the outcome of an administrative hearing or grievance/arbitration proceeding, if requested.
- A) Felecia D. Charles: suspension without pay from her position as School Bus Driver at Northeast Transportation Center, for thirty (30) calendar days, effective October 11, 2018, for just cause, including, but not limited to: violation of School Board Policies 4210, Standards of Ethical Conduct; 4210.01, Code of Ethics; 4213, Student Supervision and Welfare; 8600, Transportation; and 8670, Post Trip Inspections of School Buses. 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).

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- B) Humberto W. Gonzalez: suspension without pay from his position as School Bus Driver at Southwest Transportation Center, for thirty (30) calendar days, effective October 11, 2018, for just cause, including, but not limited to: violation of School Board Policies 4210, Standards of Ethical Conduct; 4210.01, Code of Ethics; 4213, Student Supervision and Welfare; 8600, Transportation; and 8670, Post Trip Inspections of School Buses. 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).
- C) Frantz N. Noel: suspension without pay and initiation of dismissal proceedings from his position as Teacher at Van E. Blanton Elementary School, effective October 11, 2018, for just cause, including, but not limited to: misconduct in office; and violation of School Board Policies 3121.01, Employment Standards and Fingerprinting of All Employees; 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), 1012.32, 1012.33, 435.04, 435.06, and 447.209, Florida Statutes; and State Board Rules 6A-5.056 and 6A-10.081, FAC.
- 3) That, in the appeal of disciplinary action that was taken by the Board at its meeting of June 20, 2018, to suspend without pay and initiate dismissal proceedings against Roy L. Elston, and the charges that led to the employee's suspension have been resolved; thereby, that the School Board of Miami-Dade County, Florida, approve the Settlement Agreement in the arbitration matter between the School Board of Miami-Dade County, AFSCME, and Roy L. Elston, and reinstate employee Roy L. Elston to his position as a TV Master Control Supervisor.

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