

Office of Professional Standards
Maria Teresa Rojas, Assistant Superintendent

**SUBJECT: RECOMMENDED SUSPENSION WITHOUT PAY OF EMPLOYEE
FOR SEVEN CALENDAR DAYS PENDING APPEAL
PAUL S. BIVENS, JR. – CUSTODIAN
ALONZO & TRACY MOURNING SENIOR HIGH SCHOOL**

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

On April 6, 2010, the following letter was sent to Mr. Paul S. Bivens, Jr.:

This is to notify you that the Superintendent of Schools will be recommending to The School Board of Miami-Dade County, Florida, at its scheduled meeting of April 14, 2010, that the School Board suspend you without pay from your current position as Custodian at Alonzo & Tracy Mourning Senior High School, for seven calendar days, effective at the close of the workday, April 14, 2010, for just cause, including, but not limited to: violation of School Board Rules 6Gx13- 4A-1.21, Responsibilities and Duties; and 6Gx13- 4A-1.213, 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)**.

If you wish to contest your suspension, you must request in writing within 20 calendar days of notice of the Board action, a hearing or grievance/arbitration proceeding. The grievance/arbitration proceeding is regulated by Articles VII and XI of the AFSCME Contract. Your selection of one appeal method waives the right to select the other appeal method in the future. If you select arbitration, you must also notify AFSCME of your selection and obtain AFSCME's written concurrence.

If the School Board accepts (or approves) the Superintendent's recommendation, you will be notified of the School Board's action.

RECOMMENDED: That effective April 14, 2010, at the close of the workday, the School Board suspend Mr. Paul S. Bivens, Jr., Custodian at Alonzo & Tracy Mourning Senior High School, for seven calendar days without pay, pending the outcome of a hearing or grievance/arbitration process, if requested.

MTR