

CHAPTER 6.00 - SCHOOL ADMINISTRATION

6.11 - Suspension and Dismissal

POLICY

To assure the continuing and efficient operation of the school system, all employees may be disciplined up to and including discharge in accordance with applicable statutes, Department of Education Rules, Board policies, and/or contractual arrangements. Disciplinary actions may include oral reprimands, written reprimands, demotions, suspensions or dismissals. Resignation, nonrenewal of employment contracts, or separation of probationary employees shall not be considered disciplinary action.

(1) Procedure

- (a) No employee may be suspended from duty except by the Superintendent or the School Board. The Superintendent may suspend a member of the staff during an emergency for a period extending to and including the next meeting of the School Board or in accordance with the provisions in 6.111. If the employee is suspended without pay and the charges are not sustained, the employee shall be reinstated with back salary paid. If the charges are sustained, the Board shall determine either to dismiss the employee or fix the term under which he/she may be reinstated.
- (b) No member of the staff may be dismissed except by action of the School Board.
- (c) In accordance with 1012.796, F.S., all legally sufficient complaints shall be filed with the Professional Practices Office of the Department of Education within thirty (30) days after the date on which the subject matter of the complaint comes to the attention of the district.

(2) Standards of Conduct

Subject to the requirements of Florida Statutes, the School Board may suspend or dismiss any employee at any time during the term of the contract for "just cause." Just cause shall include, but is not limited to, the following:

- (a) Abandonment or neglect of position; absent without leave;
- (b) Any action which brings the school system into disrepute;
- (c) Conviction of a felony or a first degree misdemeanor directly related to the employee's position (including a plea of *nolo contendere* or no contest to a felony charge);

CHAPTER 6.00 - SCHOOL ADMINISTRATION

- (d) Dishonesty, including falsification of personnel or any school system forms or documents;
- (e) Failure to fulfill contractual obligations;
- (f) Gross insubordination;
- (g) Harassment of a student or fellow employee on account of race, sex, national origin, religion, marital status, disability or age;
- (h) Immorality
- (i) Incompetence;
- (j) Inefficiency;
- (k) Conviction of a crime involving moral turpitude;
- (l) Illegal manufacture, distribution, dispensation, sale, possession or use of illegal drugs or unprescribed controlled substances;
- (m) Misconduct in office;
- (n) Drunkenness or reporting for work under the influence of alcoholic beverages or with illegal drugs or unprescribed controlled substances in an employee's body;
- (o) Stealing, misappropriating or intentionally damaging school system property or the property of fellow employees or students;
- (p) Unauthorized use of school system funds, equipment, vehicles, or property;
- (q) Unauthorized possession of weapons, firearms, ammunition or explosives on School Board property;
- (r) Willful neglect of duty;
- (s) Noncompliance with the regulations and policies of the Board, State Board of Education, or the Laws of Florida;
- (t) Any other misconduct prejudicial to the interest and/or reputation of the school system; or
- (u) Endangers the health, safety, or well-being of a fellow employee or of a student.

CHAPTER 6.00 - SCHOOL ADMINISTRATION

- (3) Any suspension or dismissal shall be as prescribed by law.
- (4) An employee who is suspended or dismissed under the authority of this rule may appeal pursuant to F.S. 120.68, provided such appeal is filed within thirty (30) days of the decision of the Board.

STATUTORY AUTHORITY:

1001.41 (2), 1001.42 (17), F.S.

LAWS IMPLEMENTED:

1012.22 (5) (g) (f), 1012.27 (7) (h) (e),
1012.33 (4) (c), F.S.

STATE BOARD OF EDUCATION RULE:

6B-1.008, 6B-1.009

HISTORY:

Adopted: 06/17/97
Revision Date(s): 11/17/98, 10/16/01,
12/03/02, 08/21/12
Formerly: