

SUMMARY EXPLANATION AND BACKGROUND

During the 2015-2016, school year, DANA M. SIGLER (hereinafter “D.S.”) exhausted all of her sick, as well as all of her personal leave for the school year. In addition to using nineteen (19) days of FMLA leave, D.S., took an additional eleven (11) full days of unpaid leave. Next, during the 2016-2017, school year, D.S., again exhausted all of her sick and all of her personal leave. In addition to using fifty-eight (58) days of FMLA leave, D.S., took an additional eleven (11) full days of unpaid leave, including, two (2) partial days of unpaid leave, for the school year. Finally, during the 2017-2018, school year, not only did D.S., exhaust both her sick and personal leave, she used an additional 60 days of FMLA leave. D.S., took an additional ten (10) full days of unpaid leave. Including an additional six (6) partial days of unpaid leave.

The Administrative Complaint was served on D.S. on November 15, 2018, and she timely requested a hearing. Subsequent to the Board’s action, the matter was transferred to the Division of Administrative Hearings (hereinafter “DOAH”) for an Administrative Law Judge (hereinafter “ALJ”) to conduct the final hearing challenging the School Board’s discipline.

In order to avoid the uncertainties and expense of further proceedings, the parties reached a settlement agreement, in which the employee will waive her right to an administrative hearing as well as provide a general release and voluntarily accept a two (2) day suspension without pay.