



THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

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Robert W. Runcie
Superintendent of Schools

August 19, 2019

Via Email: yborlaw@gmail.com

Robert F. McKee, Esq.
Robert F. McKee, P.A.
1718 E. 7th Avenue, Suite 301
Tampa, Florida 33605

Re: Robert W. Runcie v. Joanna Marie Herring

Dear Mr. McKee:

Attached please find a proposed response to Ms. Herring' Request for Administrative Hearing that I will recommend to the School Board at its meeting on September 17, 2019.

Pursuant to § 1012.33(6)(a), Florida Statutes, an “**employee must within 15 days after receipt of the written notice, submit a written request for a hearing.**” Furthermore, the administrative complaint indicates in bold type notice of the 15-day timeframe, in which, to submit a written request for hearing.

Ms. Herring was personally served with notice of the pending charges on July 17, 2019, which not only included the administrative complaint in this case, but also a letter notifying her of the school board hearing date at which it would be presented - the August 6, 2019, school board operational meeting. Yet, her request for hearing was not emailed to the Superintendent until August 6, 2019.

The School Board is required to dismiss a request for hearing if it is not timely filed, “[a] petition shall be dismissed if it is not in substantial compliance... or **has been untimely filed.**” Fla. Stat. § 120.569(2)(c). Furthermore, pursuant to School Board policy 4.9 the “School Board’s decision is final.”

You may submit any response that you want the School Board to consider in making its decision. Please note that anything that you want to submit must be delivered to: Robert W. Runcie, Superintendent, Broward County School District, 600 S.E. Third Avenue, Fort Lauderdale, Florida 33301, before the close of business on Monday August 26, 2019, in order to be included with the meeting agenda.

Sincerely,



Douglas G. Griffin
Assistant General Counsel

DGG:asj