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**MARK F. KELLY
OF COUNSEL**

August 28, 2019

Douglas Griffin, Esquire
Assistant General Counsel
Broward County School Board
600 SE 3rd Avenue
Ft. Lauderdale, FL 33301

To the Members of the School Board of Broward County:

Our firm represents Ms. Joanne Herring with regards to the allegations of inappropriate conduct as described in the Administrative Complaint received by counsel August 6, 2019 (See Exhibit A).

While Ms. Herring did personally receive notice of disciplinary action before this date, she also received this notice at a time when union representation was unavailable. As such, she did not have availability of legal counsel until August 5th, 2019. The next day after receiving the Administrative Complaint from the School Board, legal counsel filed the appropriate and timely Petition for Administrative Hearing (See Exhibit B).

To personally serve a teacher with Notice of Disciplinary Action during summer vacation, when that individual does not have appropriate access to union representation, is inappropriate and does not give adequate due process to employees wishing to dispute the allegations against them from their employer. We would ask that in this specific situation, due to extenuating

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circumstances as discussed above and the timeliness of the Petition once received by the client's legal counsel, the School Board permit this case to move forward to the Division of Administrative Hearings for further proceedings.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Heffner', with a long horizontal flourish extending to the right.

Katherine Heffner
Associate
Robert F. McKee, P.A.