

SUMMARY EXPLANATION AND BACKGROUND

During the 2018-2019 School Year, Language Arts teacher, Joanna Marie Herring (hereinafter “J.H.”) repeatedly failed to report to work per contractual time; repeatedly failed to provide timely feedback to students by failing to enter grades in Pinnacle on a timely basis; and repeatedly failed to notify parents of failing students that their children were receiving failing grades in J.H.’s class. Additionally, J.H. failed to comply with a code drill procedure.

On August 6, 2019, the School Board adopted the Superintendent’s recommendation to suspend J.H. for three (3) days without pay and transmit the matter to the Division of Administrative Hearings (“DOAH”) if a hearing is timely requested by the employee. 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.”**

J.H. was personally served with notice of pending charges on July 17, 2019. As a result, in order to be considered timely, J. H. was required to submit any request for hearing by August 1, 2019. J.H. failed to submit her request to the Superintendent until August 6, 2019; and therefore, J.H.’s request was untimely.

The Assistant General Counsel notified J.H. that he would recommend that the School Board dismiss her request for Administrative Hearing as untimely. The School Board’s decision is final and any subsequent requests for hearing should be denied.

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