

SUMMARY EXPLANATION AND BACKGROUND

Jennifer Jedlicka Austin (hereinafter “AUSTIN”) is an ESE Support Facilitator teacher at Tamarac Elementary School. On or about November 19, 2018, despite that she is not authorized to restrain students because she is not PCM trained, it is alleged that AUSTIN applied a non-PCM take-down and prone restraint.

On or about November 19, 2018, Principal Roberta Ray (hereinafter “RAY”) went to her office to find AUSTIN and S.G. alone. S.G. was throwing and hitting AUSTIN with objects. As RAY tried to talk to S.G., he started yelling, screaming, and throwing objects at both AUSTIN and RAY. Finally, AUSTIN told S.G. “[O]K. That’s enough”. AUSTIN turned S.G. around facing away from her, taking his wrists in each hand, placing him on his knees, and then into a prone position. As AUSTIN straddled S.G., she placed her fingers in a “U” shape over his wrists. RAY immediately directed AUSTIN to let S.G. go, stating “Jen, you have to let him up”. AUSTIN complied and released S.G. from the prone position.

The Administrative Complaint was served on AUSTIN on September 9, 2019, 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.

AUSTIN no longer wishes to contest the School Board’s recommended discipline, will accept her 1-day suspension and has requested to settle the action proceeding before DOAH.

In order to avoid the uncertainties and expense of further proceedings, a settlement agreement has been prepared in which the employee will waive her right to an administrative hearing, as well as, provide a general release and voluntarily accept a one (1) day suspension without pay.

END OF DOCUMENT.