

SUMMARY EXPLANATION AND BACKGROUND

On or about August 23, 2018, BRENDA JOYCE FISCHER (hereinafter “FISCHER”) showed a video to her first and second period art/photography classes containing inappropriate nude images. FISCHER, by her own admission, had previewed the video before she played it for her first and second period classes. FISCHER showed students in her first period photography class, a video containing images of a topless female holding the genitals of a male who was naked from the waist down. In addition, the video that FISCHER showed to students in her first period photography class contained images of a male kneeling and appearing to stare into the naked genitals of a female standing in front him. The video FISCHER showed students in her first period photography class also contained other images, which are inappropriate for display in a high school class. After showing the images to her first period class, FISCHER showed the same images again to her second period photography class.

This recommendation is part of progressive discipline. On September 1, 2009, in addition to other corrective actions outlined in the Administrative Complaint, FISCHER received a three (3) day suspension for her use of inappropriate language.

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

On January 21, 2020, the ALJ entered a Recommended Order to suspend FISCHER from her employment as a teacher for three (3) days, without pay.

The Assistant General Counsel recommends that the School Board adopt the Recommended Order. The School Board’s decision is final.