

SUMMARY EXPLANATION AND BACKGROUND

On or about March 1, 2019, BRENDA JOYCE FISCHER (hereinafter “FISCHER”) made racially insensitive remarks to students in her photography class. Several of FISCHER student’s related that that FISCHER told them they are on Latino time and since they are in the United States, they need to be on American time. Additionally, FISCHER told one of her Spanish-speaking English Language Learner (“ELL”) students that he didn’t want to learn and he needed to learn English.

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. Subsequently, on April 9, 2019, FISCHER received another three (3) day suspension for showing a video to her first and second period art/photography classes containing nude images.

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 29, 2020, the ALJ entered a Recommended Order exonerating FISCHER of all charges brought against her and awarding FISCHER back salary as required under Section 1012.33(6)(a).

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