

THE SCHOOL BOARD OF BROWARD COUNTY FLORIDA

JAMES F. NOTTER, Superintendent of
Schools,

Petitioner,

CASE NO.:

vs.

SHERRY HARRIS,

Respondent.

ADMINISTRATIVE COMPLAINT

Petitioner, JAMES F. NOTTER, Superintendent of Schools of Broward County, Florida, by and through his undersigned counsel, the Law Offices of Panza, Maurer & Maynard, P.A., files this administrative complaint pursuant to Chapter 120, 1001 and 1012 of the Florida Statutes as well as Chapter 6B-1 and 6B-4 of the Florida Administrative Code and states the following:

I. JURISDICTIONAL BASIS

1. The agency is the School Board of Broward County, Florida, located at 600 Southeast Third Avenue, Fort Lauderdale, Broward County, Florida 33301.
2. The Petitioner is James F. Notter, who is the Superintendent of Schools of Broward County, Florida. His address is located at 600 Southeast Third Street, Fort Lauderdale, Florida 33301.
3. The Petitioner is statutorily obligated to recommend the placement of school personnel and to require compliance in observance with all of the laws, rules and regulations.

Any violation thereof shall be reported with the appropriate disciplinary action against any School Board personnel failing to comply therewith, inclusive of the Respondent Sherry Harris.

4. The Respondent, Sherry Harris is an employee of the Broward County School Board and is currently employed as a teacher at Lauderhill Middle School.

5. The last known address of the Respondent, Sherry Harris is P.O. Box 491633, Fort Lauderdale, Broward County, Florida 33349.

II. ADMINISTRATIVE CHARGES

The Petitioner, James F. Notter, alleges as follows:

6. Respondent, Sherry Harris, engaged in inappropriate conduct by disrupting the administration of Florida's Comprehensive Assessment Test ("FCAT") at Lauderhill Middle School on or around March 11, 2010. Such inappropriate conduct includes, but is not limited to, failure to start the FCAT on time or in accordance with procedures, having a demeaning conversation with a student during the administration of the FCAT, making personal telephone calls and sending inappropriate emails during the administration of the FCAT, refusing to follow the instructions of her superiors, violating other test security or administration rules, and engaging in other inappropriate conduct that was disruptive and detrimental to the students' ability to take the FCAT in an appropriate testing environment.

7. Additionally, Ms. Harris engaged in inappropriate conduct by emailing and communicating with other School Board employees about the FCAT who were out of the chain of command, and by making false and disparaging statements about the School Board and School Board employees in those communications. Ms. Harris' inappropriate conduct also included, but is not limited to, communicating false and disparaging information about the School Board and School Board employees to non-School Board employees, contacting parents

of students and communicating false and disparaging information about the School Board, and by going to the homes of students and telling the students' parents that the principal and Lauderhill was covering up cheating on the FCAT, and requesting that the parents go to the school and confront the principal.

II. JUST CAUSE

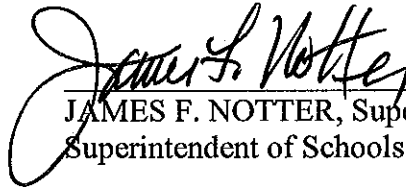
Just cause exists for the relief requested pursuant to § 1012.33(1)(a) and § 1012.33(4)(c), the Respondent's contract, School Board Rules and Regulations, the Code of Ethics of the education profession, and the employee disciplinary guidelines promulgated by the School Board including but not limited to the following:

(A) Misconduct in Office. The Respondent through her above-described conduct has violated § 1012.33(1)(a) and § 1012.33(4)(c) Fla. Stat. and Rule 6B-41009(3) of the Florida Administrative Code, and her actions constitute misconduct in office through violations of various provisions of the Code of Ethics of the Educational Professional, Rule 6B-1.001, 6B-1.006 Florida Administrative Code;

(B) Duties of Instructional Personnel: The Respondent through the above-described conduct has violated § 1012.33(4)(c) Fla. Stat. and Rule 6B-4.009(2) of the Florida Administrative Code and her actions constitute immorality, that is conduct inconsistent with the standards of public conscience and good morals. Additionally the Respondent's above-described conduct further violates the Code of Ethics of the Educational Professional, Rule 6B-1.001, 6B-1.006, Florida Administrative Code. The Respondent's conduct as factually set forth herein is sufficiently notorious to bring the Respondent and/or the educational profession into public disgrace or disrespect and impair the Respondent's service in the community.

WHEREFORE, based upon the foregoing, the Petitioner, James F. Notter, Superintendent of Schools, recommends that the School Board, subsequent to providing requisite notice, terminate the Respondent, Sherry Harris from her employment as an instructional employee based upon the foregoing facts and legal authority.

DATED this 25 day of Oct., 2010.



JAMES F. NOTTER, Superintendent
Superintendent of Schools

Respectfully submitted,

PANZA, MAURER & MAYNARD, P.A.
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BY: _____
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