

**BEFORE THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA**  
**ROBERT W. RUNCIE, Superintendent,**

**Petitioner,**

**vs.**

**ROBERT KONNOVITCH, Employee,**

**Respondent.**

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**ADMINISTRATIVE COMPLAINT**

COMES NOW, the Petitioner, THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA, through its Superintendent, ROBERT W. RUNCIE, and files this Administrative Complaint 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 Robert W. Runcie, who is the Superintendent of Schools of Broward County, Florida. His address is 600 Southeast Third Avenue, Fort Lauderdale, Broward County, Florida 33301.
3. The Petitioner is statutorily obligated to recommend the placement of School Board personnel, and require compliance and observance by all personnel with all laws, rules and regulations. See ' 1012.27, Fla. Stat.

4. The employee against whom discipline is recommended, Respondent, ROBERT KONNOVITCH, is currently employed as a teacher at Riverglades Elementary School.

5. The legal basis for Mr. Konnovitch's suspension is misconduct in office, incompetency and insubordination. See '1012.33, Fla. Stat.; Fla. Admin. Code r. 6A-5.056, 6A-10.080(2) and (3); 6A-10.081(3)(a),(e), and (g).

## **II. ADMINISTRATIVE CHARGES**

The Petitioner, Robert W. Runcie, alleges as follows:

6. This recommendation is based upon conduct during the 2013-2014 school year.

7. The Respondent is a physical education teacher at Riverglades Elementary School.

8. In early 2014, a number of students reported to school administration that the Respondent attempted to intentionally kick a student in the face or head during a physical education class.

9. Shortly thereafter, in February 2014, the Principal at Riverglades Elementary School was contacted by a parent who was concerned about the Respondent's actions in referring to the student, who is of Hispanic descent, Miguel, which is not his name. It continued even when the student asked him to stop. This resulted in other students

in the class referring to the student as Mexican.

10. Intern Principal Jo-Anne Seltzer scheduled a pre-disciplinary conference

11. The day after the Respondent was notified of the pre-disciplinary meeting, administration received additional allegations that the Respondent called students losers, stupid, idiots, and annoying, and tells them to shut up. Additional students claimed that the Respondent referred to other students as slow and scrawny during physical education.

12. A number of students also reported that when a student told the Respondent the student intended to report the inappropriate comments, the Respondent told the students to do him a favor and get him fired since he did not want to teach at the school or did not like the school, anyway.

13. Another parent brought the Respondent's conduct to the attention of the administrators at the school with allegations similar to those set forth above claiming that:

- a. Respondent tells the students PE is not supposed to be fun;
- b. Respondent calls students by names that are different than their own, and by names that could be considered discriminatory;
- c. Respondent tells the students he does not care if they tell on him;
- d. Respondent tells students they are terrible and suck at performing certain activities;
- e. He gets in students' faces and yells at them;

14. As a result of these additional allegations, Intern Principal Seltzer scheduled a second pre-disciplinary meeting and held both on the same date.

15. Thereafter, Principal Seltzer considered the allegations, the Respondent's response thereto, and his employment history (which includes a number of verbal and written reprimands regarding similar misconduct, and a formal written reprimand (and additional training) from SIU following a finding of probable cause that he committed an assault/battery on a student in 2008). Principal Seltzer also considered the School Board's disciplinary guidelines, set forth in Policy 4.9.

16. Principal Seltzer then recommended that the Respondent be suspended, without pay, for a period of five (5) days for the misconduct set forth herein.

17. Shortly thereafter, and before this matter could be presented to the School Board, another parent contacted Principal Seltzer to complain, yet again, about the Respondent's: use of profanity on a regular basis, precluding children from using the restroom, and yelling, angrily, at students, to the extent that the parent's three children were all very uncomfortable in the physical education class.

18. The Respondent was called in to a meeting with the parents where his behavior was uncooperative and unprofessional. Accordingly, Principal Seltzer held yet another pre-disciplinary conference with the Respondent and has increased her recommendation to total suspension of ten (10) days.

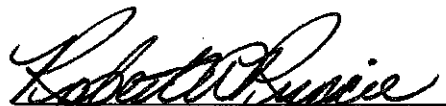
19. Having reviewed the materials supporting the charges against the Respondent, the Petitioner/Superintendent hereby agrees with the recommendation of Principal Seltzer that Robert Konnovitch be suspended without pay from his position as a

teacher at Riverglades Elementary School for a total of ten (10) days.

20. In accordance with Florida law, this recommendation for suspension must be reviewed, and approved by the School Board. *See* ' 1012.33(6)(b), Fla. Stat.

21. If the ultimate decision is adverse to him, the Respondent may challenge the decision by seeking an administrative hearing pursuant to Chapter 120 of the Florida Statutes.

EXECUTED this 6 day of May, 2014.

  
ROBERT W. RUNCIE  
Superintendent of Schools

cc: Debra P. Klauber, Esq.  
Cadre Attorney