

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

ROBERT W. RUNCIE, as Superintendent of  
Schools,

Petitioner,

v.

LAMONT SNYDER

Respondent.

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ADMINISTRATIVE COMPLAINT

Petitioner, Robert W. Runcie, Superintendent of Schools ("Petitioner"), files this Administrative Complaint against, LAMONT SNYDER ("SNYDER"). The Petitioner seeks a five (5) day suspension of Respondent's employment with the School Board of Broward County ("SBBC"), pursuant to Sections 1001.51, 1012.27(5) and 1012.33, Florida Statutes and Rule 6A-5.056 F.A.C. The Petitioner alleges the following:

JURISDICTIONAL BASIS

1. The agency is the School Board of Broward County, Florida, which is located at 600 Southeast Third Avenue, Fort Lauderdale, Broward County, Florida 33301.

2. Petitioner is the Superintendent of SBBC.

3. Petitioner is statutorily obligated to recommend the placement of school personnel and to require compliance and

observance with all laws, rules and regulations. Petitioner is authorized to report and enforce any violation thereof, together with recommending the appropriate disciplinary action against any instructional personnel employed by the SBBC.

4. Respondent, was employed, at all times material herein, as a teacher at Hallandale High School, pursuant to a Professional Services Contract, issued in accordance with Section 1012.33(3)(a), Florida Statutes.

#### MATERIAL ALLEGATIONS

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

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

#### Background

6. Respondent is the band teacher at Hallandale High School.

Prior Discipline ( August 30, 2014) - Failure to follow  
Field Trip policies

7. On August 30, 2013, Respondent transported Hallandale High School Band students off campus to a fundraising field trip in his personal vehicle.

8. One student's parent, who was unaware that her daughter was going to be with the Respondent on the field trip, contacted Hallandale Police Department, Case # 1-13-031882, and reported her daughter as missing.

9. According to the parent, the student, J.W., was going to be performing at McArthur High School at 5 P.M., and then return to Hallandale High School by 9 P.M.

10. When the parent, Ms. Gibson, went to Hallandale High shortly before 9 P.M., to pick up her daughter, Ms. Gibson, was unable to locate her daughter, nor the band's school bus. In addition, when Ms. Gibson walked around Hallandale High's campus inquiring about the return of the band members, no one at the school had knowledge as to their whereabouts.

11. Ms. Gibson then notified family members who began searching different locations for the missing student.

12. Shortly after midnight on August 31, 2013, an officer from the Hallandale Police Department responded to

Hallandale High in order to take the parent's, Ms. Gibson's, report regarding her missing daughter.

13. The police issued an all-points bulletin (hereinafter "BOLO") and began to contact local hospitals as well as the juvenile assessment center in order to locate the missing student.

14. In addition, the police contacted Respondent, receiving no answer on call back; the police left a voicemail on Respondent's phone regarding the matter.

15. At approximately 1:20 A.M. on August 31, 2014, a relative of Ms. Gibson's advised her that her daughter had just been dropped off at her residence.

16. The relative transported the student, J.W., to Hallandale High to be reunited with her parent.

17. The student, J.W., advised that she along with eleven other band members were working a function at Sun Life Stadium. The parent advised police that she had not received notification, nor had she signed off on a permission slip allowing her daughter to work the function at Sun Life Stadium.

18. On September 16, 2013, the Assistant Principal, Mr. Gillespie, counseled Respondent regarding field trips,

the transporting of students, as well as liability within the classroom/band area.

19. Mr. Snyder was advised to complete the required field trip packet, including the personal vehicle requirements, when transporting students off campus in his personal vehicle.

20. Respondent was also admonished about having unauthorized people in the band area during and after practice times and after school hours.

21. On September 18, 2013, the Assistant Principal (hereinafter "AP") issued a summary memo reiterating the substance of his conversation with Mr. Snyder and warning that progressive discipline would follow if his directives were not immediately followed.

Prior Discipline (August-September, 2013) - Access to band room, including allowing unauthorized students to congregate during class time.

22. During the first month of school, administration observed Mr. Snyder permitting students to using an unauthorized entrance into the band room through the parking lot, and further permitting students, who were not in band class for the periods in question, to congregate in

the band room while those students were supposed to be attending other classes.

23. On September 19, 2014, AP Gillespie sent a written correspondence via e-mail to Respondent cautioning him not to allow students to open the door leading to the parking lot, since the door is to be locked at all times and creates a liability as to the safety and security of not only the band area, but also the entire school.

24. The e-mail also indicated that students coming to band without a permission slip should be asked to leave and not return unless they have a signed slip.

25. Mr. Gillespie's e-mail reiterated the substance of a conversation earlier that day advising Mr. Snyder that field trip forms and permission slips must accompany any field trips and must be completed by each student.

26. Respondent had previously received written admonition from school administration counseling against some of the same behavior such as allowing individuals not authorized to be on the premises, keeping the band door locked, and allowing students in the band room or in the hallway leading to the band area at unauthorized times. Two separate e-mails one on September 24, 2012, and again

on June 20, 2013 were issued to Mr. Snyder seeking compliance with the school's directives.

Prior Discipline (November-December, 2013) - Allowing unauthorized students and others access to band room.

27. AP Gillespie issued a summary memo on December 9, 2013, memorializing a conversation that occurred on November 18, 2013.

28. The conversation pertained to an incident in the band room, in which, a Hallandale High student (non-band member) and two (2) other students from another school entered the band room during band practice and a physical altercation ensued, in which, the students entering, attacked and hit a member of the band.

29. On December 13, 2013, there was another incident, involving Respondent, in which, unauthorized personnel were permitted to use the band room.

30. A parent of one student, T.S., was allowed to speak to another student, J.F., regarding an apparent relationship between the two students.

31. The student admonished, J.F., was called out of her class and summoned to Respondent's classroom by T.S.

Mr. Snyder then left the student, J.F., alone in his office with T.S. and T.S.'s mother

32. At this time T.S.'s mother told J.F. to leave her daughter alone, she is not gay, will not be gay, and her recently deceased father's wish was for her not to be gay. T.S.'s mother then asked for J.F.'s mother's phone number and left.

33. On December 19, 2013, Respondent was given notice of a pre-disciplinary meeting regarding his failure to follow procedures and failure to follow the Code of Ethics to be held on January 8, 2014.

34. The pre-disciplinary meeting was re-scheduled to January 10, 2014. On January 22, 2014, Respondent was issued a written reprimand for his repeated failure to effectively monitor his classroom and students; manage his learning environment; and ensure the safety and security of students in his classroom.

#### MISCONDUCT

35. On May 20, 2014, two students were observed entering the band room during senior final exams. One of the students was not even enrolled in band. The second student, F.C., while she has band as elective, was not



slated to be in band class at that time. Both students were in the band room for close to an hour, during a time in which they did not have band class. Both students were missing their first period exam.

36. On May 21, 2014, Respondent was directed to attend another pre-disciplinary meeting to take place on May 28, 2014 at 9:30 A.M., to address student supervision/safety as well as extensive band wall graffiti.

37. In the interim, three students, who are not enrolled in band, were found inside the band equipment storage room during a facility inspection.

38. Respondent interrupted the facility inspection in progress, as Administrators approached the band storage room to unlock the door, Mr. Snyder stated "There are three (3) students inside".

39. On June 6, 2014, following the May 28, 2014, pre-disciplinary meeting, AP Gillespie recommended that the Respondent be suspended, without pay, for a period of five (5) days for the misconduct set forth herein.

40. Having reviewed the materials supporting the charges against the Respondent, the Petitioner/Superintendent hereby agrees with the

recommendation of AP Gillespie that Lamont Snyder be suspended without pay from his position as a teacher at Hallandale High School for a total of five (5) days.

ADMINISTRATIVE CHARGES

41. Just cause exists for the requested relief, pursuant to Fla. Stat. §§ 1012.33(1)(a), Section 6A-5.056 F.A.C. Respondent's employment contract and School Board rules and regulations, including but not limited to the following:

COUNT 1: MISCONDUCT IN OFFICE

42. Respondent has violated Fla. Stat. 1012.33 and Rule 6A-5.056(2)(a) and (b) of the Florida Administrative Code. Respondent's acts are defined as a violation of the Code of Ethics of the Educational Profession as adopted in Rule 6A-10.080 F.A.C. and of Principles of Professional Conduct for the Educational Provisions in Florida, as adopted by Rule 6A-10.081, F.A.C., which includes the following:

- (3) Obligation to the student requires that the individual:
  - (a) shall make reasonable effort to protect the student from conditions harmful to learning

and/or to the student's mental and/or physical health and/or safety.

- (b) shall not unreasonably restrain a student from independent action in pursuit of learning.
- (c) shall not unreasonably deny a student access to diverse points of view.
- (d) shall not intentionally suppress or distort subject matter relevant to a student's academic program.
- (e) shall not intentionally expose a student to unnecessary embarrassment or disparagement.
- (f) shall not intentionally violate or deny a student's legal rights.
- (g) shall not harass or discriminate against any student on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition, sexual orientation, or social and family background and shall make reasonable effort to assure that each student is protected from harassment or discrimination.<sup>1</sup>

43. Respondent has violated Fla. Stat. 1012.33 and Rule 6A-5.056(2)(a) through (e) of the Florida Administrative Code. Respondent's acts are a violation of the adopted school board rules; the Principles of Professional Conduct for the Education Profession in Florida, and the Code of Ethics of the Education Profession

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<sup>1</sup> Emphasis added.

in Florida; behavior that disrupts the student's learning environment; or behavior that reduces the teacher's ability or his or her colleagues' ability to effectively perform duties.

COUNT 2: INCOMPETENCY

44. Respondent has violated Fla. Stat. 1012.33 and Rule 6A-5.056(3)(a) of the Florida Administrative Code. Respondent's acts are defined as the inability, failure or lack of fitness to discharge the required duty as a result of inefficiency or incapacity.

COUNT 3: GROSS INSUBORDINATION

45. Respondent has "failed to obey a direct order, reasonable in nature, and given with the proper authority; . . . as to involve failure in the performance of the required duties in violation of Rule 6A-5.056(4) Florida Administrative Code.

COUNT 4: WILLFUL NEGLECT OF DUTY

46. The Respondent is in violation of Rule 6A-5.056(5) Florida Administrative Code, in that; Respondent has intentionally or recklessly failed to carry out required duties.

COUNT 5: SCHOOL BOARD POLICY 4008(B)

47. Respondent is in violation of School Board Policy 4008(B) which requires all employees who have been issued contracts to comply with the provisions of the Florida School Code, State Board Regulations and regulations and policies of the board; comply with the Code of Ethics and Principals of Professional Conduct of the Education Profession in Florida; "treat all students with kindness, consideration and humanity"; work to ensure that the school building and property are not defaced, damaged, or destroyed.

DEMAND FOR RELIEF

WHEREFORE, based upon the foregoing, Petitioner, Robert W. Runcie, Superintendent of Schools, recommends that the School Board, subsequent to providing requisite

notice, suspend the Respondent, LAMONT SNYDER, without pay for five (5) days based upon the foregoing facts and legal authority.

EXECUTED this 7th day of July, 2014.

A handwritten signature in cursive script, appearing to read "Robert W. Runcie", is written over a horizontal line.

ROBERT W. RUNCIE,  
Superintendent of Schools,  
Broward County

Attn:  
Tria A. Lawton-Russell, Esq.  
Administrative Counsel