

CHAPTER 6.00 – PERSONNEL

SUSPENSION AND DISMISSAL

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- I. No employee may be suspended from duty except by the Superintendent or the School Board. The Superintendent may suspend a member of the staff during an emergency for a period extending to and including the next meeting of the School Board.
- II. In the case of a suspension without pay by the School Board, an affected employee shall be entitled to a hearing on the charges as to why he/she should be suspended without pay. Said hearing shall be upon reasonable notice by the School Board.
- III. If any dismissal proceeding in which the substantial interest of the employee is affected, or in which the employee has a property interest, the employee shall be entitled to a hearing on the merits of the case in accordance with the provisions of Chapter 120, Administrative Procedure Act.
- IV. In the event an employee is entitled to a hearing, the Superintendent shall notify the affected employee in writing of his/her right to a hearing at the time a petition for suspension or dismissal is filed. The petition for suspension or dismissal must set forth the charges against the employee, ~~and~~ The petition shall further notify the employee that in the event a written request for a hearing is not received by the Superintendent within ~~ten (10)~~ fifteen (15) days after receipt of said notice if the employee is under annual or professional service contract or thirty (30) days after receipt of said notice if the individual is under continuing contract, that the employee waives his/her right to a hearing. In the event no such notice is sent by the Superintendent, the employee shall be deemed to have requested a hearing.
- V. In the event a hearing is required as prescribed by law, pursuant to this policy, a written notice of hearing shall be furnished to the employee in a timely manner according to law stating the date, place and time of the hearing.
- VI. No member of the staff may be dismissed except by action of the School Board.
- VII. Any suspension or dismissal shall be as prescribed by law.
- VIII. Nonrenewal of employees during their probationary period or upon expiration of a time-limited contract shall not be considered dismissal and shall not be subject to this policy.
- IX. Any provision in the Collective Bargaining Agreement to the contrary shall supersede this policy.

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STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: CHAPTER 120, 790.15, 1001.43, 1012.22,
1012.27, 1012.33, 1012.335, F.S.

STATE BOARD OF EDUCATION RULE(S): 6B-4.009

HISTORY: ADOPTED: 08/21/01
REVISION DATE(S): _____
FORMERLY: 4.115, 5.110

NOTES: No Procedure Necessary