Brevard Public Schools opening language proposal

Monday, September 13, 2021

**REVISED SUBMISSION – 9/27/21**

**ARTICLE VI - GENERAL CONDITIONS OF EMPLOYMENT**

**Section A - Fair Employment Practices / Discipline**

**WITHDRAW 4**

**Section D – Special Procedures for Termination Charges**

Within 15 days of the date written notice is delivered advising of charges involving termination, the grievant must notify the District in writing to communicate his or her election to contest the charges via:

1. a direct hearing by the district school board or a subcommittee thereof pursuant to F.S. 1012.335(4);
2. formal arbitration pursuant to Step IV of the grievance procedure; ***or***
3. (for PSC staff only) a hearing conducted by an ALJ assigned by DOAH pursuant to F.S. 1012.33(6)(a)(2), which would result in a recommendation subject to majority vote and final determination by the district school board.

Failure to notify the District within 15 days will constitute a waiver of the right to contest the charges of termination and such charges will be considered final when approved by the Board.

Any grievant who elects to contest charges of termination will be suspended without pay during the pendency of the challenge. However, if the charges are not sustained, the employee shall be immediately reinstated and his or her back pay shall be paid if so required by Florida Statute or by a final determination of an arbitrator.