

The District School Board of Indian River County met on June 28, 2016, at 4:30 p.m. The special meeting was held in the Teacher Education Center located in the School District Office at the J.A. Thompson Administrative Center located at 6500 – 57th Street, Vero Beach, Florida 32967. District School Board Members attending were: Chairman Dale Simchick, Vice Chairman Shawn R. Frost, and Board Members: Matthew McCain, Claudia Jiménez, and Charles G. Searcy. Dr. Mark J. Rendell, Superintendent of Schools; and Suzanne D’Agresta, School Board Attorney, were also present.

Special Called Business Meeting Agenda for Personnel Matters

I. Meeting was called to order by Chairman Simchick.

II. PLEDGE OF ALLEGIANCE TO THE FLAG

III. ACTION AGENDA

A. Approval of Final Order in the Matter of Mark J. Rendell, Ed.D., as Superintendent of the School District of Indian River County, Florida vs. Xiomara DeLuke (Employment Termination) SDIRC Case 2016-01 – Chairman Simchick

On May 31, 2016, the School Board held an evidentiary hearing on the above referenced employment termination matter. The attached, proposed Final Order set out the facts, conclusions, and decision of the School Board. The School Board was asked to review, discuss, and approve the proposed Final Order. Chairman Simchick recommended approval.

Chairman Simchick called for a motion. Mr. Frost moved approval of the Final Order in the matter of Mark J. Rendell, Ed.D., as Superintendent of the School District of Indian River County, Florida vs. Xiomara DeLuke (employment termination) SDIRC Case 2016-01. Mr. McCain seconded the motion and it carried unanimously, with a 5-0 vote.

B. Approval to Set Hearing on Suspensions of Instructional Employee, Xiomara DeLuke – Dr. Fritz

On two separate occasions, the Superintendent suspended, without pay, instructional employee, Xiomara DeLuke, by letters dated February 25, 2016, and April 6, 2016. By letter dated April 21, 2016, the employee, through her attorney, requested a hearing to contest the suspensions without pay. Copies of the Superintendent’s suspension letters and the letter from the employee’s attorney requesting a hearing were attached.

1. The Superintendent requested that the School Board determine who would hear the matter, either the School Board or an Administrative Hearing Officer assigned

by the Division of Administrative Hearings. The School Board had the discretion to hear the case itself, or to refer the case to the Division of Administrative Hearings.

2. In the event the School Board determines it would hear the suspension hearing, a date for the hearing would also need to be set. By law, the hearing must be held within 60 days of the employee's request. However, due to the delay in requesting the scheduling of the hearing, the 60-day timeline had elapsed. Accordingly, the hearing should be set sometime after July 13, 2016, which was the minimum notice (14 days) required for such a hearing. In the event the Division of Administrative Hearings would handle the case, the date of the hearing would be set by that agency. Superintendent recommended approval.

Chairman Simchick called for a motion. Mr. Frost moved approval to have the hearing held before an Administrative Hearing Officer assigned by the Division of Administrative Hearings. Mr. McCain seconded the motion. Board Members discussed the motion. Mrs. D'Agresta addressed the process. The Board voted unanimously in favor of the motion, with a 5-0 vote.

C. Approval to Terminate Support Staff Employee – Dr. Fritz

The Superintendent recommended termination of support staff employee, Ian Brown. The grounds for this termination were contained in the attached Charging Letter. Superintendent recommended approval.

Chairman Simchick called for a motion. Mr. Frost moved approval to terminate support staff employee, Ian Brown. Mr. McCain seconded the motion and it carried unanimously, with a 5-0 vote.

IV. ADJOURNMENT

V. ADJOURNMENT – Chairman Simchick
Meeting adjourned at approximately 4:39 p.m.